

NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
11250 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030



April 2, 2013

OFFICE OF THE DIRECTOR
STATE AND LOCAL AFFAIRS DIVISION

The Honorable Darrell Steinberg
Legislative Office Building
1020 N. Street
Sacramento, California 95814

RE: Senate Bill 374 (Steinberg)

Position: Oppose

Dear Senator Darrell Steinberg:

On behalf of the National Rifle Association, I write to respectfully express our opposition to Senate Bill 374.

SB 374 would make changes of monumental scale to California's firearm laws – banning millions of constitutionally protected firearms that have no association with crime. These changes would happen quickly with great individual costs to many gun owners and with no public notice. What the bill authors propose is unnecessary and malicious.

This bill has two major components. The first would change the definition of "assault weapon." The process of defining "assault weapon" began with legislation authored by the late Assemblyman, Art Agnos, in 1985. The definition that became law in the Roberti-Roos Assault Weapon Control Act of 1989 has been modified or expanded multiple times since. SB 374 would change the existing definition for rifles to "*(1) A semiautomatic, rimfire or centerfire rifle that does not have a fixed magazine with the capacity to accept 10 rounds or fewer.*" This definition includes 95% of semiautomatic rifles that are now in production -- or that have ever been produced. Extremely common rifles that have no meaningful correlation with crime like the Remington 740, the Ruger 10-22 or the Ruger Mini-14 would be subjected to the transfer and use restrictions imposed on "assault weapons" – and future sales would be banned.

Since its introduction in the early 1950s, the Remington 740 and its decedents have been some of the most popular deer hunting rifles in the United States. Likewise, the rimfire Ruger 10-22 is the most popular 'plinking' rifle ever made. Total production has likely topped six million – a significant proportion of which are in California. The Ruger 10-22 is what grandparents purchase for their grandchildren who want to become involved in the shooting sports. So broad is the sweep of this proposed definition that hunting rifles like the Remington 8, which was introduced a decade before our entry to WWI, would become "assault weapons." This is not about crime control – it's blatant attack on lawful gun owners.

The second element of this bill requires that "on and after July 1, 2014, a Firearm Ownership Record to be submitted, as specified, to the Department of Justice for every firearm an individual owns, with prescribed exemptions..." There are no exemptions for law enforcement agencies, forensic laboratory collections,

museums, movie prop providers and antique firearms – to name a few. The silliness of registering a detachable magazine Model 1879 Remington Lee bolt-action rifle is likely not understood by the bill’s proponents.

The owners of firearms covered by these proposed changes would have no way of knowing what was required of them. The widow of a WWII veteran who brought a Mauser semi-automatic rifle home from the war or the grandson who inherited his grandfathers hunting rifle could and would easily become inadvertent criminals.

By banning what amount to millions of the common hunting and sporting rifles, SB 374 plainly conflicts with the Second Amendment. As the Supreme Court noted, whether constitutional protections extend to certain firearms turns on their usage for lawful purposes. Arms “typically possessed by law-abiding citizens for lawful purposes” or those “in common use” are protected. *Heller v. District of Columbia*. 554 U.S. at 624-25. Should SB 374 be enacted, it will result in immediate litigation against the state to prevent enforcement of what amounts to a de facto ban on a massive number of lawfully-owned firearms that have no association with crime.

For the foregoing reasons, the National Rifle Association strongly urges your opposition to SB 374.

Sincerely,

A handwritten signature in black ink that reads "Chuck Cunningham". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Charles H. Cunningham
Director of State and Local Affairs