

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: October 25, 2017

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations
Committee

FROM: Sharon M. Tso  Council File No: 17-0002-S124
Chief Legislative Analyst Assignment No: 17-10-1006

SUBJECT: Resolution to Support and/or Sponsor Legislation or Administrative Action that
would ban bump-fire stocks and other devices that enable semi-automatic rifles to
approximate the rate of fire of fully-automatic rifles

CLA RECOMMENDATION: Adopt Resolution (Koretz – Krekorian) to include in the City’s
2017 - 2018 Federal Legislative Program SUPPORT for and/or SPONSORSHIP of legislation or
administrative action that would ban bump-fire stocks and other devices that enable semi-
automatic rifles to approximate the rate of fire of fully-automatic rifles, similar to current
California law.

SUMMARY

On October 10, 2017, a Resolution (Koretz – Krekorian) was introduced to support and/or sponsor
legislation or administrative action that would ban bump-fire stocks and other devices that enable
semi-automatic rifles to approximate the rate of fire of fully-automatic rifles, similar to current
California law.

The Resolution states that the October 2017 shooting at a Las Vegas music festival resulted in the
death of 58 people and the wounding of 489. The gunman had twelve semi-automatic rifles
equipped with bump-fire stocks, which increased the lethality of these guns.

The Resolution states that bump-fire stocks allow individuals to bypass federal limitations on
ownership of automatic weapons and present a danger to both the public and law enforcement.
The Resolution further states that bump-fire stocks fall under the category of “multiple burst
trigger activators,” which are banned from sale in California. The Resolution, therefore, seeks an
official position of the City of Los Angeles to support and/or sponsor legislation or administrative
action that would ban these devices, which is consistent with previous Council positions.

BACKGROUND

On October 1, 2017, a gunman opened fire on the Route 91 Harvest Music Festival in Las Vegas,
Nevada. 58 people were killed and 489 were wounded in minutes, making this the deadliest mass
shooting in American history. Authorities recovered 23 weapons from the gunman’s hotel room,
and twelve of the shooter’s 23 guns were affixed with bump-fire stocks. Also known as bump
stocks, bump-fire stocks harness the recoil energy of a semi-automatic rifle to cause the weapon
to move back and forth, “bumping” the trigger. These devices enable a semi-automatic firearm to
fire at a rate of 400 to 800 rounds per minute, approximating the rate of fire of a fully automatic
weapon.

Automatic weapons, while legal to possess within the United States, are tightly regulated. Gun manufacturers and dealers must hold a special license from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and are required to submit to an extensive investigation in addition to obtaining a Federal Firearms License. Only fully automatic weapons manufactured prior to 1986 may be bought, owned, and sold by private civilians. In addition, individuals wishing to purchase an automatic weapon must go through a background check process which often takes between nine months and a year to complete. This background check includes paying a tax of \$200, completing a lengthy questionnaire, and sending fingerprints and a photograph to ATF. Due to these regulations, fully automatic weapons often sell for between \$15,000 and \$50,000. In contrast, bump-fire stocks can be purchased for as little as \$200.

Bump-fire stocks are not regulated under federal law. In 2010, the Firearms Technology Branch (FTB) of the ATF found that a bump-fire stock has no automatically functioning mechanical parts or springs and performs no automatic mechanical function when installed. ATF determined that the bump-fire stock is a firearm part, not a firearm, and therefore not subject to regulation under the Gun Control Act of 1968 or the National Firearms Act of 1934. This ruling allowed the sale of bump-fire stocks under federal law.

In 2013, an attempt to regulate bump-fire stocks failed in Congress. S. 150 (Feinstein – CA), also known as the Assault Weapons Ban of 2013, included language that would have banned any part or accessory that is designed or functions to accelerate the rate of fire of a semiautomatic rifle but not convert the semiautomatic rifle into a machinegun.

Following the Las Vegas shooting, there have been renewed attempts at regulating bump-fire stocks at the federal level. The most significant legislation introduced to date is H.R. 3999 (Curbelo – FL), which has bipartisan support. This legislation would ban the manufacture, possession, or transfer of any part or combination of parts that is designed and functions to increase the rate of fire of a semiautomatic rifle, but does not convert the semiautomatic rifle into a machinegun. Lawmakers have also introduced two identical pieces of legislation, H.R. 3947 (Cicilline – RI) and S. 1916 (Feinstein – CA), also known as the Automatic Gunfire Prevention Act, with similar language to H.R. 3999. Currently, H.R. 3947 and S. 1916 have support only in the Democratic caucus.

There have also been calls by Members of Congress, including the Speaker of the House, for ATF to revisit its ruling on bump-fire stocks. At this time, ATF has taken no actions to reevaluate its prior determination.

Under California law, bump-fire stocks fall under the category of “multi-burst trigger activators,” which are banned from manufacture, possession, transfer, sale, or import. A “multi-burst trigger activator” is defined as a device designed or redesigned to be attached to a semiautomatic firearm which allows the firearm to discharge two or more shots in a burst by activating the device. It is also defined as a manual or power-driven trigger activating device constructed and designed so that when attached to a semiautomatic firearm it increases the rate of fire of that firearm.

The Los Angeles Police Department supports any federal legislation or administrative action that would ban bump-fire stocks and other devices that increase the rate of fire of semi-automatic weapons.

BILL STATUS – H.R. 3999

10/10/2017 Introduced in House
10/10/2017 Referred to the House Committee on the Judiciary
10/19/2017 Referred to the Subcommittee on Crime, Terrorism, Homeland Security,
and Investigations

BILL STATUS – H.R. 3947

10/04/2017 Introduced in House
10/04/2017 Referred to the House Committee on the Judiciary
10/04/2017 Referred to the Subcommittee on Crime, Terrorism, Homeland Security,
and Investigations

BILL STATUS – S. 1916

10/04/2017 Introduced in Senate

DEPARTMENTS NOTIFIED

Police Department



Tim Plummer
Analyst

SMT:tcp

Attachments: Resolution (Koretz – Krekorian)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, on October 1, 2017, the deadliest mass shooting in American history occurred when a gunman opened fire on a Las Vegas music festival from the 32nd floor of a hotel across the street, killing 58 people and wounding 489 more; and

WHEREAS, the gunman outfitted 12 semi-automatic rifles with bump-fire stocks, a device that enables semi-automatic weapons to fire at a significantly higher rate, increasing the gun's lethality in mass-shooting events; and

WHEREAS, fully automatic weapons have been strictly regulated by the federal government since 1986 in recognition of the danger they pose to the public; and

WHEREAS, bump-fire stocks, often available for purchase online for under \$200, offer a cheap and readily available path for individuals to bypass limitations on ownership of automatic weapons; and


WHEREAS, under California law, "multiple burst trigger activators," a category bump-fire stocks fall under, are currently banned from sale; and

WHEREAS, in 1997, more than 300 Los Angeles Police Department officers were outgunned by two individuals who had illegally converted semi-automatic weapons to automatic weapons, demonstrating the threat bump-fire stocks pose to law enforcement; and

WHEREAS, a ban on bump-fire stocks would close a significant loophole in federal law and better protect both the public and law enforcement;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017 - 2018 Federal Legislative Program SUPPORT for and/or SPONSORSHIP of legislation or administrative action that would ban bump-fire stocks and other devices that enable a semi-automatic rifle to approximate the rate of fire of fully-automatic rifles, similar to current California law.

PRESENTED BY:



PAUL KORETZ
Councilmember, 5th District

SECONDED BY:



OCT 10 2017

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