



CAL-ERT 02/11/05 Midnight

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CALIFORNIA LEGISLATIVE & LITIGATION UPDATE

This information is accurate at the time this CAL-ERT was written and originally distributed. The scheduled times and dates for hearings are subject to change, by the legislature, with little or no advance notice. The NRA Members' Councils of California will keep you informed as the legislative situation changes in Sacramento.

Legislation Pending:

AB 88 (Koretz) This un-necessary bill would provide that, with regard to specified prohibited conduct, there would be a separate and distinct offense charged for each assault weapon, .50 BMG rifle, or frame or receiver. AB88 is scheduled to be heard in the Assembly Public Safety Committee on Tuesday, February 15, 2005. **Position – OPPOSE**

Immediate Action requested:

Please contact members of the Assembly Public Safety Committee and urge them to **OPPOSE AB88**.

Contact Information:

Assembly Public Safety Committee: A complete listing of all of the members of the Assembly Public Safety Committee including phone/fax/email information can be found at: <http://www.nramemberscouncils.com/legs/asmpublicsafety.shtml> . Also, you can send a single email to each of the Assembly Public Safety Committee Members by using the special **"ONE CLICK"** email address that you can find at: <http://www.nramemberscouncils.com/legs.shtml> . By sending one email to the special **"ONE CLICK"** address, each one of the Assembly Public Safety Committee Members will receive a copy of your message (so it is probably a good idea to address your messages with: **Dear Assembly Member,**).

Victory in Court:

The Court of Appeals of the State of California, First Appellate District, Division One, upheld a lower court dismissal of a suit brought against firearm manufacturers, distributors, by several municipalities: alleging that the firearms industry engaged in unfair trade practices and those actions resulted in the criminal misuse of firearms, causing a "public nuisance."

This recent Court of Appeals decision is great news and a tremendous victory against the trial lawyers and gun banning municipalities that filed the lawsuits. The court focused on the fact that there was no causal connection (among other elements, you have to "cause" the damage before you might be liable for it) between the gun sales practices and the misuse of guns in crime.

For more information on this interesting court victory, download the entire decision at <http://NRAMembersCouncils.com/legs.shtml>

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Continue to monitor the latest legislative updates at: <http://NRAMembersCouncils.com/legs.shtml>

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This CAL-ERT can be found on the Internet at: <http://www.nramemberscouncils.com/calerts/calert021105.shtml>

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CAL-ERTs are provided as a free service to all gun owners and Pro-2nd Amendment organizations by the [NRA Members' Councils of California](#). Please work together with the NRA and help defeat this legislation by cross-posting this CAL-ERT via the Internet, newsletters/publications and hand-outs. The CALifornia-aERT system is operated by NRA staff and volunteers operating within the NRA Members' Councils Program.

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