

SUPREME COURT OF CALIFORNIA

Nat. Shooting Sports Foundation, Inc. v. State of California

Nat. Shooting Sports Foundation, Inc. v. State of California, 5 Cal. 5th 428, 235 Cal. Rptr. 3d 54 (Cal. 2018) · No. S239397 · Decided June 28, 2018

SUMMARY

The California Supreme Court held that Civil Code § 3531, which states that "[t]he law never requires impossibilities," is a maxim of jurisprudence serving as an interpretive canon, not a substantive basis to invalidate a statute. The court rejected the argument that impossibility of compliance with Penal Code § 31910(b)(7)(A)—the dual placement microstamping requirement for semiautomatic pistols—could render the statute unenforceable. The court reversed the Court of Appeal, concluding that § 3531 does not authorize courts to void a legislative mandate; rather, it may only aid in construing statutes to avoid absurd results consistent with legislative intent. The case clarifies that impossibility of performance does not empower courts to override a statute's plain text or purpose, and any challenge must be brought through constitutional or administrative avenues.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Liu, J.; Cantil-Sakauye, C. J.; Corrigan, J.; Cuéllar, J.; Kruger, J.; Epstein, J.; Chin, J.
JURISDICTION	California
DECIDED	June 28, 2018
DOCKET	S239397
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a judgment on the pleadings in favor of the State of California. The trial court granted the motion, the Court of Appeal reversed, and the California Supreme Court granted review.
STANDARD OF REVIEW	When reviewing a judgment on the pleadings, the court accepts as true all material allegations in the complaint. (Kimmel v. Goland, 51 Cal. 3d 202, 205 (1990).)
PRECEDENTIAL VALUE	Published
PARTIES	National Shooting Sports Foundation, Inc., et al. v. State of California

TOPICS

statutory interpretation

legislative intent

civil procedure

declaratory judgment

injunctions

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Firearms Regulation

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QUESTIONS PRESENTED

1. Whether Civil Code section 3531's maxim that '[t]he law never requires impossibilities' authorizes a court to invalidate Penal Code section 31910(b)(7)(A) on the ground that compliance is impossible.

HOLDINGS

1. Civil Code section 3531 is an interpretative canon for construing statutes, not a means for invalidating them. It does not empower courts to invalidate a statute based on impossibility of compliance.

KEY QUOTATIONS

“Careful comparison of these statutory exceptions reveals the manifest common legislative purpose of attempting to avoid unjust application of statutes of limitation where circumstances effectively render timely commencement of action impossible or virtually impossible.” (4)

“It is well settled that the law is not so unreasonable as to require the performance of impossibilities as a condition to the assertion of acknowledged rights . . . ; and, when Legislatures use language so broad as to lead to such results, courts may properly say that the Legislature did not intend to include those cases in which a literal obedience has become impossible. If a statute apparently requires the performance of something which cannot be performed, a court may hold it inoperative.” (6)

“the judiciary can invalidate legislation if there is some overriding constitutional, statutory or charter proscription.” (7)

FACTUAL BACKGROUND

In 1999, the Legislature enacted the Unsafe Handgun Act to establish safety standards for handguns. In 2007, it amended the Act to require that semiautomatic pistols not already on the roster be designed with dual placement microstamping, a technology that imprints identifying characters on cartridge cases. The requirement was to take effect on January 1, 2010, provided that the Department of Justice certified that the technology is available to more than one manufacturer unencumbered by patent restrictions. The DOJ issued the certification on May 17, 2013. NSSF filed a complaint alleging that compliance with the microstamping requirement is impossible and sought to have the statute declared unenforceable under Civil Code section 3531.

PROCEDURAL HISTORY

NSSF filed a complaint seeking declaratory and injunctive relief challenging Penal Code section 31910(b)(7)(A) as unenforceable under Civil Code section 3531. The trial court granted the Attorney General's motion for judgment on the pleadings. The Court of Appeal reversed, holding that NSSF could present evidence of impossibility. The California Supreme Court granted review.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

to affirm the trial court's judgment granting the Attorney General's motion for judgment on the pleadings.

CASES CITED

- Kimmel v. Goland, 51 Cal. 3d 202, 205 (1990)
- Lewis v. Superior Court, 175 Cal. App. 3d 366 (1985)
- Christin v. Superior Court, 9 Cal. 2d 526 (1937)
- Flannery v. Prentice, 26 Cal. 4th 572, 578 (2001)
- Board of Supervisors v. McMahon, 219 Cal. App. 3d 286 (1990)
- Sutro Heights Land Co. v. Merced Irr. Dist., 211 Cal. 670 (1931)
- Gigliotti v. New York, Chicago & St. Louis R. Co., 157 N.E.2d 447 (Ohio Ct. App. 1958)
- Ivaran Lines, Inc. v. Waicman, 461 So. 2d 123 (Fla. Dist. Ct. App. 1984)
- Buck v. Harton, 33 F. Supp. 1014 (M.D. Tenn. 1940)
- City and County of San Francisco v. Cooper, 13 Cal. 3d 898, 915 (1975)
- National Shooting Sports Foundation v. State, 6 Cal. App. 5th 298 (2016)