



**NRA**



# CALIFORNIA LEGAL AFFAIRS

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This report provides an overview of just some of the efforts the National Rifle Association of America and the California Rifle & Pistol Association, Inc., are taking to protect the rights of California gun owners. Although litigation plays an extremely important role in the fight for the right to keep and bear arms, NRA and CRPA are heavily involved in many other tremendous and equally important endeavors throughout California and across the nation.

As has been and always will be the case, NRA and CRPA invest enormous amounts of resources to protect the Second Amendment at all levels of California's government, including all 58 counties, all 482 municipalities, and all state and local agencies tasked with enforcing the myriad of complex and ever expanding state and local gun laws.

*Visit [www.crpa.org](http://www.crpa.org) and click on "Legal Affairs" to view the digital version of this report complete with links to documents and other relevant information.*

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# EXECUTIVE SUMMARY

## **FIREARMS LITIGATION REPORT**

The litigation report provides a brief overview and update on NRA and CRPA's recent litigation efforts in California, including amicus and consulting support in other firearm related cases.

## **LOCAL ORDINANCE PROJECT REPORT**

The Local Ordinance Project ("LOP") is a joint venture between the NRA and CRPA to research and actively monitor all of California's local jurisdictions to oppose any proposed ordinance, law, or policy that threatens Second Amendment Rights. LOP efforts include developing and working with a network of professionals, citizens, local government officials, and law enforcement professionals to effectively oppose local threats to California gun owners.

Opposition campaigns typically include the preparation of opposition or pre-litigation demand letters, grassroots coordination, public information campaigns, and, in some cases, appearances at city council hearings. In many instances, these efforts have prompted local governments to vote down proposals or pull them from consideration. LOP efforts also serve as the foundation for NRA and CRPA litigation efforts against municipalities that enact anti-gun legislation.

## **REGULATORY MATTERS REPORT**

NRA and CRPA are also heavily invested in firearm law enforcement issues through their Regulatory Counsel efforts, which monitors the California DOJ and local law enforcement's interpretations of California firearm laws on a daily basis.

Ongoing efforts include drafting regulatory comment letters, providing legal support to NRA and CRPA lobbyists, drafting NRA and CRPA member alerts, and providing advice to NRA and CRPA members. Regulatory Counsel also collaborates with overlapping litigation, legislative, and regulatory matters to effectively oppose improper actions and incorrect interpretations of California law by state and local agencies.

Regulatory Counsel is responsible for many of the recently published webinars available on the CRPA's website which provide gun owners with a comprehensive analysis of recently enacted legislation and the recently proposed "assault weapon" regulations from the California DOJ.

#### **HUNTING MATTERS REPORT**

Closely related to Regulatory Counsel are NRA and CRPA's efforts to monitor and respond to issues impacting hunters throughout California. These efforts include developing strategies and taking action when necessary before the Legislature, the Fish & Game Commission, local municipalities, and other various regulatory agencies.

Hunting Regulatory efforts are also dedicated to pushing back against rabidly anti-hunting forces such as the United States Humane Society, and to improve policies impacting hunters in California to effectively promote and defend the right to hunt in California.

#### **RANGE MATTERS REPORT**

Last but not least, NRA and CRPA continually monitor environmental, land use, and design and safety issues that heavily affect shooting ranges and areas in California and throughout the nation.

NRA and CRPA's range assistance efforts include regular range evaluations and meeting with Club Boards to strategize and assist with coordination of defense campaigns against "not in my backyard" efforts from environmental non-governmental organizations, state and federal agencies, and municipal governments.

