



# CITY OF CARSON

## Legislation Text

File #: 2016-649, Version: 1

### Report to Mayor and City Council

Monday, June 08, 2015

Consent

#### **SUBJECT:**

**CONSIDERATION OF RESOLUTION NO. 16-068 OF THE CITY OF CARSON TO SUPPORT ASSEMBLY BILL 1673 (AB 1673) FIREARMS: UNFINISHED FRAME OR RECEIVER, AN ACT TO EXPAND THE DEFINITION OF A FIREARM (CITY COUNCIL)**

#### **I. SUMMARY**

AB 1673 will improve public safety while still protecting the rights of authorized gun owners. It will expand the definition of a "firearm" to close a loophole that currently allows convicted felons and the mentally ill to legally purchase firearm elements that are used to assemble firearms without any restrictions or a background check.

#### **II. RECOMMENDATION**

WAIVE further reading and ADOPT Resolution No. 16-068 expressing "SUPPORT OF THE CITY OF CARSON FOR AB 1673 FIREARMS: UNFINISHED FRAME AND RECEIVER".

#### **III. ALTERNATIVES**

Take another action that the City Council deems appropriate.

#### **IV. BACKGROUND**

Existing Federal law, the *Gun Control Act of 1968*, defines what constitutes a "firearm". "The term "firearm" means (A) any weapon (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device." A frame or lower receiver is the part of a firearm that houses the operating parts allowing it to fire.

A lower receiver or frame is found in every firearm, from pistols to semi-automatic rifles. Semi-automatic rifles can have two receivers (upper and lower), but only the lower receiver requires a serial number. Pistols require serial numbers on the receiver referred to as a "frame"

because it makes up a large portion of the weapon. For rifles, the receiver is one piece of many.

If a receiver is made only to partial-completion, it is considered a “blank”, “casting” or “machined body” form. It can be sold to convicted felons and the mentally ill online or at a gun store. It can then be modified with cheap tools bought at a hardware store, making the gun functional and untraceable to law enforcement.

Most guns and rifles are purchased in gun stores with identifying serial numbers and require a background check prior to purchase. Some firearms in California are made from part-kits that contain many elements of a firearm. These elements can be legally purchased and assembled into a functional weapon without the individual in possession of the parts-kit having to undergo a background check or apply a serial number to the weapon. In both cases, whether bought at a gun store or made at home, untraceable lower receivers create guns that become untraceable to law enforcement.

AB 1673, a bill introduced by Assemblymember Mike A. Gipson, revises the language and expands the definition of a firearm to include “frame or receiver “blank,” “casting” or “machined body” that is designed and clearly identifiable as a component of a functional weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion”. This language will close a dangerous loophole that currently allows anyone to purchase, sell, trade, and/or manufacture to partial-completion the most critical component of a gun. The bill will place more restrictions on the sale and purchase of gun parts by treating receivers and frame blanks, castings, and machined bodies as firearms and will require traceable serial number applications on these elements that are intended to modify firearms. It will also require mandatory background checks in order to purchase these elements, thus prohibiting the access of these elements by the convicted felons and the mentally.

## **V. FISCAL IMPACT**

None.

## **VI. EXHIBITS**

Resolution No. 16-068. (pgs. 3-4)

Prepared by: Sylvia Rubio, Field Deputy