



Written by [Steve Byas](#) on April 21, 2016

## California Targets Second Amendment-protected Rights

In a touch of irony, the California Senate's Public Safety Committee heard several bills on April 19, all designed to severely restrict its citizens' cherished Second Amendment-protected right to keep and bear arms. What is ironic is that April 19 is the anniversary of the "shot heard 'round the world" — with an unregistered gun, incidentally — which marked the beginning of the American Revolution.



The battle on the Village Green in Lexington, Massachusetts, took place because British Redcoats, led by General Thomas Gage, the military dictator of Massachusetts, were on their way to Concord to seize private arms belonging to the state militia. Gage had directed a house-to-house search for guns in Boston, but his spies had heard of the patriots gathering arms in nearby Concord, and he was determined to "nip the rebellion in the bud." Instead, his actions led to open warfare between the colonies and the British Empire.

But now, California legislators are hearing extremist bills to severely restrict gun rights, some so radical that even liberal Governor Jerry Brown has vetoed them in the past.

For example, Senate Bill 880 would outright ban millions of constitutionally protected firearms that have no connection to crime. Brown vetoed a similar measure in 2013. The bill would turn all "semiautomatic centerfire rifles that do not have a fixed magazine with the capacity to accept no more than 10 rounds" into "assault weapons." The anti-gun rights fanatics love the designation "assault weapon," because it is such an inflammatory term. By applying the description to semiautomatic rifles, they can attempt to ban perfectly legal weapons. If a person removes the magazine of a semiautomatic centerfire rifle by pushing the magazine release button, or if the weapon has a "bullet button," it would, if the bill passes, be considered an "assault weapon." (A bullet button is a magazine disconnect locking device that replaces or covers the standard magazine release mechanism. This forces a shooter to use a tool to remove the magazine.)

The effect of this bill would be to ban millions of conventional firearms presently used in hunting, target shooting, and even by the Boy Scouts and Girl Scouts. If the bill passed, those who violated the law could face not only confiscation of their weapon, but even jail time. One could even face criminal charges for selling one of these guns. If a person received one of these rifles as part of an inheritance, they could also face incarceration.

But this is not the only anti-Second Amendment bill under consideration now in California. SB 894 would require a gun owner to report the theft of a firearm within five days. Governor Brown has also vetoed this legislation in the past.

Another bill vetoed by Brown that is again up for consideration is SB 1407, which would make it illegal to manufacture a gun, even for one's own use, without consent from the California Department of Justice. In addition, a DOJ serial number would have to be engraved on the firearm.

SB 1446 is an effort to ban the very possession of ammunition feeding devices or magazines that are



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able to hold more than 10 cartridges. During the Clinton administration, a federal law mandated much the same thing, but it expired in 2004. It was not renewed after a congressional study concluded that the guns it banned “were never used in more than a modest fraction of all gun murders.”

In the California Assembly (known as the House of Representatives in most states), Assembly Bill 2607 expands the classes of individuals against whom a Gun Violence Restraining Order (GVRO) can be sought. The National Rifle Association (NRA) has opposed this legislation, contending that it would cause many individuals to lose their constitutionally protected right to keep and bear arms, with no proper due process of law.

AB 2459 is an effort to place new burdensome regulations upon gun store owners so severe that many would be forced to close their doors. The directives would include a prohibition on the licensee of the business premises from conducting sales on residential property, clearly permitting local governments to impose even more restrictive requirements on licensees than those imposed by state law.

In addition, the bill would require licensees to keep full color video surveillance, of sufficient quality for facial recognition, of all firearms transactions on the premises and of the parking lot and the immediate exterior of the premises. It would mandate that licensees have video cameras running during all business hours, and set to record whenever motion is detected when the business is closed. The legislation would also mandate that the video equipment be certified annually, and that the footage be retained on the premises for a minimum of five years — and longer, if required by law enforcement. In addition, store owners would have to post a prominent sign advising customers that their actions are being recorded.

The final part of this financially onerous bill would require dealers to have a liability policy — with a minimum of \$1 million in coverage for each “incident” of liability, which could involve any such problems resulting from “theft, sale, lease or transfer of offering for sale, lease, or transfer of a firearm or ammunition, or any other operations of the business and business premises.”

It is clear that these regulations would simply be too much for smaller dealers to bear, driving many out of business, and leaving the field to larger merchants. This would result in higher prices for gun buyers because of decreased competition and the sheer cost for those gun dealers able to stay in business.

California has often been the liberal trailblazer for the rest of the states. Americans often laugh at the absurdity of various activities there, only to find the same things taking place a few years later in their own states.

One must wonder: What would those “embattled farmers” — the stalwart patriots who “stood and fired the shot heard ‘round the world” — think about what is going on in California today?

*Steve Byas is a professor of history at Hillsdale Free Will Baptist College (soon to be Randall University) in Moore, Oklahoma.*



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