*\* In addition to the above mentioned efforts, NRA and CRPA both employ full time lobbyists in Sacramento to fight on behalf of gun owners in the California Legislature. NRA and CRPA regularly prepare and distribute comprehensive legislative updates and voting guides for local, state, and national elections, all of which are freely available online at [www.crpa.org](http://www.crpa.org).*

# FIREARMS LITIGATION REPORT



## NRA/CRPA California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
Challenge to CA and Los Angeles Firearm Carry Restrictions that Prohibit Both Open and Concealed Carry	<u>Flanagan v. Harris</u>	The case was filed on August 17, 2016 as a direct response to <i>Peruta</i> . The suit seeks to force the court to decide whether or not it is willing to uphold a complete prohibition on the right of law-abiding citizens to carry a firearm for self-defense.	A hearing on Defendants' Motions to Dismiss portions of Plaintiffs' claims will be heard in February 2017. The case is currently in the discovery phase and substantive motions are expected to be filed and heard in late 2017.
Challenges to "Gunmageddon," Prop 63, and LA's Ultra-Compact Firearms Ban	N/A	CRPA and NRA attorneys are preparing multiple challenges to the new laws that were passed in 2016 that improperly punish law-abiding gun owners.  CRPA and NRA attorneys also submitted a pre-litigation demand letter to the City of Los Angeles demanding that it repeal its ultra-compact firearms in September 21, 2016.	Multiple lawsuits will be filed to challenge the "Gunmageddon" bills and Prop 63 in 2017.  The City of Los Angeles is considering whether it will repeal its ultra-compact firearms ordinance, otherwise it will face further litigation in 2017.
Challenge to "good cause" requirement for CCWs	<u>Peruta v. California</u>  (Formerly <u>Peruta v. San Diego</u> )	In June 2016, a divided "en banc" panel of the 9th Circuit Court of Appeals ruled 7-4 in favor of the County, holding that the government's denial of the only means of carrying a firearm under state law does not implicate the Second Amendment. The decision reverses an earlier three-judge panel decision of the 9th circuit and now stands in direct conflict with the Supreme Court's decision in <i>Heller</i> .	On January 12, NRA and CRPA attorneys submitted a petition for review to the United States Supreme Court. Several amicus briefs in support of the petition will be filed in February 2017.

## NRA/CRPA California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
Challenge to DOJ's excessive DROS fees that generated a massive surplus.	<u>Bauer v. Harris</u>	In March 2015, the district court issued an opinion upholding California's use of DROS fees to fund APPS and other law enforcement activities. Plaintiffs have appealed. The case has been fully briefed and is awaiting oral arguments.	Oral arguments are scheduled for the week of April 17-April 21, 2017.
Challenges DOJ's Use of DROS surplus to fund APPS	<u>Gentry v. Harris</u>	Plaintiffs filed an amended complaint alleging that the DROS fee is an invalid property tax. The case is currently in the discovery process.	The case is expected to go trial in 2017.
Challenge to CA DOJ's underground regulations regarding the Firearm Safety Certificate Program	<u>Belemjian v. Harris</u>	This case forced DOJ to finally begin the process of enacting regulations for the FSC program in February 2015. Plaintiffs appealed the lower court's denial of Plaintiffs' request for attorneys' fees.	Briefing concerning attorneys fees is currently in progress in the California Court of Appeals
Challenge to improper denial of use permit to operate firearms retail and repair business.	<u>Settergren v. Daly City</u>	The case is currently in discovery phase and the parties are actively engaged in settlement negotiations.	If the case is not resolved through settlement, discovery followed by substantive motions to resolve the case on the merits.
Vagueness challenge to (AB 962's "handgun ammunition" sales registration requirement and mail order ban	<u>Parker v. California</u>	In December 2016, as a result of Prop 63, the California Supreme Court dismissed its review of the Court of Appeals' opinion that upheld the trial court's order striking down AB 962. The Court of Appeals decision now stands as the final opinion in the case and Plaintiffs will seek recovery of their attorneys' fees.	Plaintiffs' motion for attorneys' fees will be heard in 2017. Separate litigation is being prepared to challenge the ammunition restrictions in Proposition 63.

## NRA/CRPA California and 9th Circuit Litigation Matters

Issue	Case Name	Case Status	What's Next
10+ Round Magazine Possession Ban	<u>Fyock v. Sunnyvale</u>	The passage of SB 1446 and Proposition 63 prohibiting the possession of 10+ round magazines statewide now preempts the local ordinance and mooted the case.	<p>The case was dismissed without prejudice in December 2017.</p> <p>Separate litigation is being prepared to challenge the State's 10+ round magazine ban. If that litigation is successful, this case will be refiled against Sunnyvale.</p>
Preemption challenge to LA ordinance banning possession of 10+ round magazines	<u>Bosenko v. City of Los Angeles</u>	The City is currently in the process of repealing the ordinance because it is now preempted by state law.	<p>Once the City repeals its ordinance, the case will be dismissed.</p> <p>Separate litigation is being prepared to challenge the State's 10+ round magazine ban.</p>

In addition to the previously mentioned cases, NRA and CRPA regularly provide consulting advice and prepare amicus curiae or “friend of the court” briefs in a number of other firearm related cases. NRA and CRPA have supported or will be supporting the following cases.

