



**NRA**



# CALIFORNIA LEGAL AFFAIRS

**December 2017**

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This report provides an overview of just some of the efforts the National Rifle Association of America and the California Rifle & Pistol Association, Inc., are taking 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, NRA and CRPA are heavily involved in many other tremendous and equally important endeavors throughout California and across the nation.

As has been and always will be the case, NRA and CRPA invest enormous amounts of resources to protect the Second Amendment at 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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# EXECUTIVE SUMMARY

## **FIREARMS LITIGATION REPORT**

The litigation report provides a brief overview and update on NRA and CRPA's recent litigation efforts in California, including amicus and consulting support in other firearm related cases.

## **LOCAL ORDINANCE PROJECT REPORT**

The Local Ordinance Project ("LOP") is a joint venture between the NRA and CRPA to research and actively monitor all of California's local jurisdictions to oppose any proposed ordinance, law, or policy that threatens Second Amendment Rights. LOP 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.

Opposition campaigns typically include the preparation of opposition or pre-litigation demand letters, grassroots coordination, public information campaigns, and, in some cases, appearances at city council hearings. In many instances, these efforts have prompted local governments to vote down proposals or pull them from consideration. LOP efforts also serve as the foundation for NRA and CRPA litigation efforts against municipalities that enact anti-gun legislation.

## **REGULATORY MATTERS REPORT**

NRA and CRPA are also heavily invested in firearm law enforcement issues through their Regulatory Counsel efforts, which monitors the California DOJ and local law enforcement's interpretations of California firearm laws on a daily basis.

Ongoing efforts include drafting regulatory comment letters, providing legal support to NRA and CRPA lobbyists, drafting NRA and CRPA member alerts, and providing advice to NRA and CRPA members. Regulatory Counsel also collaborates with overlapping litigation, legislative, and regulatory matters to effectively oppose improper actions and incorrect interpretations of California law by state and local agencies.

Regulatory Counsel is responsible for many of the recently published webinars available on the CRPA's website which provide gun owners with a comprehensive analysis of recently enacted legislation and the recently proposed "assault weapon" regulations from the California DOJ.

#### **HUNTING MATTERS REPORT**

Closely related to Regulatory Counsel are NRA and CRPA's efforts to monitor and respond to issues impacting hunters throughout California. These efforts include developing strategies and taking action when necessary before the Legislature, the Fish & Game Commission, local municipalities, and other various regulatory agencies.

Hunting Regulatory efforts are also dedicated to pushing back against rabidly anti-hunting forces such as the United States Humane Society, and to improve policies impacting hunters in California to effectively promote and defend the right to hunt in California.

#### **RANGE MATTERS REPORT**

Last but not least, NRA and CRPA continually monitor environmental, land use, and design and safety issues that heavily affect shooting ranges and areas in California and throughout the nation.

NRA and CRPA's range assistance efforts include regular range evaluations and meeting with Club Boards to strategize and assist with coordination of defense campaigns against "not in my backyard" efforts from environmental non-governmental organizations, state and federal agencies, and municipal governments.

*\* In addition to the above mentioned efforts, NRA and CRPA both employ full time lobbyists in Sacramento to fight on behalf of gun owners in the California Legislature. NRA and CRPA regularly prepare and distribute [comprehensive legislative updates](#) and voting guides for [local](#), [state](#), and [national](#) elections, all of which are freely available online on the [NRA-ILA Stand and Fight California! Webpage](#) and [www.carpa.org](http://www.carpa.org).*

