



THE LEGAL DISCLAIMER

WARNING: Laws and their interpretations are in constant flux. Our analysis is not intended as legal advice, it is not regularly updated, nor has it been approved by the DOJ or any federal, state, county, city, or other law enforcement agency or regulatory authority. It is the purchasers' or end users' responsibility to know the current firearm laws and regulations in their state, county, or city before installing the Kali Key.

The Kali Key was designed to comply with California assault weapon laws and regulations. It is our understanding the Kali Key is compliant with the new California laws and California Department of Justice (DOJ) regulations because it converts the action of a semiautomatic firearm to a bolt action firearm.

Although the Kali Key falls within California laws as written, the product is not formally approved by the DOJ or any federal, state, county, city, or other law enforcement agency or regulatory authority. Instead, it is the purchasers' or end users' responsibility to know the current firearm laws and regulations in their state, county, or city before installing the Kali Key.

The Kali Key creator, manufacturer, or seller is not responsible to any purchaser or end user with regard to their understanding or interpretation of the current California gun-related laws and regulations, nor is it responsible or liable in any way for any personal injury, death, or property damage from any use of the Kali Key, including but not limited to the inaccurate assembly, misuse, illegal use, or modification of such product. Each purchaser and end user assumes the risk associated with the use or misuse of such product; and further assumes the responsibility to abide by all federal, state, and local laws. All such products are sold on the condition that the Kali Key creator, manufacturer, or seller shall not be liable in any action for the arrest, accident, death, or injury in connection with the transportation, handling, storage, sale, or use of such product. Please consult your federal, state, and local laws and regulations before purchasing such product. By purchasing, any purchaser or end user represents and warrants that such product will be used in a lawful manner and that he or she is of legal age and capacity.

THE QUICK COMPLIANCE EXPLANATION

California has enacted assault weapons laws and regulations that prohibit the ownership, sale, and purchase of various *semiautomatic* centerfire firearms with certain features. (See The Assault Weapons Control Act, California Penal Code sections 30500 through 31115.) The Kali

Key is a one-part compliance part that removes your AR15 style firearm from the definition of an assault weapon by converting your semiautomatic firearm to a straight pull bolt action firearm.

The Kali Key allows the user to keep all of the features normally prohibited through the definition of an assault firearm such as pistol grips, forward vertical grips, flash hiders, and collapsible/folding stocks without requiring registration as an assault weapon.

THE DETAILED COMPLIANCE EXPLANATION

California Assault Weapon Definition

In 2016, California enacted Senate Bill 880 (SB 880) and Assembly Bill (AB 1135), which redefine what constitutes an “assault weapon” under state law. Those who have firearms falling under the new assault weapon definition must register their firearms as assault weapons, convert their firearm into a compliant configuration, or dispose of the firearms in a lawful manner. Under California Penal Code 30515, “assault weapon” is defined as any of the following:

- (1) A *semiautomatic*, centerfire rifle that does not have a fixed magazine but has any one of the following:
 - (A) A pistol grip that protrudes conspicuously beneath the action of the weapon.
 - (B) A thumbhole stock.
 - (C) A folding or telescoping stock.
 - (D) A grenade launcher or flare launcher.
 - (E) A flash suppressor.
 - (F) A forward pistol grip.
- (2) A *semiautomatic*, centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds.
- (3) A *semiautomatic*, centerfire rifle that has an overall length of less than 30 inches.
- (4) A *semiautomatic* pistol that does not have a fixed magazine but has any one of the following:
 - (A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer.
 - (B) A second handgrip.
 - (C) A shroud that is attached to, or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning the bearer’s hand, except a slide that encloses the barrel.

(D) The capacity to accept a detachable magazine at some location outside of the pistol grip.

(5) A *semiautomatic* pistol with a fixed magazine that has the capacity to accept more than 10 rounds.

SEMIAUTOMATIC VS BOLT ACTION FIREARMS

When designing the Kali Key, we reviewed the legal definitions of semiautomatic and bolt action firearms. California law does not define the term semiautomatic firearm; however, a semiautomatic is defined under regulations in the context of assault weapons. Specifically, a semiautomatic is defined as follows: Semiautomatic means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, certain necessary mechanical parts that will allow a firearm to function in a semiautomatic nature must be present for a weapon to be deemed semiautomatic. A weapon clearly designed to be semiautomatic but lacking a firing pin, bolt carrier, gas tube, or some other crucial part of the firearm is not semiautomatic for purposes of Penal Code sections 30515, 30600, 30605(a), and 30900. (Cal. Code Regs., tit. 11, § 5471 (Lexis Advance through Register 2018, No. 12, March 23, 2018).)

