

# NRA / CRPA

## LEGAL AFFAIRS REPORT

### June 2018

This report provides an overview of just some of the efforts being taken to protect the rights of California gun owners. Although litigation plays an extremely important role in the fight for the right to keep and bear arms, there are many other tremendous and equally important endeavors throughout California and across the nation.

Protecting the Second Amendment requires an enormous amount of resources and involvement in all levels of California’s government, including all 58 counties, all 482 municipalities, and all state and local agencies tasked with enforcing the myriad of complex and ever-expanding gun laws.

*The digital version of this report, complete with links to relevant documents and additional information, can be found on NRA-ILA’s California webpage at [www.standandfightCalifornia.com](http://www.standandfightCalifornia.com) and CRPA’s webpage at [www.crpa.org](http://www.crpa.org).*

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## California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
<p>Challenge to California's Ammunition Sales Restrictions</p>	<p><a href="#"><u>Rhode v. Becerra</u></a></p>	<p>The case was filed on April 26, 2018, in response to Proposition 63 and Senate Bill 1235's restrictions regarding the sale and transfer of ammunition in California. The lawsuit challenges these restrictions as a violation of the Second Amendment, Commerce Clause, and Equal Protection Clause of the United States Constitution, as well as a violation of the Firearm Owner's Protection Act. Six-time Olympic medal winner Kim Rhode spearheads this lawsuit as lead plaintiff.</p>	<p>The state has filed a motion to dismiss. Plaintiffs will soon file an opposition to that motion.</p>
<p>Challenge to California's "assault weapon" restrictions.</p>	<p><a href="#"><u>Rupp v. Becerra</u></a></p>	<p>The case was filed on April 24, 2017, in response to SB 880 and AB 1135. It challenges California's entire "assault weapon" ban as violating the Second Amendment and due process and takings clauses of the U.S. Constitution. Plaintiffs filed a preliminary injunction motion to prevent the State from requiring individuals to provide the date they acquired their firearms and the name and address of the person from whom they acquired them, as a condition of registration, but that motion was denied on May 9, 2018.</p>	<p>Plaintiffs recently filed an amended complaint and will seek a temporary restraining order preventing the requirement from being enforced while the case is pending.</p>
<p>Challenge to California's ban on standard capacity magazines</p>	<p><a href="#"><u>Duncan v. Becerra</u></a></p>	<p>The case was filed in response to SB 1446 and Prop 63. It challenges California's ban on the acquisition and possession of magazines over ten rounds. On June 29, the district court granted plaintiffs' motion for a preliminary injunction, halting enforcement of the newly enacted possession ban while the case is litigated. The State immediately appealed the injunction order, but the case was ordered to continue in the trial court. The parties have completed discovery, and plaintiffs filed a motion for summary judgment on March 5, 2018.</p>	<p>A hearing before the District Court took place on May 10, 2018, regarding Plaintiffs' motion for summary judgment. And a hearing before the Ninth Circuit on May 14, 2018, regarding the state's appeal of the injunction granted by the District Court. A decision on either could come at any time.</p>