# FIREARMS LITIGATION REPORT



## NRA/CRPA California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
<p>Challenge to California's "assault weapon" restrictions.</p>	<p><a href="#">Rupp v. Becerra</a></p>	<p>The case was filed on April 24, 2017, in response to Senate Bill 880 and Assembly Bill 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.</p>	<p>Plaintiffs will soon be conducting discovery and will either file a motion for summary judgment or proceed to trial.</p>
<p>Challenge to California's ban on standard capacity magazines</p>	<p><a href="#">Duncan v. Becerra</a></p>	<p>The case was filed on May 17, 2017, in response to Senate Bill 1446 and Proposition 63. It challenges California's current restrictions on magazine capacity. On June 29, the court granted CRPA's motion for a preliminary injunction and stayed enforcement of the magazine possession ban while the case is litigated, which was set to take effect on July 1.</p>	<p>On July 27, the California Attorney General appealed the court's decision to issue an injunction to the Ninth Circuit. Appellate briefing is underway. Meanwhile, the case is progressing on the merits in the district court.</p>
<p>Challenge to DOJ's recently enacted "assault weapon" registration regulations</p>	<p><a href="#">Villanueva v. Becerra</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 as violating California's Administrative Procedures Act because they were enacted without appropriate legislative authority and without any input from members of the public.</p>	<p>Plaintiffs filed a motion seeking a preliminary injunction to prevent the illegal regulations from being enforced while the lawsuit is pending. The State has filed a motion to dismiss the case, which plaintiffs are also opposing.</p>

## NRA/CRPA California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
<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, which were argued on November 6, 2017. The court took the matter under submission and will be issuing a ruling any day.</p>	<p>Depending on the court's ruling on the cross motions for summary judgment, the next step is either a trial or an appeal to the Ninth Circuit.</p>
<p>Challenge to "good cause" requirement for CCWs</p>	<p><a href="#"><u>Peruta v. California</u></a>  (Formerly <a href="#"><u>Peruta v. San Diego</u></a>)</p>	<p>On June 26, the Supreme Court issued an order declining to hear the case, but not without a strong <a href="#"><u>dissenting opinion</u></a> from newly appointed Justice Gorsuch and Justice Thomas, highlighting how the "en banc" panel improperly declined to answer the core question of the case.</p>	<p>While the <i>Peruta</i> case is officially over, the <a href="#"><u>Flanagan</u></a> lawsuit 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 in public.</p>
<p>Challenge to California DOJ's misuse of the DROS Fee</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 "en banc" hearing. On November 9, 2017, Plaintiffs filed a petition for review to the U.S. Supreme Court.</p>	<p>Wait to see if Supreme Court accepts review.</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>Discovery is ongoing and a bench trial on Plaintiffs' remaining claims has been set for March 16, 2018.</p>

## NRA/CRPA California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
<p>Challenge to CA DOJ's underground regulations regarding the FSC Program</p>	<p><a href="#"><u>Belemjian v. Becerra</u></a>  (Formerly <a href="#"><u>Belemjian v. Harris</u></a>)</p>	<p>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.</p>	<p>Briefing concerning attorneys' fees has been completed. Oral arguments are expected to be scheduled any day now.</p>
<p>Vagueness challenge to (AB 962's "handgun ammunition" sales registration requirement and mail order ban</p>	<p><a href="#"><u>Parker v. California</u></a></p>	<p>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 in the case, and Plaintiffs are seeking their attorneys' fees against the State.</p>	<p>Plaintiffs' motion for appellate attorneys' fees was heard on September 14, 2017. Separate litigation is being prepared to challenge the ammunition restrictions in Proposition 63.</p>
<p>Challenge to California's recently enacted ammunition sale restrictions</p>	<p>N/A</p>	<p>NRA and CRPA attorneys are in the final stages of preparing a lawsuit challenging California's recently enacted ammunition sales restrictions created by Proposition 63 and Senate Bill 1235.</p>	<p>Make sure you are subscribed to <a href="#"><u>NRA</u></a> and <a href="#"><u>CRPA</u></a> email alerts to stay informed on this and other important Second Amendment lawsuits.</p>

In addition to the previously mentioned cases, NRA and CRPA regularly provide consulting advice and prepare amicus curiae or “friend of the court” briefs in a number of other firearm related cases. NRA and CRPA have supported or will be supporting the following cases.