This definition is supported by California case law which states, “[a] semiautomatic firearm “fires once for each pull on the trigger and reloads automatically, but requires the shooter to release the trigger lever before another shot can be fired.” (Walter, *Rifles of the World* (2d ed. 1998) p. 498.) An automatic firearm “will continue firing until either the trigger is released or the ammunition has been expended.” (*Id.* at p. 493.)” (*In re Jorge M.* (2000) 23 Cal.4th 866, 874, fn. 4; see also 1 CALCRIM 875 (2018) [A *semiautomatic pistol* extracts a fired cartridge and chambers a fresh cartridge with each single pull of the trigger.])

Further, federal law, 18 U.S. Code section 921, defines “semiautomatic rifle” to mean “any repeating rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.” (18 U.S.C. § 921 (LexisNexis, Lexis Advance through PL 115-140, approved 3/20/18).)

Neither federal nor California law specifically define “bolt action” in the context of bolt action rifles, pistols, or shotguns. However, the widely accepted definition of a “bolt action” firearm is a firearm “loaded by means of a manually operated bolt.” (Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/bolt-action>.) In other words, after a round is fired by pulling the firearm trigger, the user must manually operate the bolt to extract and eject the spent ammunition casing. The user then pushed the bolt forward loading the next cartridge into the firearm chamber locking the bolt in place before another round can be fired. Bolt action rifles historically have been exempt from all assault weapon regulations in the United States.

KALI KEY OPERATION

Many AR15 style firearms operate with a direct impingement gas system in order to automatically extract, eject and reload a cartridge into the chamber after firing. The direct impingement system directs gas from a fired cartridge directly into the bolt carrier or slide assembly to cycle the action through a hole in the firearm barrel and a gas tube reaching back into the upper receiver of the firearm.

Once fired, as soon as the bullet passes the gas port in the barrel, part of the hot gas flows into the gas tube towards the bolt carrier group. The gas enters the expansion chamber of the bolt carrier key and exerts pressure pushing the bolt carrier rearward.

The bolt carrier continues to move backwards due to inertia, and the cam slot milled into its top side acts on the bolt lug, forcing the bolt to rotate into its unlocked position. By this time, the bullet has left the barrel and pressure has dropped to safe levels. As the bolt carrier continues its rearward movement due to inertia, the bolt is pulled back from the breech, the spent case extracted and ejected. The recoil spring, which has been compressed by the bolt carrier group, pushes the bolt carrier forward again, stripping a fresh cartridge from the magazine, chambering it and, through interaction of the cam slot and bolt lug, the bolt is rotated into locked position again.

The Kali Key replaces the charging handle of AR15 style firearms, by removing the two bolt key screws and bolt key from the bolt carrier group. The Kali Key is then screwed in using the same bolt key screws of firearm bolt carrier group. Because the Kali Key does not have an expansion chamber that connects with the gas tube in the upper receiver, there is no gas pressure that forces the bolt carrier group rearward extracting and ejecting the spent casing.

Instead, when the Kali Key is installed on an AR15 style firearm, after each time firing the firearm, the user must manually pull back on the Kali Key to extract and eject the spent casing, and then release or push the Kali Key forward in order to load the next cartridge into the chamber.

Thus, the Kali Key converts all AR15 style rifles and pistols from *semiautomatic* firearms to *straight pull bolt action firearms*, removing such firearms from the California assault weapon regulations.



OPINION ON NEW YORK STATE COMPLIANCE

NOTICE

Kali Key, and any of its affiliates, or associates do not and are not providing legal advice of any kind. While compiled with the assistance of legal counsel, any information contained herein merely the opinion of Kali Key. No licensed New York attorney was hired to provide a legal opinion on this matter. Therefore, nothing herein constitutes legal advice of any kind or the formation of an attorney-client relationship. The end user is solely responsible for their compliance with each states' laws, and the end user is responsible to ensure compliance with any other applicable state laws, especially if such a state prohibits certain firearms by their manufacturer and model designation as opposed to their features.

NO STATE HAS PROVIDED ANY FORMAL ACCEPTANCE OF THE KALIKEY.

As a part of this opinion it is understood that any installation of the Kali Key should be made permanent by using some form of epoxy, silicone-based caulk, or other permanent sealants.

