

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 8, 2009
POSITION: Oppose
SPONSOR: District Attorney of San Francisco

BILL NUMBER: SB 585
AUTHOR: M. Leno

BILL SUMMARY

This bill would (1) prohibit the sale of firearms and ammunition at the Cow Palace, (2) authorize up to five events annually, from 2010 to 2012 (inclusive), at which firearms and ammunition may be sold at the Cow Palace, and (3) require that these types of events be replaced with non-firearm and non-ammunition events starting on January 1, 2013.

FISCAL SUMMARY

The Cow Palace is a state-owned property but is primarily self-supported by the revenues it generates. Gun shows produce an estimated \$150,000 in rental fee revenue each year. The California Department of Food and Agriculture (CDFA) indicates that the Cow Palace is already struggling to maintain revenues. This bill would eliminate gun shows at the Cow Palace by January 1, 2013 and would require that they be replaced with other types of events. While this bill would allow three years to phase out gun shows, to the extent that there are any ongoing contracts that extend beyond this date, there may be legal implications.

This bill would likely decrease local tax revenue generated by gun shows held at the Cow Palace.

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.

COMMENTS

The Department of Finance is opposed to this bill because it would set a confusing precedent at the state level by statutorily prohibiting one district agricultural association (DAA) from selling firearms and ammunition, a legal regulated activity, while allowing other DAAs to continue to do so.

The CDFA points out that this issue should be addressed at the local fair level and not through state legislation.

Existing law regulates the transfer of firearms. This bill would make it a misdemeanor to sell firearms and ammunition on the property or in the buildings that comprise the Cow Palace property in San Mateo County and the City and County of San Francisco or any successor or additional property owned, leased, or otherwise occupied or operated by the district.

Analyst/Principal (0222) R. Baker Date Program Budget Manager Todd Jerue Date

Department Deputy Director Date

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**

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	
8885/Comm St Mndt	LA	No		-----	No/Minor	Fiscal Impact	-----	0001	