

1 [Police Code - Reporting Ammunition Sales of 500 or More Rounds]

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3 **Ordinance amending the Police Code, Section 615, to require firearms dealers to report**
4 **to the Chief of Police the sale of 500 or more rounds of ammunition in a single**
5 **transaction.**

6 NOTE: Additions are single-underline italics Times New Roman;
7 deletions are ~~strike-through italics Times New Roman~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Police Code is hereby amended by amending

11 Section 615, to read as follows:

12 **SEC. 615. RECORDS OF AMMUNITION SALES.**

13 (a) **Definitions.**

14 (1) "Firearm ammunition," as used in this Section, shall include any ammunition
15 for use in any pistol or revolver, or semiautomatic rifle or assault weapon, but shall not include
16 ammunition for shotguns that contains shot that is No. 4 or smaller.

17 (2) "Semiautomatic rifle," as used in this Section, shall mean any repeating rifle
18 which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and
19 chamber the next round, and which requires a separate pull of the trigger to fire each
20 cartridge.

21 (3) "Assault weapon," as used in this Section, shall mean any of the weapons
22 designated in California Penal Code Section 12276 or 12276.1.

23 (4) "Vendor," as used in this Section, shall mean any person located in the City
24 and County of San Francisco who is engaged in the sale of firearm ammunition, including any
25 retail firearms dealer.

1 (5) "Remote Vendor," as used in this Section, shall mean any person engaged in the sale
2 of firearm ammunition, including any retail firearms dealer, who is located outside the City and County
3 of San Francisco but delivers or causes to be delivered firearm ammunition to an address within the
4 City and County of San Francisco.

5 (b) No Vendor ~~vendor~~ shall sell or otherwise transfer ownership of any firearm
6 ammunition without at the time of purchase recording the following information on a form to be
7 prescribed by the Chief of Police: (1) the name of the Vendor ~~vendor~~ (including the name of the
8 specific individual) transferring ownership to the transferee; (2) the place where the transfer
9 occurred; (3) the date and time of the transfer; (4) the name, address and date of birth of the
10 transferee; (5) the transferee's driver's license number, or other identification number, and the
11 state in which it was issued; (6) the brand, type and amount of ammunition transferred; and
12 (7) the transferee's signature.

13 (c) (1) The records required by this Section shall be maintained on the premises of
14 the Vendor ~~vendor~~ for a period of not less than two years from the date of the recorded
15 transfer. Said records shall be subject to inspection at any time during normal business
16 hours.

17 (2) Any Vendor or Remote Vendor who sells or otherwise transfers ownership of five
18 hundred (500) or more rounds of any firearm ammunition to a transferee in a single transaction, where
19 the transaction occurs within the City and County of San Francisco or the firearm ammunition is
20 ordered for delivery to an address within the City and County of San Francisco, shall be subject to the
21 reporting requirement of this subsection (c)(2). Within 24 hours of the commencement of the
22 transaction, regardless of when the firearm ammunition is delivered, the Vendor or Remote Vendor
23 shall report the transaction to the Chief of Police by electronic mail at _____ or by such
24 other means specified by the Chief of Police. The report shall contain the same information required
25 under subsection (b). In determining the number of rounds sold or otherwise transferred for purposes

1 of complying with this subsection (c)(2), the Vendor or Remote Vendor shall include any combination
2 of types, brands or calibers sold or transferred to the transferee.

3 (d) No Vendor person shall knowingly make a false entry in, or fail to make a required
4 entry in, or fail to maintain in the required manner records prepared in accordance with
5 subsections (b) and (c)(1) herewith. No Vendor person shall refuse to permit a police department
6 employee to examine any record prepared in accordance with this Section during any
7 inspection conducted pursuant to this Section. No Vendor or Remote Vendor shall fail to submit
8 the report required under subsection (c)(2), or knowingly include false information in such report.

9 (e) **Penalties.**

10 (1) **First Conviction.** Any person violating any provision of this Section shall
11 be guilty of an infraction. Upon conviction of the infraction, the violator shall be punished by a
12 fine of not less than \$50 nor more than \$100.

13 (2) **Subsequent Convictions.** In any accusatory pleading charging a violation
14 of this Section, if the defendant has been previously convicted of a violation of this Section,
15 each such previous violation and conviction shall be charged in the accusatory pleading. Any
16 person violating any provision of this Section a second time within a 90-day period shall be
17 guilty of a misdemeanor and shall be punished by a fine of not less than \$300 and not more
18 than \$400 for each provision violated, or by imprisonment in the County Jail for a period of not
19 more than six months, or by both such fine and imprisonment. Any person violating any
20 provision of this Section, a third time, and each subsequent time, within a 30-day period shall
21 be guilty of a misdemeanor and shall be punished by a fine of not less than \$400 and not
22 more than \$500 for each provision violated, or by imprisonment in the County Jail for a period
23 of not more than six months, or by both such fine and imprisonment.

24 (f) **Severability.** If any subsection, sentence, clause, phrase, or word of this Section
25 be for any reason declared unconstitutional or invalid or ineffective by any court of competent

1 jurisdiction, such decision shall not affect the validity or the effectiveness of the remaining
2 portions of this Section or any part thereof. The Board of Supervisors hereby declares that it
3 would have adopted this Section notwithstanding the unconstitutionality, invalidity, or
4 ineffectiveness of any one or more of its subsections, sentences, clauses, phrases, or words.

5
6 Section 2. Effective Date. This ordinance shall become effective 30 days from the
7 date of passage.

8
9 Section 3. This section is uncodified. In enacting this Ordinance, the Board intends to
10 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
11 punctuation, charts, diagrams, or any other constituent part of the Police Code that are
12 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
13 Board amendment deletions in accordance with the "Note" that appears under the official title
14 of the legislation.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By:


19 THOMAS J. OWEN
20 Deputy City Attorney

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24 originated at : n:\govern\as2013\1300252\00818123.doc
25 revised on: 1/14/2013 -- n:\govern\as2013\1300252\00818123.doc



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130039

Date Passed: March 12, 2013

Ordinance amending the Police Code, Section 615, to require firearms dealers to report to the Chief of Police the sale of 500 or more rounds of ammunition in a single transaction.

February 21, 2013 City Operations and Neighborhood Services Committee -
RECOMMENDED

March 05, 2013 Board of Supervisors - PASSED, ON FIRST READING

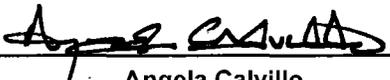
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
and Yee

March 12, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
and Yee

File No. 130039

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
3/12/2013 by the Board of Supervisors of the
City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor

3/13/13

Date Approved