## California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
<p>Challenge to DOJ's recently enacted "assault weapon" registration regulations</p>	<p><a href="#"><u>Villanueva v. Becerra</u></a></p>	<p>The case was filed on September 8, 2017, in response to California DOJ adopting regulations concerning newly classified "assault weapons" under SB 880 and AB 1135. It challenges the regulations under California's Administrative Procedure Act because they were enacted without legislative authority and without any input from members of the public.</p>	<p>On May 30, 2018, the court issued <a href="#"><u>an order</u></a> upholding the regulations as valid. Plaintiffs will soon be filing an appeal.</p>
<p>Challenge to CA and Los Angeles firearm carry restrictions that prohibit both open and concealed carry</p>	<p><a href="#"><u>Flanagan v. Becerra</u></a>  (Formerly <a href="#"><u>Flanagan v. Harris</u></a>)</p>	<p>The case was filed on August 17, 2016, as a direct response to <a href="#"><u>Peruta</u></a>. It seeks to force the court to decide whether it is willing to uphold a complete prohibition on the right of law-abiding citizens to carry a firearm for self-defense. The parties filed cross-motions for summary judgment. On May 24, 2018, the court issued <a href="#"><u>a decision</u></a> granting Defendant's motion for summary judgment.</p>	<p>Plaintiffs will soon be filing an appeal.</p>
<p>Challenge to California DOJ's misuse of DROS Fee funds</p>	<p><a href="#"><u>Bauer v. Becerra</u></a>  (Formerly <a href="#"><u>Bauer v. Harris</u></a>)</p>	<p>In March 2015, the district court issued an opinion upholding California's use of DROS fees to fund APPS and other law enforcement activities. On June 1, 2017, the Ninth Circuit affirmed the district court opinion. And on July 12, it denied Plaintiffs' request for an <i>en banc</i> hearing. Plaintiffs' filed a petition for review, but the United States Supreme Court declined to rehear the case.</p>	<p>Because the Supreme Court declined to rehear the case, the Ninth Circuit's decision is final, and the case is now closed.</p>
<p>Challenges DOJ's use of DROS surplus to fund APPS as an illegal tax</p>	<p><a href="#"><u>Gentry v. Becerra</u></a>  (Formerly <a href="#"><u>Gentry v. Harris</u></a>)</p>	<p>Plaintiffs filed an amended complaint alleging that the DROS fee is an invalid tax. On August 9, 2017, the district court issued a ruling granting Plaintiffs' request to prohibit DOJ from using DROS fees to fund unrelated law enforcement efforts and requiring DOJ to perform its statutorily required review of the current \$19 fee to determine whether it is "no more than necessary to fund" DOJ's costs for processing DROS transactions.</p>	<p>Plaintiffs' motion for leave to amend their complaint to include claims developed through discovery will be heard on June 22, 2018. And a hearing on the case's merits is scheduled for August 24.</p>

## California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
Challenge to CA DOJ's underground regulations regarding the FSC Program	<a href="#"><u>Belemjian v. Becerra</u></a>  (Formerly <a href="#"><u>Belemjian v. Harris</u></a> )	This case forced DOJ to comply with the process for enacting regulations, which it sought to avoid when implementing the FSC program in February 2015. Plaintiffs appealed the lower court's denial of their request for attorneys' fees.	On March 29, 2018, the Court of Appeal affirmed the denial of plaintiffs' fee motion. Further action is being considered.
Vagueness challenge to (AB 962's "handgun ammunition" sales registration requirement and mail order ban	<a href="#"><u>Parker v. California</u></a>	In December 2016, because of Prop 63, the California Supreme Court dismissed its review of a Court of Appeal opinion affirming the trial court's order striking down AB 962. The Court of Appeal's decision is now the final opinion, and plaintiffs are seeking their attorneys' fees against the State.	Plaintiffs' motion for attorneys' fees on appeal was heard on September 14, 2017. A further hearing is scheduled for April 5, 2018, and a decision is expected soon. Meanwhile, the denial of fees for work in the trial court is currently on appeal.

NRA and CRPA also provide consulting advice and prepare amicus curiae or "friend of the court" briefs in firearm and Second Amendment related cases.

## California and 9th Circuit Amicus or Consulting Support

Issue	Case Name	Case Status	What's Next
FFL Zoning Restrictions	<a href="#"><u>Teixeira v. Alameda County</u></a>	On October 10, 2017, an 11-judge <i>en banc</i> panel of the Ninth Circuit issued an opinion holding that the Second Amendment does not protect a right to sell firearms. As a result, the court held, Alameda County's FFL zoning restrictions do not unconstitutionally burden the right to keep and bear arms. Plaintiffs filed a petition for review, but the United States Supreme Court declined to rehear the case.	Because the Supreme Court declined to rehear the case, the Ninth Circuit's decision is final, and the case is now closed.
California Handgun Roster	<a href="#"><u>Pena v. Lindley</u></a>	The federal district court upheld the Roster in 2015. Plaintiffs appealed, and oral arguments were held on March 16, 2017. NRA and CRPA filed <a href="#"><u>an amicus brief</u></a> in the case on July 27, 2015.	Awaiting a decision from the Ninth Circuit.

