

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 2, 2008
POSITION: Neutral

BILL NUMBER: AB 2973
AUTHOR: N. Soto

BILL SUMMARY: Stun Guns

This bill would replace the reference to "taser" in the definition of "stun gun" with "less lethal weapon," prohibit ownership or use of a stun gun under certain provisions, and require a person selling a permissible remote stun gun to register the identification of the purchaser, as specified.

FISCAL SUMMARY

No data is available to indicate the number of individuals who would be convicted of these crimes and serve time in state prison. We note that initially, the cost of additional inmates sentenced under this bill would be approximately \$22,500 General Fund (GF) per inmate, per year. However, over time the cumulative effect of additional sentences being imposed is more accurately reflected by the average institutional cost per inmate of approximately \$46,000 GF per year. Assuming that just 10 people serve one-year in prison, it would cost the state \$225,000 GF in the short term and \$460,000 GF in the long term.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the California State Mandates Commission determines that the new program or higher level of service is reimbursable and a state mandate. Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the May 5, 2008 version are minor and do not alter our position. Specifically, the February 22, 2008, version provides that any person who sells a stun gun to a person under the age of 18 is guilty of a misdemeanor.

COMMENTS

Existing law defines stun gun as any item except a taser, used or intended to be used as a weapon that is capable of temporarily immobilizing a person by infliction of an electrical charge.

This bill would:

- Replace the reference to a taser in the definition of a stun gun.
- Define remote stun gun as an electronic device that emits an electrical charge and is designed and primarily employed to incapacitate a person or animal either through contact with electrodes on the device or remotely through wired probes attached to the device, or through a spark, plasma, ionization, or other conductive means.
- Define a permissible remote stun gun as having an identification and tracking system and having a training program offered by the manufacturer.

(Continued)

COMMENTS (continued)

- Require any person selling a permissible remote stun gun to register the identity of the purchaser with the manufacturer of the remote stun gun.
- Prohibit any person under the age of 18, from purchasing, owning, carrying, using, or having in his or her possession a remote stun gun.

Analyst/Principal (0232) A. Jarvis	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)
AUTHOR **AMENDMENT DATE**

Form DF-43
BILL NUMBER

N. Soto

July 2, 2008

AB 2973

- Provide that any person who sells a stun gun to a person under the age of 18 is guilty of a misdemeanor.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)								Fund Code
	LA	(Dollars in Thousands)								
	CO	PROP	2008-2009		2009-2010		2010-2011			
	RV	98	FC	FC	FC	FC	FC	FC		
5225/Corr & Rehab	SO	No	-----	See Fiscal Summary				-----	0001	
8885/Comm St Mndt	LA	No	-----	No/Minor Fiscal Impact				-----	0001	