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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 11, 1982

FOR: EDWIN HARPER

FROM: MICHAEL UHLMANN

Pursuant to Meese's request of the other day, here is an outline of California Gun Control Laws in existence while the President was Governor (and as subsequently amended).

California Firearms Laws

Title 2, Control of Deadly Weapons  
Chapter 1, Concealed Weapons

- § 12001 Definition - Pistol, revolver or firearm capable of being concealed. Barrel less than 12 inches.
- § 12021 Possession and ownership of concealed weapons by felons and drug addicts is prohibited. (Passed in 1953.)
- § 12022 Requires mandatory prison term for person carrying firearm while committing or attempting to commit felony. (Amended in 1969 to require prison term to run consecutively to any sentence for felony. Amended in 1976 and 1977 to reduce maximum term and to eliminate court's power to strike extra sentence for mitigating circumstances.)
- § 12022.5 Requires mandatory prison terms for use of firearm in committing or attempting to commit specified felonies. (Passed in 1969.) (In 1977 amended to eliminate court's power to strike extra sentence for mitigating circumstances.)
- § 12031 Prohibits carrying and/or transportation of loaded firearm in city or populated areas. (Passed in 1967.)
- § 12050 Permit to carry a concealable weapon is required. (Amended in 1969 - permit must be issued by county of residence.)
- § 12070/1 License required to sell concealable weapons. (Passed in 1953.) Does not include infrequent sale, gun show or swap meets. (1978 amendment) (misdemeanor)
- § 12072 Fifteen (15) day waiting period for transfer or sale of handgun. Waiting period extended from 5 to 15 days in 1975, additional time needed for authorities to make record check. The state "Dealer Record of Sale" form is used for this purpose, one copy of which is filed and computerized by the state. (Waiting period extension proposed prior to 1975.)
- § 12079 Restricts mail order sales. Must register sale with police. (Passed in 1967.)

- California has general prohibitions on the sale and possession of machineguns, sawed-off shotguns, silencers and destructive devices. (Amended 1967 - Machinegun definition expanded and explosive and device penalties increased.)
- California does not restrict the sale or possession of rifles and shotguns.