## California and 9th Circuit Amicus or Consulting Support

Issue	Case Name	Case Status	What's Next
10-Day Wait as applied to current firearm owners	<a href="#"><u>Silvester v. Harris</u></a>	In December 2016, the Ninth Circuit issued its decision upholding the 10-day wait as applied to current gun owners. Chief Judge Sydney Thomas went even further and stated that the restriction is “presumptively lawful” and therefore falls “outside the scope of the Second Amendment.” The United States Supreme Court declined to rehear the case, but not without a strong dissenting opinion from Justice Thomas.	Because the Supreme Court declined to rehear the case, the Ninth Circuit’s decision is final, and the case is now closed.
1st Amendment challenge to handgun ad prohibition	<a href="#"><u>Tracy Rifle and Pistol v. Becerra</u></a>  (Formerly <a href="#"><u>Tracy Rifle and Pistol v. Harris</u></a> )	In July 2015, the district court denied a request to prohibit enforcement while the case proceeds. That decision was appealed, and in February 2016 the 9th Circuit upheld the lower court’s order within two weeks of oral arguments. Cross-motions for summary judgment have been filed in the district court.	Awaiting a decision from the District Court on the cross-motions for summary judgment.
FFL zoning ordinance	<a href="#"><u>NSSF v. Pleasant Hill</u></a>	The case has been settled.	The City has agreed to pay NSSF over \$400,000 in legal fees.
Challenges DOJ regulation barring sale of more than one handgun in 30 days to COE holders	<a href="#"><u>Doe v. Becerra</u></a>  (Formerly <a href="#"><u>Doe v. Harris</u></a> )	On February 8, 2018, the California Court of Appeal issued a decision invalidating DOJ’s long-held position that licensed collectors with a valid COE are only exempt from the one handgun per 30-day restriction for curio/relic purchases.	Defendants declined to petition the California Supreme Court for review and the case is now closed.
Challenge to ban on possession and carriage of firearms on recreational Army Corps’ lands	<a href="#"><u>Nesbitt v. U.S. Army Corps of Engineer</u></a>	At the request of both parties, oral arguments have been cancelled, and the case has been referred to the Ninth Circuit’s mediation program.	The Army Corps of Engineers is reconsidering its firearms policy and will work with plaintiffs to settle the matter outside of court.

## California and 9th Circuit Amicus or Consulting Support

Issue	Case Name	Case Status	What's Next
State Court challenge to California's micro-stamping requirements	<a href="#"><u>NSSF v. California</u></a>	On December 1, the California Court of Appeal issued a ruling in favor of NSSF, allowing the lawsuit to proceed in the lower court. But Defendants petitioned for review, and Oral arguments before the California Supreme Court were held on April 4, 2018.	Awaiting a decision from the California Supreme Court.

NRA and CRPA also litigate and assist in a number of critical Second Amendment cases across the country that could set precedent for future challenges to California gun laws.

## National Cases with California Interest

Issue	Case Name	Case Status	What's Next
Challenges Maryland's ban on "assault weapons" and 10+ round magazines	<a href="#"><u>Kolbe v. Hogan</u></a>	On February 21, 2017, an <i>en banc</i> panel of the 4th Circuit issued an opinion upholding Maryland's ban that referred to America's most popular types of rifles as "exceptionally lethal weapons of war." Plaintiffs petitioned the United States Supreme Court for review, but that petition was denied on November 27, 2017.	Although the <i>en banc</i> decision is now final, other lawsuits challenging similar restrictions (such as <a href="#"><u>Rupp</u></a> ) are currently pending and will provide another opportunity for the Supreme Court hear an "assault weapon" lawsuit.
Challenges Washington D.C.'s "good reason" requirement for the issuance of a CCW permit	<a href="#"><u>Grace v. District of Columbia</u></a>	On July 25, 2017, the D.C. Circuit declared Washington D.C.'s "good reason" requirement for the issuance of a CCW was a violation of the Second Amendment. The Court also issued a permanent injunction prohibiting D.C. from enforcing the requirement.  On September 28, the D.C. Circuit denied Washington D.C.'s request for rehearing.	On October 5, 2015, Washington D.C.'s Attorney General decided to not petition the case to the United States Supreme Court. As a result, Washington D.C. is now effectively a "shall-issue" jurisdiction.

# LOCAL ADVOCACY PROJECT

The Local Advocacy Project actively monitors all of California’s 58 counties and 482 municipalities to support or oppose any proposed ordinance, law, or policy likely to impact Second Amendment rights. Local efforts include developing and working with a network of professionals, citizens, local government officials and law enforcement professionals to effectively oppose local threats to California gun owners. These efforts also serve as the foundation for litigation efforts against municipalities that enact anti-gun-owner legislation.