## California and 9th Circuit Amicus and Consulting Support

Issue	Case Name	Case Status	What’s Next
FFL Zoning Restrictions	<u>Teixeira v. Alameda County</u>	In December 2016, the 9th Circuit ordered the case to be reheard by an 11-judge “en banc” panel.	NRA and CRPA attorneys <u>filed an amicus brief</u> on January 31, 2017. Oral arguments are scheduled to take place the week of March 20, 2017.
Sacramento and Yolo County CCW Issuance Policies	<u>Richards v. Prieto</u>	The <i>Richards</i> plaintiffs joined the <i>Peruta</i> plaintiffs in petitioning for full court “en banc” rehearing by all sitting members of the 9th Circuit Court of Appeals.	On August 15, the 9th Circuit denied Plaintiffs’ petition for full court “en banc” rehearing by all sitting members of the 9th Circuit. The Richards plaintiffs did not seek Supreme Court review of the case.
Hawaii CCW Scheme	<u>Baker v. Kealoha</u>	The court is currently reviewing supplemental briefing from the parties following the en banc decision in <i>Peruta</i> .	A decision from the Court regarding whether to remand the case to the district court could come at any time.
California Handgun Roster	<u>Pena v. Lindley</u>	The federal district court upheld the Roster in 2015. Plaintiffs appealed, and the case has been fully briefed before the 9th Circuit.	Oral arguments are scheduled for March 16, 2017.
10-Day Wait as applied to current firearm owners	<u>Silvester v. Harris</u>	In December 2016, the 9th Circuit issued its decision upholding the 10-day wait as applied to current gun owners. Chief Judge Sydney Thomas went even further and stated that the restriction is “presumptively lawful” and therefore falls “outside the scope of the Second Amendment.”	Plaintiffs now have the option of either requesting review by an 11-judge “en banc” panel of the 9th Circuit, or submitting a petition for review directly to the United States Supreme Court.



## California and 9th Circuit Amicus and Consulting Support

Issue	Case Name	Case Status	What's Next
1st Amendment challenge to handgun ad prohibition	<u>Tracy Rifle and Pistol v. Harris</u>	In July 2015, the district court denied a request to prohibit enforcement while the case proceeds. That decision was appealed, and in February 2016 the 9th Circuit upheld the lower court's order within two weeks of oral arguments.	Litigation will now resume in the district court.
FFL zoning ordinance	<u>NSSF v. Pleasant Hill</u>	The case has been settled.	The City has agreed to pay NSSF over \$400,000 in legal fees
Challenges DOJ regulation barring sale of more than one handgun in 30 days to COE holders	<u>Doe v. Harris</u>	The California trial court upheld DOJ's regulation and the plaintiffs have appealed the decision to the California Court of Appeals.	The case is currently being brief before the Court of Appeals. Oral arguments will likely be scheduled for late 2017.
Challenge to ban on possession and carriage of firearms on recreational Army Corps' lands.	<u>Nesbitt v. U.S. Army Corps of Engineer</u>	The case has been fully briefed and is awaiting oral arguments before the 9th Circuit Court of Appeals.	Oral arguments are scheduled to take place on March 6, 2017.
State Court challenge to California's micro-stamping requirements	<u>NSSF v. California</u>	On December 1, the California Court of Appeals issued a ruling in favor of NSSF, allowing the lawsuit to proceed in the lower court. Since then, the California Attorney General has petitioned the California Supreme Court for review.	Litigation may now resume in the lower court. Litigation could be further stayed in the lower court if the California Supreme Court grants the State's petition for review.