## California and 9th Circuit Amicus and 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 “en banc” panel of the 9th Circuit issued an opinion which held that the Second Amendment does not protect a right to sell firearms, and that as a result, Alameda County’s ordinance does not unconstitutionally burden the right to keep and bear arms.	Plaintiffs may now petition the United States Supreme Court for review.
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 9th Circuit.
10-Day Wait as applied to current firearm owners	<a href="#"><u>Silvester v. Harris</u></a>	In December 2016, the 9th 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.” Plaintiffs have petitioned the United States Supreme Court for review.	Awaiting a decision from the United States Supreme Court on whether or not it will review the case.
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.

## California and 9th Circuit Amicus and Consulting Support

Issue	Case Name	Case Status	What's Next
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> )	The California trial court upheld DOJ's regulation and the plaintiffs have appealed the decision to the California Court of Appeals.	The case has been fully briefed and will soon be scheduled for oral arguments.
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 9th 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.
State Court challenge to California's micro-stamping requirements	<a href="#"><u>NSSF v. California</u></a>	On December 1, the California Court of Appeals issued a ruling in favor of NSSF, allowing the lawsuit to proceed in the lower court. But on March 22, 2017, the California Supreme Court agreed to rehear the case following a petition from the State of California.	The case has been fully briefed and will soon be scheduled for oral arguments before the California Supreme Court.

NRA and CRPA also litigate and provide assistance in a number of critical Second Amendment cases across the country that could set precedent for future challenges to California gun laws. The following are some of the more recent and significant examples of these cases.

### National Cases with California Interest

Issue	Case Name	Case Status	What's Next
<p>Challenges Maryland's ban on "assault weapons" and 10+ round magazines</p>	<p><a href="#"><u>Kolbe v. Hogan</u></a></p>	<p>On February 21, 2017, an "en banc" 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 have petitioned the United States Supreme Court for review.</p>	<p>Several briefs both supporting and opposing Plaintiffs' petition to the United States Supreme Court have been filed, including briefs from <a href="#"><u>NRA</u></a> and the <a href="#"><u>CRPA Foundation</u></a>.</p>
<p>Challenges Washington D.C.'s "good reason" requirement for the issuance of a CCW permit</p>	<p><a href="#"><u>Grace v. District of Columbia</u></a></p>	<p>On July 25, the D.C. Circuit issued its decision declaring Washington D.C.'s "good reason" requirement for the issuance of a CCW as a violation of the Second Amendment. The Court also issued a permanent injunction prohibiting D.C. from enforcing the requirement.</p> <p>On September 28, the D.C. Circuit denied Washington D.C.'s request for rehearing.</p>	<p>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.</p>

# LOCAL ORDINANCE PROJECT REPORT



The Local Ordinance Project (LOP) is a joint venture between NRA and CRPA to research and actively monitor all of California’s 58 counties and 482 municipalities to oppose any proposed ordinance, law, or policy that threatens Second Amendment rights. LOP 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. Opposition campaigns typically include the preparation of opposition letters or pre-litigation demand letters, grassroots coordination, public information campaigns, and, in some cases, appearances at city council hearings. In many instances, these efforts have prompted local governments to vote down proposals or pull them from consideration. LOP efforts also serve as the foundation for NRA and CRPA litigation efforts against municipalities that enact anti-gun legislation.

Jurisdiction and Issue	Description	LOP Response	Current Status
<a href="#">Statewide Local Elections</a>	LOP works hard to inform California gun owners of political candidate's voting records on Second Amendment Issues.	Continually develop and maintain detailed voting histories of local politicians, including whether they proposed or supported any firearm-related legislation.	Ongoing.
<a href="#">LA City’s Ban on Sales of “Ultracompact” Handguns</a>	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.	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.	As a result of NRA and CRPA’s pre-litigation demand, the LA City Council voted to repeal the ordinance.

