

ASSEMBLY BILL

No. 3314

Introduced by Assembly Member Baldwin

February 23, 1996

An act to amend Section 653k of the Penal Code, relating to weapons.

LEGISLATIVE COUNSEL'S DIGEST

AB 3314, as introduced, Baldwin. Weapons: switchblade knives.

Existing law defines switchblade knife, for purposes of prohibiting the possession, sale, or other transfer of a switchblade knife, as a knife having the appearance of a pocketknife and including a spring-blade knife, snap-blade knife, gravity knife or any other similar type of knife, the blade or blades of which are 2 or more inches long and which can be released automatically by the flick of a button, pressure on the handle, flip of the wrist or other mechanical device, or is released by the weight of the blade or by any type of mechanism whatsoever.

This bill would provide that a switchblade knife does not include a knife that is designed to open with one hand utilizing pressure applied solely to the blade of the knife or a thumb stud attached to the blade.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 653k of the Penal Code is
2 amended to read:

3 653k. Every person who possesses in the passenger's
4 or driver's area of any motor vehicle in any public place
5 or place open to the public, carries upon his or her person,
6 and every person who sells, offers for sale, exposes for sale,
7 loans, transfers, or gives to any other person a switchblade
8 knife having a blade ~~over~~ two *or more* inches in length is
9 guilty of a misdemeanor.

10 For the purposes of this section a, "switchblade knife"
11 ~~is means~~ a knife having the appearance of a pocketknife,
12 and ~~shall include~~ *includes* a spring-blade knife,
13 snap-blade knife, gravity knife or any other similar type
14 knife, the blade or blades of which are two or more inches
15 long and which can be released automatically by a flick
16 of a button, pressure on the handle, flip of the wrist or
17 other mechanical device, or is released by the weight of
18 the blade or by any type of mechanism whatsoever.
19 *"Switchblade knife" does not include a knife that is*
20 *designed to open with one hand utilizing pressure*
21 *applied solely to the blade of the knife or a thumb stud*
22 *attached to the blade.*

23 For purposes of this section, "passenger's or driver's
24 area" means that part of a motor vehicle which is
25 designed to carry the driver and passengers, including
26 any interior compartment or space therein.

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