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## SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair  
2015 - 2016 Regular

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**Bill No:** SB 1006  
**Author:** Wolk  
**Version:** February 10, 2016  
**Urgency:** No  
**Consultant:** Olgalilia Ramirez  
**Hearing Date:** March 16, 2016  
**Fiscal:** Yes

**Subject:** Firearm Violence Research Center

**NOTE:** This bill has been referred to the Committees on Education and Public Safety. A “do pass” motion should include referral to the Committee on Public Safety.

### SUMMARY

This bill requests that the Regents of the University of California (UC) establish the California Firearm Violence Research Center (Center) for purposes of conducting research related to firearm violence and its prevention.

### BACKGROUND

The California Constitution establishes the UC, a public trust to be administered by the Regents of the UC and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services. (Article IX, Section (9)(a) of the California Constitution)

Current law further provides that the statutes related to UC (and most other aspects of the governance and operation of UC) are applicable only to the extent that the Regents of UC make such provisions applicable. (Education Code § 67400)

### ANALYSIS

This bill:

- 1) Requests that the UC Regents establish the Center for purposes of conducting research related to firearm violence and its prevention.
- 2) States the legislative intent that the administration of the Center be consistent with all of the following principles:
  - a) Works to address the nature, consequences, and prevention of firearm violence, as described.
  - b) Conducts research that provides scientific evidence for which violence prevention policies and programs can be based.

- c) Identifies, implements, and evaluates innovative prevention policies and programs with policymakers and state agencies.
  - d) Recruits and provides specialized training opportunities for new researchers, as specified.
- 3) States the legislature's intent to appropriate funds to a Firearm Research Center Account for purposes specified in the bill and further:
- a) Authorizes the Center to seek additional federal, state or private funds.
  - b) Requires that the Center administer a grant program that provides for:
    - i) An open, competitive peer review process modeled after the National Institute of Health's granting making process.
    - ii) A process by which all qualified investigators have equal access to compete for funds.
    - iii) Reimbursement of awardees for full cost of conducting the sponsored research consistent with federal guidelines governing all federal research grants and contracts.
- 4) States legislative intent that the University of California (UC) report, on or before December 31, 2017, and every 5 years thereafter, specified information regarding the activities of the Center and information pertaining to research grants.
- 5) Requires state agencies to comply with data requests initiated by the Center only to the extent permitted by current law.
- 6) Requires that the Center provide copies of its research publications to the Legislature and certain state agencies.
- 7) Makes a number of findings and declarations relative to the effects of firearm violence on public health and safety and the need for expanded research efforts and more funding.
- 8) Provides that these provisions are applicable to UC only if the Board of Regents, by resolution, makes it applicable.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, congress has blocked funding for firearm violence research thereby creating a gap in information related to this field of study. Provisions within federal appropriations prohibit the Centers for Disease Control and Prevention (CDC) from using funds to advocate or promote gun control. This bill seeks to fill a void in research by requesting that the UC establish a Firearm Violence Research Center to be funded by an appropriation from the state.

- 2) **Related activities at University of California (UC).** It appears there are various independent and university based institutes that concentrate on firearm violence research throughout the state including the Violence Prevention Research Program at the University of California, Davis (UCD). Specifically, the UCD program focuses on research and policy development with particular emphasis on the causes, consequences, and prevention of violence. There may be others within the UC who engage in this field of study but nothing as structured or comparable to the program at UCD. Provided that the UC agrees to implement the provisions in this bill, it is plausible for UCD or any other UC campus to be a candidate for hosting the Center.
- 3) **Is a bill necessary?** Aside from the multiple benefits, an initiative like a Firearm Violence Research Center may offer in the areas of violence prevention and information based on scientific evidence, it would seem that legislation is unnecessary to request that the UC establish a center given the UC's constitutional autonomy as noted in the background of this analysis. According to the author, the state legislature is positioned to benefit from this type of program and should funding be appropriated to the UC for the stated purpose, it is incumbent upon the Legislature to establish intent and goals for those funds through legislation.
- 4) **Grant program.** This bill requires the Center to administer a grant program and further provides for reimbursement to awardees to cover the full cost of conducting sponsored research that is consistent with federal guidelines governing all federal research grants and contracts. Consistent with the author's request, **staff recommends that the bill be amended** as follows:
  - a) Delete Penal Code section 14231(8) related to reimbursement described above.
  - b) Clarify that the Center administer a *small* grant program to supplement its work.
- 5) **Related legislation.** AB 2600 (Lackey, 2015) requests the UC Regents to establish the California Institute for Aerospace and appropriates a specified amount of dollars from the General Fund to the Regents for the implementation of the bill. AB 2600 is pending referral in the Assembly.

## SUPPORT

California Chapter of the American College of Emergency Physicians  
California College and University Policy Chiefs Association  
California Psychiatric Association  
Dave Jones, Insurance Commissioner  
Violence Prevention Coalition of Orange County  
United States Senator, Dianne Feinstein  
Several Individuals

**OPPOSITION**

California Sportsman's Lobby  
Firearms Policy Coalition  
Outdoors Sportsmen's Coalitional of California  
Safari Club International

**-- END --**