

2002 Dangerous Weapons Control Law

ARTICLE 1. GENERAL PROVISIONS

ARTICLE 7. STUN GUNS

12650. "Stun gun" as used in this chapter shall include any item, except a taser, used or intended to be used as either an offensive or defensive weapon capable of temporarily immobilizing a person by the infliction of an electrical charge.

12651. Notwithstanding any other provision of law, any person may purchase, possess, or use a stun gun, subject to the following requirements:

(a) No person convicted of a felony or any crime involving an assault under the laws of the United States, of the State of California, or any other state, government, or country or convicted of misuse of a stun gun under Section 244.5, shall purchase, possess, or use stun guns.

(b) No person who is addicted to any narcotic drug shall purchase, possess, or use a stun gun.

(c) No person shall sell or furnish any stun gun to a minor unless the minor is at least 16 years of age and has the written consent of his or her parent or legal guardian. Violation of this subdivision shall be a public offense punishable by a fifty dollar (\$50) fine for the first offense. Any subsequent violation of this subdivision is a misdemeanor.

(d) No minor shall possess any stun gun unless the minor is at least 16 years of age and has the written consent of his or her parent or legal guardian.

12652. Each stun gun sold shall contain both of the following:

(a) The name of the manufacturer stamped on the stun gun.

(b) The serial number applied by the manufacturer.

12653. Unless otherwise specified, any violation of this article is a misdemeanor.

12654. Each stun gun sold in this state shall be accompanied by an instruction booklet. Violation of this section shall be a public offense punishable by a fifty dollar (\$50) fine for each weapon sold without the booklet.

CROSS REFERENCES AND OTHER INFORMATION

Stun Guns

244.5. (a) As used in this section, "stun gun" means any item, except a taser, used or intended to be used as either an offensive or defensive weapon that is capable of temporarily immobilizing a person by the infliction of an electrical charge.

(b) Every person who commits an assault upon the person of another with a stun gun or a taser shall be punished by imprisonment in a county jail for a term not exceeding one year, or by imprisonment in the state prison for 16 months, two, or three years.

(c) Every person who commits an assault upon the person of a peace officer or firefighter with a stun gun or taser, who knows or reasonably should know that the person is a peace officer or firefighter engaged in the performance of his or her duties, when the peace officer or firefighter is engaged in the performance of his or her duties, shall be punished by imprisonment in the county jail for a term not exceeding one year, or by imprisonment in the county jail for a term not exceeding one year, or by imprisonment in the state prison for two, three, or four years.

(d) This section shall not be construed to preclude or in any way limit the applicability of Section 245 in any criminal prosecution.

<http://www.caag.state.ca.us:80/firearms/dwcl/dwc.htm>