NRA and CRPA also litigate and provide assistance in a number of critical Second Amendment cases across the country that could set precedent for future challenges to California gun laws. The following are some of the more recent and significant examples of these cases.

### National Cases with California Interest

Issue	Case Name	Case Status	What's Next
<p>Challenges Maryland's ban on "assault weapons" and 10+ round magazines</p>	<p style="text-align: center;"><u>Kolbe v. Hogan</u></p>	<p>On February 4, 2016, the 4th Circuit overturned the district court's approval of the ban under intermediate scrutiny, and ordered the district court to apply "strict scrutiny." The State appealed and the case was reheard by the full 4th Circuit sitting "en banc" on May 11, 2016.</p>	<p>An audio recording of the recent "en banc" oral arguments is available at: <a href="http://michellawyers.com/kolbe-v-omalley/">http://michellawyers.com/kolbe-v-omalley/</a>.</p> <p>A decision from the 4th Circuit could come anytime.</p>
<p>Challenges Washington D.C.'s "good reason" requirement for the issuance of a CCW permit</p>	<p style="text-align: center;"><u>Grace v. District of Columbia</u></p>	<p>On May 17, 2016, the Court granted the Plaintiffs' request for an order blocking enforcement of the "good reason" requirement. The government appealed the decision to the D.C. Circuit Court of Appeals and the Court issued a stay of the lower court's order that prohibited D.C. from enforcing its "good reason" requirement.</p>	<p>Oral arguments in the case were held on September 20, 2016, along with <i>Wrenn v. District of Columbia</i>. A decision from the Court of Appeals can be expected anywhere in the next 3-9 months.</p>

# LOCAL ORDINANCE PROJECT REPORT



The Local Ordinance Project (LOP) is a joint venture between NRA and CRPA to research and actively monitor all of California’s 58 counties and 482 municipalities to oppose any proposed ordinance, law, or policy that threatens Second Amendment rights. LOP efforts include developing and working with a network of professionals, citizens, local government officials and law enforcement professionals to effectively oppose local threats to California gun owners. Opposition campaigns typically include the preparation of opposition letters or pre-litigation demand letters, grassroots coordination, public information campaigns, and, in some cases, appearances at city council hearings. In many instances, these efforts have prompted local governments to vote down proposals or pull them from consideration. LOP efforts also serve as the foundation for NRA and CRPA litigation efforts against municipalities that enact anti-gun legislation.

Jurisdiction and Issue	Description	LOP Response	Current Status
<u>Statewide Local Elections</u>	LOP works hard to inform California gun owners of political candidate's voting records on Second Amendment Issues.	Continually develop and maintain detailed voting histories of local politicians, including whether they proposed or supported any firearm-related legislation.	Ongoing.
<u>Palm Springs Anti-Gun Ordinance Package</u>	In July 2016, the City Council opened discussion on a number of anti-gun proposals, including a duty to report the theft or loss of a firearm, a prohibition on the possession of magazines capable of holding more than 10 rounds, and a requirement that all ammunition sales be recorded.	<u>Alerted members</u> to attend City Council meetings and voice opposition. Submitted two opposition letters, <u>one in July</u> and <u>one in September</u> , warning of the ordinance’s serious legal problems, including state preemption issues. <u>Published C.D. Michel editorial</u> discussing problems with proposal. Sought public records of communications between Council members and anti-gun groups.	The City agreed to remove the magazine and ammunition restrictions from the proposal. But despite the overwhelming number of residents who spoke against the proposal, the Council voted 3-2 in favor of enacting the remaining provisions.