Jurisdiction and Issue	Description	LOP Response	Status
<a href="#">Huntington Beach Ballot Initiative Banning Semiautomatic Firearms</a>	In December, the City of Huntington Beach issued title and summary for a proposed local ballot initiative that seeks to ban the possession of all semiautomatic firearms within city limits.	NRA and CRPA <a href="#">alerted members</a> to the proposed initiative and are currently monitoring its development.	Proponents of the measure have until June 2018 to obtain the required number of signatures to move forward. The City has filed suit against the ballot proponent.
Santa Clara County Gun Shows	In March 2018, the Santa Clara County Board of Supervisors <a href="#">directed County Counsel to draft an ordinance</a> prohibiting gun shows on county-owned property. In May 2018 the Board proposed an ordinance on the <a href="#">agenda</a> .	NRA and CRPA <a href="#">alerted members</a> to the proposal. County Board of Supervisors is set to consider ordinance at June 6 <sup>th</sup> meeting.	NRA and CRPA are monitoring county agendas for any updates.
<a href="#">Healdsburg FFL Zoning Ordinance</a>	In March 2018, the Healdsburg Planning Commission held a public discussion regarding a <a href="#">comprehensive FFL zoning ordinance</a> for the city.	NRA and CRPA <a href="#">alerted members</a> to the proposed zoning ordinance.	NRA and CRPA are monitoring City Council agendas for any updates.



Jurisdiction and Issue	Description	LOP Response	Status
<a href="#">LA City's Ban on Sales of "Ultracompact" Handguns</a>	<p>For years, the Los Angeles Municipal Code prohibited the sale or transfer of "ultracompact firearms," even if those firearms were listed on DOJ's "Roster of Handguns Certified for Sale" in California.</p>	<p>On September 20, 2016, NRA and CRPA attorneys submitted a <a href="#">pre-litigation demand letter</a> highlighting how the ordinance was preempted by state law.</p>	<p>As a result of NRA and CRPA's pre-litigation demand, the City Council voted to repeal the ordinance. As of October 15, 2017, the ordinance has been officially repealed.</p>
<a href="#">San Carlos Moratorium on Firearm Retailers</a>	<p>The City of San Carlos recently proposed and adopted a moratorium on firearm retail businesses as a result of several anti-gun residents complaining of a newly proposed Turner's Outdoorsman which was set to open in mid-November. The City continues to hold local meetings regarding the next steps in the zoning process.</p>	<p>NRA and CRPA <a href="#">alerted members</a> to attend the City Council meeting, and submitted a <a href="#">letter of opposition</a> to the proposed moratorium. But the City Council ultimately approved the temporary moratorium on a 4/5ths vote.</p>	<p>NRA and CRPA are monitoring City Council agendas for any updates.</p>
<a href="#">Moraga Locked Storage and FFL Zoning Ordinance</a>	<p>The Moraga Town Council has listed implementation of a "safe firearm storage" and "home based firearm dealer" ordinance as a proposed goal for 2017.</p>	<p>On November 8, 2017, the Town Council proposed a <a href="#">mandatory locked-storage ordinance</a>. NRA and CRPA <a href="#">alerted members</a> to the proposal, and submitted a <a href="#">letter of opposition</a>. In response, Moraga <a href="#">pulled the proposed ordinance</a> from consideration so it could make necessary revisions.</p>	<p>Although the Town Council ultimately adopted the mandatory locked-storage ordinance on March 14, many of the controversial and illegal provisions were removed following NRA and CRPA's opposition.</p>



