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New gun laws: California aims to limit concealed weapons. This time will it stick?

California bill would set concealed weapon permit rules

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California Gov. Gavin Newsom (R) speaks as state Senator Anthony Portantino (L) (D-Burbank) and California Attorney General Rob Bonta (C) look on during a press conference on February 01, 2023 in Sacramento, California. California Gov. Gavin Newsom, state Attorney General Rob Bonta, state Senator Anthony Portantino (D-Burbank) and other state leaders announced SB2 – a

After a slew of mass shootings that put a spotlight on California's strict gun laws, state lawmakers on Wednesday reintroduced a bill aimed at limiting permits for carrying concealed guns and banning people from entering many public places with firearms.

Concealed firearms would be banned at hospitals, churches, parks and on public transportation. They also would be prohibited at privately owned businesses that are open to the public — unless a business posts a conspicuous sign welcoming guns.

The bill is in response to a U.S. Supreme Court decision last summer that loosened gun restrictions and undermined California's existing limits on secretly carrying firearms. The [bill](#)'s backers said the new legislation is specially crafted to survive what is expected to be a barrage of legal challenges.

"We came together at this critical hour to ensure that our laws remain a blueprint for the rest of the nation," said Sen. Anthony Portantino, a Burbank Democrat, who authored the legislation. "And that's important because people are watching what California is doing, and that's why we're leading."

The announcement comes after an eruption of gun violence late last month in the state with the most extensive gun restrictions in the country, including mass shootings that killed 11 in Monterey Park and seven in Half Moon Bay. The gunmen in Monterey Park and Half Moon Bay were not reported to be concealed weapon permit holders.

"We're trying to solve for a pattern," Gov. Gavin Newsom said in reference to the jolt of gun violence that rocked the state. "And we're not going to fall prey to the predictable response to every shooting: 'Well, this law, in this case, wouldn't have solved this issue.' There is a pattern."

Wednesday's legislation is also deepening the divide between Florida and California on a host of hot-button issues. On Monday, Florida lawmakers introduced a proposal that would eliminate all restrictions on concealed weapons, leaving gun owners free to carry loaded firearms across the Sunshine State.

The Supreme Court decision in June was one of the most [significant rulings on firearms restrictions in over a decade](#) as the court's conservative majority struck down a New York gun law and placed into question laws in California that had made the state among the nation's most difficult places to legally carry a concealed weapon. Previously, local law enforcement agencies had broad discretion to issue permits and would require gun owners to show a special need to secretly carry a weapon.

Now California, along with New York, Hawaii, and other states, is forced to issue concealed weapon permits to a far broader swath of applicants who no longer need to provide a justification for carrying the weapon.

“We want this to be constitutional at the end of the day,” said Portantino. He called the provision allowing businesses to post a sign allowing firearms a “legal nuance” that will help ensure constitutionality. “By having that provision, you can’t argue that it’s a total prohibition. You can’t argue that it’s somehow so prescriptive that people can’t have some sovereignty over the issue.”

Along with location restrictions, concealed permit owners are prohibited from consuming alcohol while carrying a weapon and must be 21 years of age to receive the permit and undergo and pass background checks from law enforcement. Attorney General Rob Bonta called the limits on concealed permits “fair and objective safety evaluations.”

“If you recklessly break the law, if you are an irresponsible individual, you should not be allowed to carry a concealed firearm in public,” Bonta said.



California Attorney General Rob Bonta speaks during a press conference on February 01, 2023 in Sacramento, California. California Gov. Gavin Newsom, state Attorney General Rob Bonta, state Senator Anthony Portantino (D-Burbank) and other state leaders announced SB2 – a new gun safety legislation that would establish stricter standards for Concealed Carry Weapon (CCW) permits to carry a firearm in public. The bill designates “sensitive areas,” like bars, amusement parks and child daycare centers where guns would not be allowed. (Photo by Justin Sullivan/Getty Images)

Republicans immediately blasted the proposal. “California doesn’t need a new feel good gun law that will do nothing to stop violence,” Assemblyman James Gallagher, the Republican Assembly leader, said on Twitter. Instead, he suggested repealing and revising recent laws and initiatives — AB 109, Prop 47 and Prop 57 — that reduced penalties for

Gun rights advocates have been expecting the revised bill and are prepared to fight it. Brandon Combs, president of the Firearms Policy Coalition, said last month in anticipation of the new state bill that to follow the Supreme Court's guidance, "if you can pass a background check, you're entitled to a carry permit and within a reasonable time frame."

"My message to California would be, New York passed a bill, we sued, we got an injunction," Combs said last month. "New Jersey passed a bill, we sued, we got an injunction. You want to be the next one?"