<p><u>LA City Anti-Gun Efforts Targeting Law-Abiding Gun Dealers</u></p>	<p>In June 2016, the City Council instructed the LAPD to work with the anti-gun organization “Crime Gun Solutions” to study and identify so-called “bad apple” gun dealers located in the City of Los Angeles.</p>	<p>In a joint-effort with <u>FFLGuard</u>, prepared and submitted a letter to all FFLs located within the City warning them of the Council’s action.</p>	<p>The City has not prosecuted a single dealer as a result of its efforts targeting so-called "bad apple" gun dealers.</p>
<p><u>Oakland Anti-Gun Ordinance Package</u></p>	<p>In December 2015, the City Council proposed several anti-gun ordinances, including a prohibition against the possession of magazines capable of holding more than 10 rounds and a requirement that all firearms stored at home or in a vehicle be kept in a locked container.</p>	<p><u>Alerted members</u> to attend City Council meetings and voice opposition. Provided members with talking points to oppose the proposed restrictions.</p>	<p>The City passed the measures in early 2016.</p>
<p><u>Encinitas Locked Storage and FFL Zoning Ordinance</u></p>	<p>In March 2016, several City Councilmembers asked staff to prepare an ordinance requiring the locked storage of firearms and restricting where FFLs may be located.</p>	<p>Continuing to monitor <u>City Council agendas</u> for any updates.</p>	<p>City staff have not yet submitted a draft ordinance for review.</p>
<p><u>Sonoma County CCW Fees</u></p>	<p>In October 2016, Sonoma County Sheriff Steve Freitas sought approval from the County Board of Supervisors to impose a mandatory psychological test for all CCW applicants and raise the associated fee from \$150 to \$550.</p>	<p><u>Submitted opposition letter</u> warning of the proposal’s serious legal problems, such as how state law capped the psychological testing fee at \$150.</p>	<p>In November 2016, the County Board of Supervisors pulled the proposal from consideration and stated it has no plans for re-introduction at this time.</p>
<p><u>Belvedere Handgun Storage Ordinance</u></p>	<p>In September 2016, the City introduced an ordinance requiring all handguns kept at home to be stored in a locked container, providing an exception only for individuals who possessed a valid CCW.</p>	<p><u>Submitted opposition letter</u> warning of the ordinance’s serious legal problems, including state preemption issues.</p>	<p>In October 2016, the City agreed to amend the ordinance to include an exception for all law-abiding citizens when carrying the firearm, regardless of whether or not they possess a valid CCW.</p>

<p><u>El Cerrito CCW Fees</u></p>	<p>Under the City’s “Master Fee Schedule,” residents applying for a CCW must pay a local processing fee of \$961, well in excess of the \$100 statutory maximum for such fees.</p>	<p><u>Submitted pre-litigation demand letter</u> seeking repeal of the City’s excessive application fee.</p>	<p>In November, attorneys for the City agreed that the current fee violates the statutory \$100 cap. As a result, the City will soon introduce a resolution to amend the “Master Fee Schedule” accordingly.</p>
<p><u>San Jose Anti-Gun Ordinance Package</u></p>	<p>In September 2016, Councilmembers Ash Kalra and Raul Peralez introduced an anti-gun package for discussion and referral to the City Council.</p>	<p><u>Alerted members</u> to attend Rules and Open Government Committee meetings during early stages of proposal.</p>	<p>As a result of LOP and other local pro-gun efforts, the City has dropped most of the proposed provisions, but will still pursue a mandatory locked-storage ordinance. A draft ordinance is expected to be introduced to the City Council in the coming weeks.</p>
<p><u>Gun Shows at the Del Mar Fairgrounds</u></p>	<p>At the request of several anti-gun residents, the Del Mar Fairgrounds Board of Directors held an open discussion in November 2016 regarding the use of the grounds by gun shows.</p>	<p><u>Alerted members</u> to attend meeting and voice support for gun shows. <u>Submitted letter of comment</u> informing Board members of all of the rules and requirements gun show operators are required to adhere to in the State of California.</p>	<p>Following the public discussion, the Board did not take any action and continues to allow the use of the grounds by gun shows.</p>
<p><u>Orange County CCW Applications</u></p>	<p>Many Orange County residents to this day are still confused as to the specific requirements for obtaining a CCW in Orange County.</p>	<p>Prepared a <u>comprehensive guide</u> discussing the entire application process for obtaining a CCW in Orange County, including what is required to satisfy the Sheriff’s “good cause” policy.</p>	<p>NRA and CRPA are working hard to bring "shall-issue" to California. In the meantime, CRPA will continue to provide gun owners with helpful guides on how they can apply for a CCW in their respective county of residence.</p>
<p><u>Kern County CCW on School Grounds</u></p>	<p>Following the enactment of Senate Bill 707, which restricted CCW holders from carrying firearms on school grounds, the Kern County High School Board sought to allow teachers and staff to carry firearms at school.</p>	<p>CRPA provided the Board with a <u>comprehensive guide</u> discussing the school’s authority to allow individuals to carry firearms on school grounds.</p>	<p>In November 2016, the Kern High School District Board voted in favor of allowing teachers and staff to carry firearms on school grounds.</p>