Jurisdiction and Issue	Description	LOP Response	Status
<a href="#">El Cerrito CCW Fees</a>	Under El Cerrito’s “Master Fee Schedule,” residents applying for a CCW must pay a local processing fee of \$961, well in excess of the \$100 statutory maximum for such fees.	<a href="#">Submitted pre-litigation demand letter</a> seeking repeal of the city’s excessive application fee.	In November, attorneys for El Cerrito agreed with the NRA and CRPA that the current fee violates the statutory \$100 cap. On the April 17, 2018 meeting <a href="#">agenda</a> the fee was adjusted to \$100.
<a href="#">San Jose Anti-Gun Ordinance Package</a>	In September 2016, San Jose Councilmembers Ash Kalra and Raul Peralez introduced an anti-gun package for discussion and referral to the city council.	On October 17, 2017, the San Jose City Council discussed a proposed mandatory locked-storage ordinance. NRA and CRPA <a href="#">alerted members</a> to the proposal, and submitted <a href="#">a letter of opposition</a> .	The city council voted 6-5 in favor of adoption, but not before serious questions were raised about the precise language of the ordinance as highlighted by NRA and CRPA’s opposition letter.
<a href="#">Orange County CCW Applications</a>	Many Orange County residents to this day are still confused as to the specific requirements for obtaining a CCW in Orange County.	Prepared a <a href="#">comprehensive guide</a> discussing the entire application process for obtaining a CCW in Orange County, including what is required to satisfy the Sheriff’s “good cause” policy.	NRA and CRPA are working hard to bring “shall-issue” to California. In the meantime, CRPA will continue to provide gun owners with helpful guides on how they can apply for a CCW in their respective county of residence.
<a href="#">Cupertino Anti-Gun Ordinance Package</a>	In January 2017, the Cupertino Public Safety Commission held an open discussion on several proposed anti-gun measures.	<a href="#">Alerted members</a> to attend the Public Safety Commission meeting. <a href="#">Submitted opposition letter</a> informing the Commission of the proposal’s serious legal problems not adequately discussed in <a href="#">staff reports</a> .	The Commission ultimately failed to reach a consensus, but the proposal could still come before the Cupertino City Council at any time.
<a href="#">Buenaventura FFL Zoning Ordinance</a>	In March 2017, Buenaventura City Council held an open discussion on a proposed ordinance requiring FFLs to install vehicle impact security devices in the form of “bollards” at all entrances to the store.	<a href="#">Alerted members</a> to attend meeting and voice opposition. <a href="#">Submitted a letter of opposition</a> informing the City of the ordinance’s serious legal problems.	The city council discussed NRA and CRPA’s opposition prior to making its decision, but ultimately voted 6-1 in favor of the ordinance.

Jurisdiction and Issue	Description	LOP Response	Status
Statewide Public Record Requests	NRA and CRPA regularly seek and obtain public records in connection with any anti-gun efforts in California. Such efforts include proposed anti-gun ordinances, gun buyback programs, and other anti-gun regulatory enforcement issues.	Responses to these requests often yield valuable results, such as which members of a local government entity are working with anti-gun groups, sources of funding, and other important information.	Ongoing.
City of Morgan Hill	City of Morgan Hill-recommend to draft ordinances on duty to report theft or lost firearms, safe storage ordinance while in home, prohibit possession of LCM, require permit to conduct retail sales	CRPA and NRA Attorneys sent <a href="#">letter</a> in advance of actual ordinance language being introduced to inform city of the problems with the proposal	Next meeting will be in June. Continuing to monitor.
City of Milpitas	Holding a safety summit for the community on June 2 <sup>nd</sup> as a spin off from the one held by Santa Clara County.	Monitoring.	Next meeting is June 19 <sup>th</sup> .
City of Arcata	Proposed Mandatory Lock Storage Ordinance fashioned after San Francisco.	Draft letter sent first week of June prior to next meeting.	Next meeting in July. Continuing to monitor.
Del Mar Gun Show	The Fair Board of The Del Mar Fairgrounds is considering banning gun shows or heavily restricting the activity there.	CRPA and NRA <a href="#">alerted</a> members for the last meeting and many of our member were in full force. CRPA attorneys have drafted letters to the Board to inform them of the strict requirements for all gun shows in California.	Continuing to monitor.

<p>Orange County Costa Mesa Gun Show</p>	<p>County Board of Supervisors is considering whether they will continue to allow gun shows at the fairgrounds.</p>	<p>CRPA and NRA <a href="#">alerted</a> members regarding the meeting. We had many members show up at the last meeting to show support for the gun show. Currently, the Board of Supervisors is refusing to approve more gun shows past August 2018.</p>	<p>Continue to monitor.</p>
<p>City of Saratoga</p>	<p>Possible mandatory lock storage ordinance. Holding a community meeting on May 29<sup>th</sup> to prepare for next meeting on June 20<sup>th</sup>.</p>	<p>CRPA and NRA submitted a <a href="#">letter to the City Council</a> regarding the constitutional concerns with the proposed ordinance.</p>	<p>Next meeting June 20<sup>th</sup>.</p>

# REGULATORY MATTERS

Regulatory Counsel efforts include the continual monitoring of the California Department of Justice (DOJ) and local law enforcement interpretations of California firearm laws to protect gun owners and firearm dealers against unwarranted and unlawful regulatory and enforcement actions. Regulatory Counsel efforts include drafting regulatory comment letters, drafting member alerts, and providing advice to gun owners. Regulatory Counsel opposes improper actions and incorrect interpretations of California law by state and local agencies.