Advocates for more gun restrictions say California leaders shouldn't be intimidated. A coalition of advocates lined up with state lawmakers to back the legislation on Wednesday.

"We have seen the gun lobby push for more guns everywhere by creating imagined threats and stoking fears of a country where individuals will need to defend themselves with a firearm at any time," said Chris Brown, president of Brady Campaign, a national gun-control organization. "That is a country where the Second Amendment completely swallows the first."

The state used to have higher than average gun homicide rates, advocates say; now California is 36% lower than the national average. "Stronger gun laws save lives," said Brown.

Following the Supreme Court ruling, California was slower out of the gate with its own bill rewrite. Last year, Portantino's Senate Bill 918, similar to SB 2 introduced Tuesday, sought to add new training requirements, reviews of the applicant's social media posts and an expanded list of sensitive places where concealed weapons would not be allowed. Because the legislation was introduced as an urgency measure, it needed more than a simple majority to pass, and disagreement among fellow Democrats allowed the bill to die on the last day of the legislative session.

Newsom on Wednesday said this bill will not be a repeat of last year's legislative failure. The governor went on to attack Republicans in Congress for not backing national gun control measures.

"This is a national disgrace," he said. "And they're choosing this for their kids and their grandkids."

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John Woolfolk is a reporter for the Bay Area News Group, based at The Mercury News. A native of New Orleans, he grew up near San Jose. He is a graduate of the UC Berkeley School of Journalism and has been a journalist since 1990, covering cities, counties, law enforcement, courts and other general news. He also has worked as an editor since 2013.

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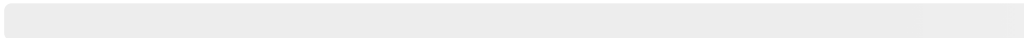
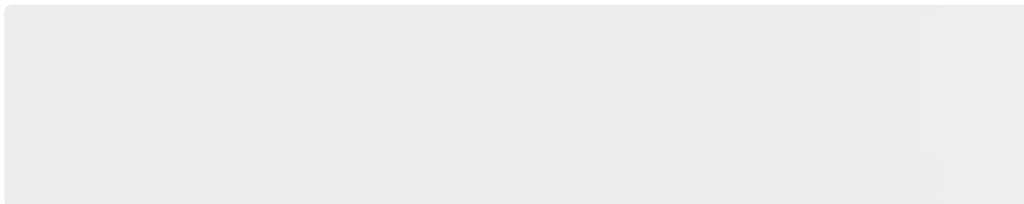
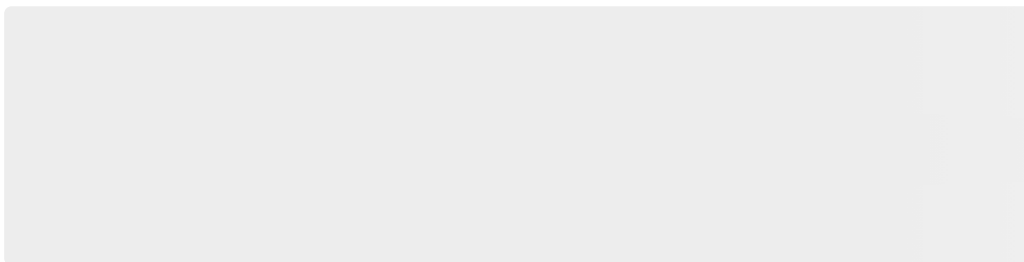


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Eliyahu Kamisher is the transportation reporter for The Mercury News. He got his start in journalism covering the Israeli police and then as a foreign correspondent for the German Press Agency. Before joining The Mercury News, Eliyahu worked as a freelancer with stories across California. He is a graduate of UC Santa Barbara.

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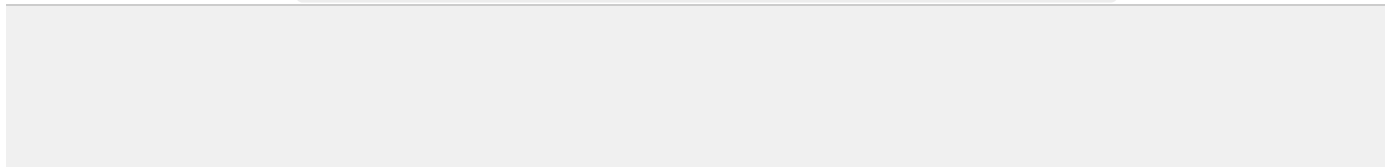
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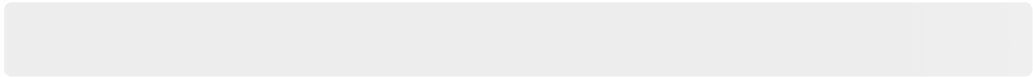
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