<p><a href="#"><u>Palm Springs Anti-Gun Ordinance Package</u></a></p>	<p>In July 2016, the City Council opened discussion on a number of anti-gun proposals, including a duty to report the theft or loss of a firearm, a prohibition on the possession of magazines capable of holding more than 10 rounds, and a requirement that all ammunition sales be recorded.</p>	<p><a href="#"><u>Alerted members</u></a> to attend City Council meetings and voice opposition. Submitted two opposition letters, <a href="#"><u>one in July</u></a> and <a href="#"><u>one in September</u></a>, warning of the ordinance’s serious legal problems, including state preemption issues. <a href="#"><u>Published C.D. Michel editorial</u></a> discussing problems with proposal. Sought public records of communications between Council members and anti-gun groups.</p>	<p>The City agreed to remove the magazine and ammunition restrictions from the proposal. But despite the overwhelming number of residents who spoke against the proposal, the Council voted 3-2 in favor of enacting the remaining provisions.</p>
<p><a href="#"><u>LA City Anti-Gun Efforts Targeting Law-Abiding Gun Dealers</u></a></p>	<p>In June 2016, the City Council instructed the LAPD to work with the anti-gun organization “Crime Gun Solutions” to study and identify so-called “bad apple” gun dealers located in the City of Los Angeles.</p>	<p>In a joint-effort with <a href="#"><u>FFLGuard</u></a>, prepared and submitted a letter to all FFLs located within the City warning them of the Council’s action.</p>	<p>The City has not prosecuted a single dealer as a result of its efforts targeting so-called "bad apple" gun dealers.</p>
<p><a href="#"><u>San Carlos Moratorium on Firearm Retailers</u></a></p>	<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.</p>	<p>NRA and CRPA <a href="#"><u>alerted members</u></a> to attend the City Council meeting, and submitted a <a href="#"><u>letter of opposition</u></a> to the proposed moratorium. But the City Council ultimately approved the temporary moratorium on a 4/5ths vote.</p>	<p>The City will soon vote on whether or not to extend the moratorium while the City considers enacting a more restrictive FFL zoning ordinance. NRA and CRPA are continuing to monitor City Council agendas and will provide members with more information as it becomes available.</p>
<p><a href="#"><u>Moraga Locked Storage and FFL Zoning Ordinance</u></a></p>	<p>The 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="#"><u>mandatory locked-storage ordinance</u></a>. NRA and CRPA <a href="#"><u>alerted members</u></a> to the proposal, and submitted a <a href="#"><u>letter of opposition</u></a>.</p>	<p>As a result of NRA and CRPA’s opposition letter, Moraga <a href="#"><u>pulled the proposed ordinance</u></a> from consideration. The Town Council is expected to reconsider the proposal early next year.</p>

<a href="#"><u>Encinitas Locked Storage and FFL Zoning Ordinance</u></a>	<p>In March 2016, several City Councilmembers asked staff to prepare an ordinance requiring the locked storage of firearms and restricting where FFLs may be located.</p>	<p>Continuing to monitor <a href="#"><u>City Council agendas</u></a> for any updates.</p>	<p>City staff have not yet submitted a draft ordinance for review.</p>
<a href="#"><u>Sonoma County CCW Fees</u></a>	<p>In October 2016, Sonoma County Sheriff Steve Freitas sought approval from the County Board of Supervisors to impose a mandatory psychological test for all CCW applicants and raise the associated fee from \$150 to \$550.</p>	<p><a href="#"><u>Submitted opposition letter</u></a> warning of the proposal’s serious legal problems, such as how state law capped the psychological testing fee at \$150.</p>	<p>In November 2016, the County Board of Supervisors pulled the proposal from consideration and stated it has no plans for re-introduction at this time.</p>
<a href="#"><u>Belvedere Handgun Storage Ordinance</u></a>	<p>In September 2016, the City introduced an ordinance requiring all handguns kept at home to be stored in a locked container, providing an exception only for individuals who possessed a valid CCW.</p>	<p><a href="#"><u>Submitted opposition letter</u></a> warning of the ordinance’s serious legal problems, including state preemption issues.</p>	<p>In October 2016, the City agreed to amend the ordinance to include an exception for all law-abiding citizens when carrying the firearm, regardless of whether or not they possess a valid CCW.</p>
<a href="#"><u>El Cerrito CCW Fees</u></a>	<p>Under the City’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.</p>	<p><a href="#"><u>Submitted pre-litigation demand letter</u></a> seeking repeal of the City’s excessive application fee.</p>	<p>In November, attorneys for the City agreed that the current fee violates the statutory \$100 cap. As a result, the City will soon introduce a resolution to amend the “Master Fee Schedule” accordingly.</p>
<a href="#"><u>San Jose Anti-Gun Ordinance Package</u></a>	<p>In September 2016, Councilmembers Ash Kalra and Raul Peralez introduced an anti-gun package for discussion and referral to the City Council.</p>	<p>On October 17, 2017, the City Council discussed a proposed mandatory locked-storage ordinance. NRA and CRPA <a href="#"><u>alerted members</u></a> to the proposal, and submitted <a href="#"><u>a letter of opposition</u></a>.</p>	<p>The City Council ultimately 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. The City Council is expected to hold a final vote in the coming weeks.</p>

