KEY DEFINITIONS

"FIXED MAGAZINE" - An ammunition feeding device contained in, or permanently to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm.

"DISASSEMBLY OF THE FIREARM ACTION" - “The fire control assembly is detached from the action in such a way that the action has been interrupted and will not function. For example, disassembling the action on a two-part receiver, like that on AR-15 style firearm, would require the rear take down pin to be removed, the upper receiver lifted upwards and away from the lower receiver using the front pivot pin as the fulcrum, before the magazine may be removed.”

WHAT ARE MY OPTIONS TO STAY OUT OF TROUBLE IF I OWN A NEWLY DEFINED “ASSAULT WEAPON”?

1. REGISTER: A firearm that was lawful to acquire and possess last year but now is considered an AW can be registered on or before July 1, 2018. Once the registration system is active, you can register at https://cfars.doj.ca.gov/login.do

   NOTE: Any AW may be “jointly” registered with another family member over the age of 18 (including a parent, grandparent, child, grandchild, or sibling) who resides with you. But they must separately complete the AW registration.

2. MODIFICATION: You can modify your firearm so that it is no longer an AW. This can generally be accomplished in two ways:

   A. “Featureless Build:” If a rifle (while still semiautomatic, centerfire, and not having a fixed magazine) does not have any of the features listed in A-F above; or if a pistol, (while still semiautomatic and lacking fixed magazine), does not have any of the features listed in G-J, then it isn’t an AW under the recent change to California law.

   B. “California Compliant Build:” If you remove one of the three prerequisite features for the new “assault weapon” definition (i.e., for rifles: semiautomatic, centerfire, or not having a fixed magazine) the firearm can then still have all of the features listed in A-F (with the exception of the grenade launcher). Most firearm owners choose to install an aftermarket device on their rifle that causes the firearm to have a “fixed magazine.” The parts replace the “bullet button” magazine lock. The device prevents the magazine’s release unless/until the upper receiver is pivoted up from the lower receiver of the firearm. Because removal of the magazine requires “disassembling the firearm’s action,” the magazine is considered “fixed.”

   Some owners are choosing to affix their magazine to the firearm by welding or epoxying the magazine to the receiver and then loading the firearm through the chamber breech. Some are converting their rifles from centerfire to rimfire. While others are restricting their firearm’s ability to function as a semiautomatic.

3. DISASSEMBLY: A firearm has to be assembled and functioning to be an AW. Consequently, disassembling the firearm, or removing a crucial part of the firearm that will prevent it from functioning, or even taking the upper receiver off from the lower receiver, should take the firearm out from under the “AW” definition. But once disassembled, the firearm can never be reassembled in California into a configuration that meets the definition of an “AW,” and you should never manifest the intent to reassemble the firearm in an “AW” configuration in California (never discuss your firewall or how it might be reassembled with anyone). CAUTION: If a firearm is lacking a non-essential part, like a magazine, or a part not required for the firearm to function, or if the firearm is disabled by a gun lock but can otherwise still function properly, it is NOT a “disassembled” firearm. The firearm would still be considered an AW.

4. SALE/SURRENDER: AWs can be surrendered to law enforcement, or sold to properly licensed “assault weapon” dealers, or sold out of state to out of state dealers.

5. REMOVAL FROM CALIFORNIA: Some firearm owners are taking their firearms out of California. Firearm owners choosing this route should be mindful of other state laws and federal transfer requirements, particularly if the firearms are in a location where others may access them. And once removed from the state, it cannot be brought back into the state in an AW configuration.
The firearm must be registered as an “assault weapon” no later than July 1, 2018. (Note: DOJ’s regulations require shotguns lacking “fixed” magazines to be registered, but this position does not reflect current California law.)