

**STATE CAPITOL**  
P.O. Box 942849  
SACRAMENTO, CA 94249-0064  
(916) 319-2064  
FAX: (916) 319-2164

**DISTRICT OFFICE**  
879 W. 190<sup>th</sup> Street, Suite 920  
GARDENA, CA 90248  
(310) 324-6408  
Fax: (310) 324-6485

**E-MAIL**  
Assemblymember.Gipson@assmebly.ca.gov

Assembly  
California Legislature

**Mike A. Gipson**  
Assemblymember, Sixty-Fourth District

**COMMITTEES**  
JOINT LEGISLATIVE AUDIT, *CHAIR*  
AGING AND LONG TERM CARE  
GOVERNMENTAL ORGANIZATION  
JOBS ECONOMIC DEVELOPMENT  
AND THE ECONOMY  
REVENUE AND TAXATION

**SELECT COMMITTEES**  
INFECTIOUS DISEASES IN HIGH RISK  
DISADVANTAGED COMMUNITIES, *CHAIR*  
FOSTER CARE  
PORTS

---

---

AB 1673 Incomplete Lower Receivers – *(Introduced, 1/19/2016)*

---

---

**PURPOSE**

Assembly Bill (AB) 1673 will improve public safety by protecting the rights of gun owners while preventing criminals and the mentally ill from gaining access to dangerous firearms.

**BACKGROUND**

The definition of a firearm was decided in the ***Gun Control Act of 1968***. In Section 18 of U.S. Code § 921: “The term “firearm” means (A) any weapon (including a starter gun) which will, or is designed to or may readily be converted to expel a projectile by the action of an explosive; **(B) the frame or receiver of any such weapon;** (C) any firearm muffler or firearm silencer; or (D) any destructive device.” A frame or lower receiver is the part of a firearm that houses the operating parts allowing it to fire. Under the Act this was determined to be what made a firearm unique.

A lower receiver or frame is found in every firearm, from pistols to semi-automatic rifles. Semi-automatic rifles can have two receivers (upper and lower), but only the lower receiver requires a serial number. Pistols require serial numbers on the receiver, referred to as a “frame”, because it makes up a large portion of the weapon, whereas for rifles, the receiver is one piece of many.

If a receiver is made only to partial-completion, it is considered a “blank”, “casting” or “machined body” form, it can be sold to convicted felons and the mentally ill online or in a store. It can then be modified with cheap tools

bought at a hardware store, making the gun functional and untraceable to law enforcement.

Most guns, in California and nationwide, are bought in gun stores with identifying serial numbers and require a background check to purchase. Some firearms in California are made from parts-kits that contain many elements of a firearm. These elements can be legally assembled into a functional weapon without the individual in possession of the parts-kit having to undergo a background check or apply a serial number to the weapon. In both cases, whether bought at a gun store or made at home, untraceable lower receivers create guns that become untraceable to law enforcement.

Although the sale of a fully automatic AK-47 is illegal in California, building a California compliant version at home is not. As an example, a writer named Bryan Schatz from MotherJones built an untraceable AK-47 at home in California with a parts-kit, which did not require a background check or a serial number.

(Shown Below):



There is a clearly defined problem of untraceable lower receivers that are used to assemble firearms that are untraceable to law enforcement. AB 1673 will improve public safety and keep these receivers out of the hands of prohibited persons and the mentally ill.

#### EXISTING LAW

Federal law regulates firearms and the definition of what constitutes a firearm as “the frame or receiver of any such weapon,” in the federal *Gun Control Act of 1968, 18 U.S.C 921 (a)(3)*. In state law, *Section 16520 of the Penal Code* currently defines a firearm as “the frame or receiver of the weapon.”

#### SUMMARY

AB 1673 will expand the definition of a firearm to include “frame or receiver “blank,” “casting” or “machined body” that is designed and clearly identifiable as a component of a functional weapon, which will close a dangerous loophole that allows anyone to sell, trade, and manufacture to partial-completion the most critical component of a gun.

The change will treat receivers and frame blanks, castings, and machined bodies as firearms and require individuals to obtain background checks in order to be sold, prohibit possession by the mentally ill and convicted felons, and require mandatory serial number application.

#### CONTACTS

Alexander Coffman  
Office of Assemblymember Mike A. Gipson  
[Alexander.Coffman@asm.ca.gov](mailto:Alexander.Coffman@asm.ca.gov)  
916-319-2064

<sup>i</sup> <http://www.motherjones.com/politics/2013/05/ak-47-semi-automatic-rifle-building-party>