

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 567

**Introduced by Senator Jackson
(Coauthors: Senators Hancock and Steinberg)**

February 22, 2013

An act to amend Section 17190 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 567, as amended, Jackson. Firearms: shotguns.

Existing law, for purposes of specified provisions, defines shotgun as a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger.

This bill would revise the definition of a shotgun to delete the requirement that it be intended to be fired from the shoulder, and would clarify that the projectile may be fired through either a rifled bore or a smooth bore. *This bill would also delete an erroneous cross-reference.*

By changing the definition of an existing crime, this bill imposes a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17190 of the Penal Code is amended to
2 read:

3 17190. As used in Sections 16530, 16640, 16870, and 17180,
4 Sections 17720 to 17730, inclusive, Section 17740, ~~subdivision~~
5 ~~(f) of Section 27555~~, Section 30215, and Article 1 (commencing
6 with Section 33210) of Chapter 8 of Division 10 of Title 4,
7 “shotgun” means a weapon designed or redesigned, made or
8 remade, and designed or redesigned and made or remade to use
9 the energy of the explosive in a fixed shotgun shell to fire through
10 a smooth bore or rifled bore either a number of projectiles (ball
11 shot) or a single projectile for each pull of the trigger.

12 SEC. 2. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 the only costs that may be incurred by a local agency or school
15 district will be incurred because this act creates a new crime or
16 infraction, eliminates a crime or infraction, or changes the penalty
17 for a crime or infraction, within the meaning of Section 17556 of
18 the Government Code, or changes the definition of a crime within
19 the meaning of Section 6 of Article XIII B of the California
20 Constitution.