Issue	Description	Regulatory Counsel Response	Status
<a href="#"><u>CA DOJ's "Bullet-Button Assault Weapon" Regulations July 2017</u></a>	After several failed attempts, DOJ resubmitted "assault weapon" registration regulations without any substantive changes. OAL ultimately approved those regulations, which are now enforceable.	<a href="#"><u>Alerted members</u></a> to the proposed regulations, but before NRA and CRPA attorneys could respond, California's Office of Administrative Law approved the regulations. Prior NRA and CRPA comment letters can be viewed <a href="#"><u>here</u></a> , <a href="#"><u>here</u></a> , and <a href="#"><u>here</u></a> .	NRA and CRPA attorneys filed the <a href="#"><u>Villanueva</u></a> lawsuit, which challenges the regulations as a violation of California's Administrative Procedure Act. That lawsuit is ongoing.
<a href="#"><u>CA DOJ's Proposed Expansion of "Assault Weapon" Definitions</u></a>	In November 2017, DOJ submitted proposed regulations expanding the "assault weapon" registration definitions to apply in all circumstances, including enforcement of CA law.	<a href="#"><u>Alerted members</u></a> to the proposed regulation and submitted a comprehensive opposition letter. A representative for NRA and CRPA also attended the public hearing to voice opposition.	DOJ has submitted the proposed regulations to the Office of Administrative Law, who has until July 10, 2018, to issue a decision.
<a href="#"><u>CA DOJ's Proposed "Ammunition Vendor Licensing" Regulations</u></a>	In July, DOJ submitted its anticipated regulations for the issuance of ammunition vendor licenses.	<a href="#"><u>Alerted members</u></a> to the proposal and provided members with information on how to submit comments on the proposal. NRA and CRPA also submitted a <a href="#"><u>letter of comment</u></a> .	Continuing to monitor the proposal and provide analysis as DOJ fails to enact necessary regulations. Additional regulations regarding the background check requirements have yet to be introduced.
Issue	Description	Regulatory Counsel Response	Status

<p><a href="#"><u>CA DOJ's Proposed Firearm Safety Device and Handgun Testing Regulations</u></a></p>	<p>In January 2018, DOJ proposed several regulations regarding the certification of laboratories for handgun and safety device testing, and additional regulations regarding minimum standards for gun safes.</p>	<p><a href="#"><u>Submitted a letter of comment</u></a> during the public hearing in early March 2018.</p>	<p>DOJ must issue a Final Statement of Reasons responding to NRA and CRPA's comments, as well as comments from members of the public, before submitting the proposed regulations to OAL for approval.</p>
<p><a href="#"><u>CA DOJ's Proposed "Ghost Gun" Regulations</u></a></p>	<p>In January 2018, DOJ officially <a href="#"><u>proposed its anticipated regulations</u></a> regarding the serialization of home-built firearms pursuant to AB 857.</p>	<p><a href="#"><u>Alerted members</u></a> to the proposal and <a href="#"><u>submitted a letter of comment</u></a> during the public hearing in late March 2018.</p>	<p>OAL has approved DOJ's proposed regulations which will take effect on July 1, 2018. NRA and CRPA attorneys will soon prepare a webinar for CA gun owners to better help them understand the requirements of these new regulations.</p>
<p><a href="#"><u>CA DOJ Proposed Certificate of Eligibility (COE) Regulations</u></a></p>	<p>In March 2018, DOJ <a href="#"><u>proposed a comprehensive set of regulatory changes</u></a> to the initial and renewal application process for COE, which are now required for all employees of California licensed firearm dealers.</p>	<p>Submitted a <a href="#"><u>letter of comment</u></a> during the public hearing in April 2018.</p>	<p>DOJ must issue a Final Statement of Reasons responding to NRA and CRPA's comments, as well as comments from members of the public, before submitting the proposed regulations to OAL for approval.</p>
<p><a href="#"><u>CA DOJ Proposed Dealer Record of Sale (DROS) Entry System Regulations</u></a></p>	<p>In March 2018, DOJ <a href="#"><u>proposed regulatory changes</u></a> to the process for transferring a firearm through DOJ's DROS Entry System.</p>	<p>Submitted a <a href="#"><u>letter of comment</u></a> during the public hearing in May 2018.</p>	<p>DOJ must issue a Final Statement of Reasons responding to NRA and CRPA's comments, as well as comments from members of the public, before submitting the proposed regulations to OAL for approval.</p>