<p><u>Cupertino Anti-Gun Ordinance Package</u></p>	<p>On January 12, the Cupertino Public Safety Commission held an open discussion on several proposed anti-gun measures.</p>	<p><u>Alerted members</u> to attend the Public Safety Commission meeting. <u>Submitted opposition letter</u> informing the Commission of the proposal's serious legal problems not adequately discussed in <u>staff reports</u>.</p>	<p>Nearly 40 pro-gun speakers attended the meeting and voiced their opposition. Not a single person spoke in support. Following public discussion, the Commission took no action and directed staff to research the issue further.</p>
<p>Statewide Public Record Requests</p>	<p>NRA and CRPA regularly seek and obtain public records in connection with any anti-gun efforts in California. Such efforts include proposed anti-gun ordinances, gun buyback programs, and other anti-gun regulatory enforcement issues.</p>	<p>Responses to these requests often yield valuable results, such as which members of a local government entity are working with anti-gun groups, sources of funding, and other important information.</p>	<p>Ongoing.</p>

# FIREARMS REGULATORY MATTERS REPORT



Regulatory Counsel efforts involve the continual monitoring of the California Department of Justice (DOJ) and local law enforcement interpretations of California firearm laws to protect gun owners and firearm dealers against unwarranted and unlawful regulatory and enforcement actions. Regulatory Counsel efforts include drafting regulatory comment letters, providing legal support to NRA and CRPA lobbyists, drafting NRA and CRPA member alerts, and providing advice to NRA and CRPA members. Regulatory Counsel also collaborates with overlapping litigation, legislative, and regulatory matters to effectively oppose improper actions and incorrect interpretations of California law by state and local agencies.

Issue	Description	Regulatory Counsel Response	Current Status
Public Record Requests	NRA and CRPA regularly seek and obtain public records from CA DOJ and local law enforcement relating to internal agency policies and interpretations of CA firearm laws.	Recently, responses to these requests provided key financial analysis reports from CA DOJ and other state agencies regarding proposed firearm legislation. These reports were subsequently used in drafting legislative opposition letters and veto requests to the governor.	Ongoing.
New California Gun Laws	Given California's continually evolving and complex firearm laws, many gun owners are often left wondering how best to avoid being prosecuted for otherwise unintentional violations that can result in serious consequences.	NRA and CRPA regularly work to provide gun owners with up-to-date information on California laws, regulations, and policies regarding firearms to help gun owners avoid prosecution and retain their right to keep and bear arms.	Ongoing. In connection with these efforts, NRA and CRPA produced <u>several webinars</u> on a variety of topics, including the loaning of firearms, the new “assault weapon” laws, the new ammunition sales laws, and the recently proposed “assault weapon” regulations.

