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AB-355 Firearms: assault weapons: exception for peace officer training. (2023-2024)

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Assembly Bill No. 355

CHAPTER 235

An act to add Section 30631 to the Penal Code, relating to firearms.

[Approved by Governor September 26, 2023. Filed with Secretary of State September 26, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 355, Alanis. Firearms: assault weapons: exception for peace officer training.

Existing law requires the loan of a firearm to be processed through a licensed firearm dealer. Existing law exempts from this requirement the loan of a firearm to a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, for purposes of participation in the course.

Existing law prohibits the sale, transfer, or possession of a large-capacity magazine, as defined. Existing law exempts from this prohibition the sale or transfer to, or the possession by, a peace officer or retired peace officer, as specified, or to or by a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, for purposes of participation in the course, as specified.

Existing law prohibits the sale, transfer, or possession of an assault weapon, as specified. Existing law exempts from this prohibition the sale or transfer of an assault weapon to, or the possession of an assault weapon by, a peace officer, as specified.

This bill would also exempt from this prohibition the loaning of an assault weapon to, or the possession of an assault weapon by, a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, while engaged in firearms training and being supervised by a firearms instructor. The bill would also prohibit the loaned assault weapon from leaving the training facility and would require the enrollee to be currently employed by a law enforcement agency, as specified.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 30631 is added to the Penal Code, to read:

30631. Sections 30600 and 30605 do not apply to the loan of an assault weapon to, nor the possession of an assault weapon by, a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, while engaged in firearms training and being supervised by a firearms instructor, if the following requirements are met:

(a) The loaned assault weapon does not leave the training facility.

(b) The enrollee has met the minimum peace officer hiring standards as stated in Sections 1029, 1030, and 1031 of the Government Code prior to entry to the course and is currently employed by any of the following:

- (1) A police department or sheriff's office.
- (2) A marshal's office.
- (3) The Department of Justice.
- (4) The Department of the California Highway Patrol.
- (5) The Department of Fish and Wildlife.