<p>Use of Non-REAL IDs for Firearm Purchases</p>	<p>In January 2018, the California DMV began issuing REAL IDs. But because non-REAL IDs have “FEDERAL LIMITS APPLY” language, ATF and DOJ determined they could not be used to purchase a firearm.</p>	<p>NRA and CRPA attorneys <a href="#">initially alerted members</a> to the issue, and have since worked with ATF, DMV, and CA DOJ on a solution.</p>	<p>In March 2018, ATF <a href="#">officially revised its policy</a> to allow California residents with non-REAL IDs to purchase firearms.</p>
<p>Public Record Requests</p>	<p>NRA and CRPA regularly seek and obtain public records from CA DOJ and local law enforcement relating to internal agency policies and interpretations of CA firearm laws.</p>	<p>Recently, responses to these requests provided key financial analysis reports from CA DOJ and other state agencies regarding proposed firearm legislation. These reports were subsequently used in drafting legislative opposition letters and veto requests to the governor.</p>	<p>Ongoing.</p>
<p>New California Gun Laws</p>	<p>Given California’s continually evolving and complex firearm laws, many gun owners, manufacturers, and dealers are often left wondering how best to avoid being prosecuted for otherwise unintentional violations that can result in serious consequences.</p>	<p>NRA and CRPA regularly provide Californians with up-to-date information on California laws, regulations, and policies regarding firearms to help gun owners avoid prosecution and retain their right to keep and bear arms.</p>	<p>Ongoing. In connection with these efforts, NRA and CRPA continue to produce <a href="#">webinars</a> on a variety of topics, including the loaning of firearms, the new “assault weapon” laws, the new ammunition sales laws, and the recently adopted “assault weapon” regulations.</p>
<p>Assistance for California Members</p>	<p>NRA and CPRA continually assist members with questions concerning California firearm laws.</p>	<p>NRA and CRPA have a <a href="#">variety of resources</a> available to members, including the ability to refer individuals to attorneys specializing in firearm laws.</p>	<p>Ongoing. In connection with these efforts, NRA and CRPA attorneys provide analysis of parts and configurations of firearms, and they provide lectures and general advice to members of the public and law enforcement regarding changes in California gun laws.</p>

Implementation of Prop 63	Beginning January 1, 2018, courts will require those convicted of firearm prohibiting offenses to turn in/transfer firearms pursuant to Prop 63.	To better inform the courts and members of the public regarding this process, and in an effort to avoid confusion and inadvertent violations, NRA and CRPA prepared and submitted a letter of comment to the Judicial Council of California.	Continuing to monitor the implementation of Prop 63 in the courts and the problems associated with its requirements.
DOJ Website Errors	In January 2018, new laws regarding firearm warning labels that reference DOJ's website took effect. DOJ's website, however, is woefully out-of-date.	In January, NRA and CRPA attorneys <a href="#">submitted a letter</a> to the Attorney General highlighting the many inaccurate legal statements on DOJ's website and the need for correction.	Ongoing.
Assistance to Gun Clubs and Youth Groups	California law substantially regulates and restricts the acquisition, transfer, and loan of firearms. Firearm clubs and youth groups are particularly affected by these restrictions	Currently assisting these groups navigate CA's requirements and advising how best to avoid unintentional violations of CA law.	Ongoing.
California's Firearm Violence Research Center	California granted \$5 million to create the "California Firearm Violence Research Center." The individual chosen to head this center is a known anti-Second Amendment advocate.	Continuing to monitor the center's activities to ensure taxpayer money is not wasted on biased and unsubstantiated research.	Ongoing.