<p><u>LA City Gun Purchaser “Warning Letters”</u></p>	<p>For several years, the LA City Attorney mailed threatening letters to new gun purchasers warning them of their obligations and potential stiff penalties for violating any of California’s numerous firearm laws.</p>	<p>NRA and CRPA submitted numerous public record requests to both the LA City Attorney and CA DOJ, seeking information on how the LA City Attorney obtained gun owner information to send such letters.</p>	<p>After being pressed for information, the LA City Attorney voluntarily discontinued the program in 2015.</p>
<p>Assistance for California Members</p>	<p>NRA and CPRA continually assist members with questions concerning California law firearm laws.</p>	<p>NRA and CRPA have a <u>variety of resources</u> available to members, including the ability to refer individuals to attorneys specializing in firearm laws.</p>	<p>Ongoing.</p>
<p><u>2016 California Firearm Laws</u></p>	<p>California recently adopted several new firearm laws. These laws have caused confusion amongst the public, firearm dealers, and manufacturers.</p>	<p>NRA and CRPA have published several webinars that provide gun owners with detailed information on each of these new laws.</p>	<p>Recordings of the webinars are freely available on <u>CRPA's website</u>.</p>
<p><u>Gun Violence Restraining Orders</u></p>	<p>Since January 2016, a new law allows law enforcement or immediate family members to seek a “gun violence restraining order” against another.</p>	<p>NRA and CRPA published a comprehensive guide for judges, prosecutors, attorneys, police, and gun owners explaining all aspects of the new law.</p>	<p>The published guide is available on the <u>CRPA's website</u>.</p>
<p>CCW in School Zones</p>	<p>As a result of <u>SB 707</u>, which was signed into law in 2015 and became effect on January 1, 2016, CCW holders may no longer carry their firearm on school grounds.</p>	<p>To assist CCW holders understand the new restrictions, NRA and CRPA published a comprehensive guide that details the various ways in which a person may lawfully carry a firearm on school grounds.</p>	<p>The published guide is available on <u>CRPA's website</u>. Recently, this guide has been <u>provided to school administrators</u> who are considering allowing individuals to carry firearms on their school's campus free of charge.</p>



<p><u>CA DOJ's Proposed "Large-Capacity" Magazine Regulations</u></p>	<p>In December 2016, CA DOJ proposed a series of "emergency" regulations relating to magazines capable of holding more than 10 rounds.</p>	<p>NRA and CRPA <u>alerted members</u> to voice their opposition and submit comments, and <u>prepared a comprehensive analysis</u> of the proposed regulations' effects. NRA and CRPA also <u>submitted a letter of opposition</u> to the Office of Administrative Law.</p>	<p>On December 29, 2016, <u>CA DOJ voluntarily withdrew its proposal</u>, but could re-introduce the regulations for consideration at any time.</p>
<p><u>CA DOJ's "Bullet-Button Assault Weapon" Regulations</u></p>	<p>In December 2016, CA DOJ submitted its anticipated regulations regarding the procedures for registering newly classified "assault weapons" under Senate Bill 880 and Assembly Bill 1135.</p>	<p>NRA and CRPA <u>alerted members</u> to the proposal, submitted a <u>pre-litigation demand letter to DOJ</u> and an <u>opposition letter to Office of Administrative Law</u>, and produced a <u>webinar</u> outlining the effects of the proposal should it become law.</p>	<p>NRA and CRPA are continuing to monitor the status of the proposed regulations. Several lawsuits challenging these regulations and other recently enacted CA laws will soon be filed.</p>
<p>Assistance to Gun Clubs and Youth Groups</p>	<p>In CA, the transfer of a firearm to a business or "entity" is prohibited, and the loaning of a firearm is restricted absent specific circumstance. As a result, many gun clubs and youth groups are unclear on how to conduct their activities.</p>	<p>NRA and CRPA are currently preparing a limited access webinar for clubs and youth groups explaining CA law as applied to their organizations and how to avoid unintentional violations of CA law.</p>	<p>This limited access webinar will be held the week of January 23.</p>
<p>CA DOJ Policies Prohibiting Interstate Private Party Transfer of Handguns</p>	<p>Contrary to California law, DOJ prohibits FFLs from conducting PPT's when the seller is not a resident of California.</p>	<p>NRA and CRPA <u>submitted a petition</u> to the Office of Administrative Law challenging DOJ's policy as an "underground regulation."</p>	<p>An initial review of the petition by the Office of Administrative Law is <u>expected to be completed on January 30, 2017.</u></p>

# HUNTING REGULATORY MATTERS



NRA and CRPA regularly monitor issues impacting hunters in California and continually develop strategies for taking action when necessary before the Legislature, the Fish & Game Commission, local municipalities, and various regulatory agencies. Hunting Regulatory efforts are also dedicated to pushing back against rabidly anti-hunting forces such as the United States Humane Society. Hunting Regulatory efforts seek to improve policies impacting hunters in California to effectively promote and defend the right to hunt in California.

