

SB 1446 - FACT SHEET

Senator Loni Hancock (D – 09)
Large Capacity Ammunition Magazines

PURPOSE

This measure will prohibit the possession of large capacity ammunition magazines (defined as ammunition feeding devices holding more than 10 rounds). Current and retired police officers would be exempt from the ban.

BACKGROUND

Unfortunately, a common thread in most mass shootings in the U.S is the use of assault style weapons equipped with large-capacity magazines.

On December 2, 2015, large capacity magazines were used to commit the largest terrorist attack on U.S soil since 9/11. Syed Farook and Tashfeen Malik used four high-capacity magazines in the San Bernardino shootings, weapons that enabled them to ambush a room full of people, killing 14 and wounding 26, before getting into a shootout with police through the streets of San Bernardino. Due to the fast response by law enforcement, the bloodshed was contained, but this required police officers to put themselves directly in the line of fire of these assault weapons.

Large-capacity magazines were also used in 2011 when Jared Lee Loughner fired 31 bullets in 15 seconds because he had supersized his Glock 19 handgun with a high-capacity magazine. In those 15 seconds he shot 19 people – severely injuring Arizona Congresswoman Gabrielle Giffords, killing six including federal Judge John Roll, and wounding 12 others.

Loughner's massacre ended only when he stopped to reload and bystanders wrestled him to the ground. Had he used a standard magazine and was forced to reload earlier; some of his victims might have been spared.

Previous Legislation

In 1999, the Legislature passed SB 23 (Perata) which prohibited the possession of assault weapons, such as the AK-47, and created a generic definition of an assault weapon. As part of that legislation, the importation, manufacture and sale of large capacity ammunition magazines was strictly prohibited. However, the possession of high capacity magazines was not prohibited.

Federal law also outlawed possession of high capacity magazines as part of the 1994 federal assault weapons ban but allowed current owners to keep them under a “grandfathering” provision.

The federal assault weapons ban was allowed to expire in 2004. Research has shown that, prior to the implementation of the federal assault weapons ban, these high capacity magazines were used in between 14 and 26% of guns used in crime.

NEED FOR THE BILL

High capacity ammunition magazines are ammunition feeding devices that hold more than ten rounds of ammunition. These mega-magazines can hold upwards of 100 rounds of ammunition and allow a shooter to rapidly fire without reloading.

High capacity magazines **are not** designed for hunting or target shooting. High capacity magazines are military designed devices designed for one purpose only -- to allow a shooter to fire a large number of bullets in a short period of time.

This bill will make clear that possession of these “mega-magazines” is prohibited. Because the Penal Code currently fails to specifically prohibit possession, the law is very difficult to enforce. This measure addresses that by prohibiting possession.

SUPPORT

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FOR MORE INFORMATION

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