In the following opinion, it is also unknown if New York Law would consider the user's control of parts that could convert the firearm back into a semiautomatic firearm, constructive possession or an issue of any other kind.

**PLEASE CONSULT LEGAL COUNSEL, LICENSED IN YOUR STATE BEFORE
ATTEMPTING TO RECONFIGURE YOUR FIREARM OR INSTALL THE KALIKEY.**

New York State Law

Generally, New York Penal Law section 265.00 regulates firearms and other dangerous weapons for the state of New York. The New York S.A.F.E Act, amended Penal Code section 265 to expand the regulations surrounding "assault weapons."

Under section 265, *definitions* subdivision 11, the term "rifle" is defined as "a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed

or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

Further, under section 265, *definitions* subdivision 21, the term "semiautomatic" is defined as, any repeating rifle, shotgun or pistol, regardless of barrel or overall length, which utilizes a portion of the energy of a firing cartridge or shell to extract the fired cartridge case or spent shell and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge or shell."

New York Penal Law section 265, *definitions* subdivision 22 defines the term "assault weapon" as follows:

"Assault weapon" means:

(a) a semiautomatic rifle that has an ability to accept a detachable magazine and has at least one of the following characteristics:

- (i) a folding or telescoping stock;
- (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;
- (iii) a thumbhole stock; (iv) a second handgrip or a protruding grip that can be held by the non-trigger hand; (v) a bayonet mount;
- (vi) a flash suppressor, muzzle break, muzzle compensator, or threaded barrel designed to accommodate a flash suppressor, muzzle break, or muzzle compensator;
- (vii) a grenade launcher; or

(b) a semiautomatic shotgun that has at least one of the following characteristics:

- (i) a folding or telescoping stock;
- (ii) a thumbhole stock;
- (iii) a second handgrip or a protruding grip that can be held by the non-trigger hand;
- (iv) a fixed magazine capacity in excess of seven rounds;
- (v) an ability to accept a detachable magazine; or

(c) a semiautomatic pistol that has an ability to accept a detachable magazine and has at least one of the following characteristics: (i) a folding or telescoping stock;

- (ii) a thumbhole stock;
- (iii) a second handgrip or a protruding grip that can be held by the non-trigger hand;
- (iv) capacity to accept an ammunition magazine that attaches to the pistol outside of the pistol grip;
- (v) a threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer;

- (vi) a shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned;
 - (vii) a manufactured weight of fifty ounces or more when the pistol is unloaded; or
 - (viii) a semiautomatic version of an automatic rifle, shotgun or firearm;
- (d) a revolving cylinder shotgun;

OPINION:

Based on the above definitions, the Kali Key, when installed properly on a rifle, would remove the rifle from the "semiautomatic" rifle classification. Installation of the Kali Key prevents the firearm from being able to "utilize a portion of the energy of a firing cartridge or shell to extract the fired cartridge case or spent shell and chamber the next round." In addition, under section 265, "definitions" subdivision 22(g), the term "assault weapon" specifically does not include "(i) any rifle, shotgun or pistol that (A) is manually operated by bolt, pump, lever, or slide action." Further, firearms that utilize a manually operated bolt, commonly known as "bolt-action firearms," do not fall within the definition of an assault weapon under New York law. Thus, a firearm using the Kali Key should not be considered a "semiautomatic" firearm, nor fall within the definition of an "assault weapon."

Based on the above opinion, the Kali Key could be used on certain categories of firearms that normally would be considered "assault weapons" due to the features attached to the firearm as stated in section 265 (*Definitions* subdivision 22) above. Because a firearm with the Kali Key would be classified as a bolt-action, rather than a semiautomatic firearm, it would not fall within the definition of an assault weapon based on "restricted features." ***However, any firearms classified as an assault weapon by name or date of manufacture could still be considered an assault weapon, even when using the Kali Key, because this classification is not dependent on the features of the firearm.***

Please note that installation of the Kali Key should be done so it is not readily convertible or easily able to be reversed back to the semiautomatic configuration. Therefore, when installing the Kali Key, the user should make this conversion permanent by filling the screw head, cavity, or screw threads with epoxy, silicone-based caulk, or other permanent sealants.

Finally, because a bolt carrier group (BCG) can be easily taken out and replaced, a rifle with a BCG using a Kali Key, even when permanently installed, could still be converted to a semiautomatic firearm if another BCG was available. ***Therefore, the end user should not retain control of parts that could convert the firearm back into a semiautomatic firearm. It is unknown whether this would be an issue under New York law.***

End.