# HUNTING REGULATIONS

Issues affecting California hunters require regular monitoring and action before the legislature, the Fish & Game Commission, local municipalities, and various regulatory agencies. These efforts push back against extremist anti-hunting advocacy groups such as Project Coyote and the Humane Society of the United States (as opposed to local humane societies).

Issue	Agency	Recent Action	Status
Coalition Building & Uniting Hunting Groups to Promote and Protect Hunting Rights	N/A	Developed two full days of presentations for California hunting groups laying out a plan for addressing attacks on hunting rights in California.	The groups unanimously agreed to form a coalition and develop a coordinated system to effectively and efficiently oppose and roll back anti-hunting regulations.
Potential Legal Challenges to Regulations Restricting Hunting Right	<a href="#">Fish &amp; Game Commission</a> , Municipalities, Regulatory Bodies	Prepared memoranda on viability of lawsuits challenging regulations; maintain ongoing list of potential legal challenges.	Ongoing efforts to closely monitor current and potential legal challenges to timely and effectively intervene or file litigation as appropriate.
Monitoring anti-hunting forces	<a href="#">Fish &amp; Game Commission</a> , Municipalities, Regulatory Bodies	Ongoing monitoring of lawsuits and activities of potential interest to hunting related matters in California. Regularly submit public records act requests for documents concerning efforts of anti-hunting groups. Analyze Fish & Game Commission meeting agendas and prepare lobbyists for addressing matters of interest at FGC & WRC meetings.	Ongoing efforts to monitor various hunting-related issues to allow for timely and effective intervention as necessary.

Issue	Agency	Recent Action	Status
Increasing Support for Hunting Rights Throughout California	N/A	Developed and distributed computer presentations for distribution by coalition of hunting groups that outline the attacks hunters are facing. Presented to Council to Advance Hunting and Shooting Sports regarding issues in California to garner support.	Ongoing efforts to grow hunting rights coalitions and spread awareness.
Membership Alerts	N/A	Prepare alerts regarding new hunting rules and regulations and advise of NRA and CRPA efforts to promote and defend hunting rights in California.	Ongoing.
Anti-hunting Regulations	<a href="#">Fish &amp; Game Commission</a>	Submitted petitions to allow archery hunters to carry side arms for self-defense.	The Commission has granted the petition and will be working to repeal the existing regulation prohibiting archery hunters from carrying.
Opposing HSUS Predator Policies	<a href="#">Fish &amp; Game Commission</a> , Municipalities	Ongoing efforts to prepare representatives for attendance at Wildlife Resource Committee hearings on predators. Presented at coyote management symposium regarding negative impacts of HSUS on predator management policies. Drafted manuscript explaining HSUS lies for publication in predator management circles. Grassroots organization to mobilize and direct residents of cities with HSUS coyote policies.	Ongoing efforts to challenge HSUS regarding non-lethal coyote policies in cities where pets and family members are being attacked. Working to broaden coalition of individuals opposed to HSUS policies in light of dangers to typical family households while informing industry members of predator management about opportunities to oppose.

# RANGE MATTERS

Ongoing monitoring of legal issues and counsel assistance efforts for environmental, land use, design and safety litigation and representation nationwide involving shooting ranges/areas. Regularly perform range evaluations and meet with Club Board of Directors to assist and coordinate responses to campaigns to close down ranges brought by NIMBYs, environmental NGOs, agencies and/or municipalities.

Issue	Recent Action	Status
Storm-water runoff	Regional Water Quality Control Board (RWQCB) has been inspecting shooting ranges and requiring sampling for potential lead contamination in storm-water runoff, utilizing drinking water standards. This has the potential to set inappropriate precedent for regulating ranges for storm-water runoff.	Ongoing efforts to assist ranges and engage the RWQCB to contest the validity of RWQCB's actions.
Non-conforming "Use Status" and "Use Intensification"	Counties are attempting to break shooting ranges' grandfathering as a non-conforming use under county ordinances. Once the grandfathered status of a range is broken through a use intensification argument or a subsequent local law requiring a Conditional Use Permit under the guise of health and safety concerns, compliance with current local laws is effectively impossible.	Ongoing efforts to assist ranges in defending their grandfathered status is crucial in keeping these ranges open and operating.