<a href="#">Gun Shows at the Del Mar Fairgrounds</a>	<p>At the request of several anti-gun residents, the Del Mar Fairgrounds Board of Directors held an open discussion in November 2016 regarding the use of the grounds by gun shows.</p>	<p><a href="#">Alerted members</a> to attend meeting and voice support for gun shows. <a href="#">Submitted letter of comment</a> informing Board members of all of the rules and requirements gun show operators are required to adhere to in the State of California.</p>	<p>Following the public discussion, the Board did not take any action and continues to allow the use of the grounds by gun shows.</p>
<a href="#">Orange County CCW Applications</a>	<p>Many Orange County residents to this day are still confused as to the specific requirements for obtaining a CCW in Orange County.</p>	<p>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.</p>	<p>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.</p>
<p>Riverside County CCW Applications</p>	<p>Several cities in Riverside are charging excessive application fees (as high as \$800 for an initial application) for the issuance of a CCW.</p>	<p>NRA and CRPA have submitted public record requests and will soon be submitting pre-litigation demand letters to each of the offending cities.</p>	<p>Ongoing.</p>
<a href="#">Kern County CCW on School Grounds</a>	<p>Following the enactment of Senate Bill 707, which restricted CCW holders from carrying firearms on school grounds, the Kern County High School Board sought to allow teachers and staff to carry firearms at school.</p>	<p>CRPA provided the Board with a <a href="#">comprehensive guide</a> discussing the school's authority to allow individuals to carry firearms on school grounds.</p>	<p>In November 2016, the Kern High School District Board voted in favor of allowing teachers and staff to carry firearms on school grounds. Recent legislation, however, has rescinded the school's authority to issue written permission to carry on school grounds.</p>
<a href="#">Cupertino Anti-Gun Ordinance Package</a>	<p>On January 12, the Cupertino Public Safety Commission held an open discussion on several proposed anti-gun measures.</p>	<p><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>.</p>	<p>The Commission ultimately failed to reach a consensus, but the proposal could still come before the City Council at any time. NRA and CRPA are continuing to monitor meeting agenda's for any developments.</p>

<p><a href="#">Buenaventura FFL Zoning Ordinance</a></p>	<p>On March 20, the 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.</p>	<p><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.</p>	<p>The City Council discussed NRA and CRPA’s opposition prior to making its decision, but ultimately voted 6-1 in favor of the ordinance.</p>
<p><a href="#">West Covina Chief of Police</a></p>	<p>The City is currently in the process of selecting a new Chief of Police. The current Chief, David Faulkner, refused to honor the City Council’s resolution defining “good cause” for a CCW permit.</p>	<p><a href="#">Alerted members</a> to attend a special meeting soliciting input from residents and businesses regarding the recruitment of a new Chief of Police.</p>	<p>A decision by the City has not yet been made.</p>
<p>Statewide Public Record Requests</p>	<p>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.</p>	<p>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.</p>	<p>Ongoing.</p>