Issue	Agency	Recent Action	Status
Coalition Building & Uniting Hunting Groups to Promote and Protect Hunting Rights	N/A	Prepared two full days of presentations developed by NRA and CRPA to California hunting groups laying out a plan for addressing attacks on hunting rights in California.	The groups unanimously agreed to form a coalition and develop a coordinated system to effectively and efficiently oppose and roll back anti-hunting regulations.
Potential Legal Challenges to Regulations Restricting Hunting Right	<u>Fish &amp; Game Commission</u> , Municipalities, Regulatory Bodies	Prepared memorandum on viability of lawsuit challenging regulation banning bobcat trapping; maintain ongoing list of potential legal challenges.	Ongoing efforts to closely monitor current and potential legal challenges to timely and effectively intervene or file litigation as appropriate.
Monitoring anti-hunting forces	<u>Fish &amp; Game Commission</u> , Municipalities, Regulatory Bodies	Ongoing monitoring of lawsuits and activities of potential interest to hunting related matters in California. Regularly submit public records act requests for documents concerning efforts of anti-hunting groups. Analyze Fish & Game Commission meeting agendas and prepare lobbyists for addressing matters of interest at FGC & WRC meetings.	Ongoing efforts to closely monitor various hunting related issues to allow for timely and effective intervention as necessary.
Increasing Support for Hunting Rights Throughout California	N/A	Developed and distributed computer presentations for distribution by coalition of hunting groups that outline the attacks hunters are facing. Presented to Council to Advance	Ongoing efforts to grow hunting rights coalitions and spread awareness.

		Hunting and Shooting Sports regarding issues in California to garner support.	
Membership Alerts	N/A	Prepare alerts regarding new hunting rules and regulations and advise of NRA and CRPA efforts to promote and defend hunting rights in California.	Ongoing.
Anti-hunting Regulations	<u>Fish &amp; Game Commission</u>	Development of petitions to repeal or amend current regulations that negatively affect hunters and to promote adoption of regulations that benefit hunters.	Several petitions were recently granted that demand transparency and structure for Fish & Game Commission operations and allow certain archery hunters to carry side arms.
Opposing HSUS Predator Policies	<u>Fish &amp; Game Commission, Municipalities</u>	Ongoing efforts to prepare representatives for attendance at Wildlife Resource Committee hearings on predators. Presented at coyote management symposium regarding negative impacts of HSUS on predator management policies. Drafted manuscript explaining HSUS lies for publication in predator management circles. Grassroots organization to mobilize and direct local residents of cities with HSUS coyote policies.	Ongoing efforts to challenge HSUS regarding non-lethal coyote policies in cities where pets and family members are being attacked. Working to broaden coalition of individuals opposed to HSUS policies in light of dangers to typical family households while informing industry members of predator management about opportunities to oppose.

# RANGE MATTERS REPORT



Ongoing monitoring of legal issues and counsel assistance efforts for environmental, land use, design and safety litigation and representation nationwide involving shooting ranges/areas. Regularly perform range evaluations and meet with Club Board of Directors on behalf of NRA and CRPA to strategize and assist with coordination of defense campaigns against NIMBY, environmental NGOs, agency and/or municipality matters.

Issue	Recent Action	Status
Stormwater runoff	Regional Water Quality Control Board (RWQCB) <u>Region 5R</u> has been inspecting all shooting ranges in the region requiring sampling for potential lead contamination in stormwater runoff, utilizing drinking water standards. This has the potential to set extremely bad precedent for regulating ranges for stormwater runoff (using drinking water standards) and may potentially shut down numerous ranges.	Ongoing efforts to assist ranges and engage the RWQCB Region 5R representatives to contest the validity of RWQCB’s actions. Working to prevent RWQCB from using the drinking water standards (0.010 mg/L for lead) and invoke the proper stormwater standards (0.262 mg/L), if not stopping RWQCB’s actions entirely.
Non-conforming “Use Status” and “Use Intensification”	Counties are attempting to break shooting ranges’ grandfathering as a non-conforming use under County Ordinance. Once the grandfathered status of a range is broken through a use intensification argument or a subsequent County Ordinance requiring a Conditional Use Permit under the guise of health and safety concerns, compliance with current County Ordinance is effectively impossible and range closure is certain.	Ongoing efforts to assist ranges in defending their grandfathered status is crucial in keeping these ranges open and operating.