# FIREARMS REGULATORY MATTERS REPORT



Regulatory Counsel efforts involve 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 NRA and CRPA member alerts, and providing advice to NRA and CRPA members. Regulatory Counsel also collaborates with overlapping litigation, legislative, and regulatory matters to effectively oppose improper actions and incorrect interpretations of California law by state and local agencies.

Issue	Description	Regulatory Counsel Response	Current Status
<a href="#"><u>CA DOJ's "Bullet-Button Assault Weapon" Regulations December 2016</u></a>	In December 2016, CA DOJ submitted its anticipated regulations regarding the procedures for registering newly classified “assault weapons” under Senate Bill 880 and Assembly Bill 1135.	NRA and CRPA <a href="#"><u>alerted members</u></a> to the proposal, submitted a <a href="#"><u>pre-litigation demand letter to DOJ</u></a> and an <a href="#"><u>opposition letter to Office of Administrative Law</u></a> , and produced a <a href="#"><u>webinar</u></a> outlining the effects of the proposal should it become law.	These regulations were withdrawn before they went into effect.
<a href="#"><u>CA DOJ's "Bullet-Button Assault Weapon" Regulations May 2017</u></a>	After withdrawing the December 2016 regulations in February 2017, CA DOJ resubmitted the regulations for “assault weapons” in May 2017.	NRA and CRPA again <a href="#"><u>alerted members</u></a> to the proposed regulations, and submitted a <a href="#"><u>comprehensive opposition letter</u></a> . NRA and CRPA also <a href="#"><u>produced a webinar</u></a> outlining the new changes and requirements for registration.	On June 26, California’s Office of Administrative Law <a href="#"><u>formally rejected</u></a> DOJ’s proposed regulations, sending CA DOJ back to the drawing board for a second time.

<p><a href="#">CA DOJ's "Bullet-Button Assault Weapon" Regulations July 2017</a></p>	<p>Shortly after California's Office of Administrative Law formally rejected DOJ's second set of proposed regulations, DOJ resubmitted their regulations without any substantive change.</p>	<p>NRA and CRPA again <a href="#">alerted members</a> to the resubmission, but before NRA and CRPA attorneys could respond, California's Office of Administrative Law approved the regulations nearly a full month before it was required to make a decision.</p>	<p>NRA and CRPA attorneys have filed the <a href="#">Villanueva</a> lawsuit challenging the regulations as a violation of California's Administrative Procedures Act.</p>
<p><a href="#">CA DOJ's Proposed "Ammunition Vendor Licensing" Regulations</a></p>	<p>In July, CA DOJ submitted its anticipated regulations for the issuance of ammunition vendor licenses.</p>	<p>NRA and CRPA <a href="#">alerted members</a> to the proposal and provided members with information on how to submit comments on the proposal.</p>	<p>NRA and CRPA attorneys have submitted a <a href="#">letter of comment</a> on the proposed regulations, and continue to monitor the proposal and provide analysis as DOJ fails to enact necessary regulations.</p>
<p><a href="#">CA DOJ's Proposed "Large-Capacity" Magazine Regulations</a></p>	<p>In December 2016, CA DOJ proposed a series of "emergency" regulations relating to magazines capable of holding more than 10 rounds.</p>	<p>NRA and CRPA <a href="#">alerted members</a> to voice their opposition and submit comments, and <a href="#">prepared a comprehensive analysis</a> of the proposed regulations' effects. NRA and CRPA also <a href="#">submitted a letter of opposition</a> to the Office of Administrative Law.</p>	<p>On December 29, 2016, <a href="#">CA DOJ voluntarily withdrew its proposal</a>.</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 work to 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="#">several 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>In connection with these efforts, NRA and CRPA attorneys continue to provide analysis of parts and configurations of firearms, and provide lectures and general advice to members of the public and law enforcement regarding changes in California gun laws.</p>
<p><a href="#">Gun Violence Restraining Orders</a></p>	<p>Since January 2016, a new law allows law enforcement or immediate family members to seek a “gun violence restraining order” against another.</p>	<p>NRA and CRPA published a comprehensive guide for judges, prosecutors, attorneys, police, and gun owners explaining all aspects of the new law.</p>	<p>The published guide is available on the <a href="#">CRPA's website</a>.</p>
<p>Implementation of Prop 63</p>	<p>Beginning January 1, 2018, courts will require those convicted of firearm prohibiting offenses to turn in/transfer firearms pursuant to Prop 63.</p>	<p>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.</p>	<p>NRA and CRPA are continuing to monitor the implementation of Prop 63 and have provided public comment to the Judicial Council of California.</p>

<p>Assistance to Gun Clubs and Youth Groups</p>	<p>California law substantially regulates and restricts the acquisition, transfer, and loan of firearms. Firearm clubs and youth groups are particularly affected by these restrictions</p>	<p>NRA and CRPA are currently assisting these groups navigate CA's requirements and advising how best to avoid unintentional violations of CA law.</p>	<p>Ongoing.</p>
<p>California's Firearm Violence Research Center</p>	<p>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.</p>	<p>NRA and CRPA are continuing to monitor the center's activities to ensure taxpayer money is not wasted on biased and unsubstantiated research.</p>	<p>Ongoing.</p>

# HUNTING REGULATORY MATTERS



NRA and CRPA regularly monitor issues impacting hunters in California and continually develop strategies for taking action when necessary before the Legislature, the Fish & Game Commission, local municipalities, and various regulatory agencies. Hunting Regulatory efforts are also dedicated to pushing back against rabidly anti-hunting forces such as the United States Humane Society. Hunting Regulatory efforts seek to improve policies impacting hunters in California to effectively promote and defend the right to hunt in California.

Issue	Agency	Recent Action	Status
Coalition Building & Uniting Hunting Groups to Promote and Protect Hunting Rights	N/A	Prepared two full days of presentations developed by NRA and CRPA to 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	Prepare 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 closely monitor various hunting related issues to allow for timely and effective intervention as necessary.

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>	Development of petitions to repeal or amend current regulations that negatively affect hunters and to promote adoption of regulations that benefit hunters.	The petition to allow big game archery hunters to carry side arms has been referred to the Department for possible implementation.
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 local 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 REPORT



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 on behalf of NRA and CRPA to strategize and assist with coordination of defense campaigns against NIMBY, environmental NGOs, agency and/or municipality matters.

Issue	Recent Action	Status
Stormwater runoff	Regional Water Quality Control Board (RWQCB) <a href="#">Region 5R</a> has been inspecting all shooting ranges in the region requiring sampling for potential lead contamination in stormwater runoff, utilizing drinking water standards. This has the potential to set extremely bad precedent for regulating ranges for stormwater runoff (using drinking water standards) and may potentially shut down numerous ranges.	Ongoing efforts to assist ranges and engage the RWQCB Region 5R representatives to contest the validity of RWQCB’s actions. Working to prevent RWQCB from using the drinking water standards (0.010 mg/L for lead) and invoke the proper stormwater standards (0.262 mg/L), if not stopping RWQCB’s actions entirely.
Non-conforming “Use Status” and “Use Intensification”	Counties are attempting to break shooting ranges’ grandfathering as a non-conforming use under County Ordinance. Once the grandfathered status of a range is broken through a use intensification argument or a subsequent County Ordinance requiring a Conditional Use Permit under the guise of health and safety concerns, compliance with current County Ordinance is effectively impossible and range closure is certain.	Ongoing efforts to assist ranges in defending their grandfathered status is crucial in keeping these ranges open and operating.