

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 3. CERTIFICATES OF ELIGIBILITY and CHAPTER 11. FIREARM
PRECURSOR PARTS

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

As authorized by Government Code section 11346.9, subdivision (d), the Department of Justice (“Department”) hereby incorporates the Initial Statement of Reasons (ISOR) prepared in this matter. The ISOR’s stated bases for the necessity of the proposed regulations continue to apply to the regulations as adopted.

The following modifications have been made to the initial proposed text of the regulations:

Section 4300

The Department hereby withdraws this section. This informational section was determined to be unnecessary.

Section 4301

While this rulemaking was in process, section 4301 was added by a separate rulemaking (see OAL Matter number 2022-0217-01). This section has been reorganized so that the new subdivisions remain in alphabetical order. Terms that were already defined were removed from the current rulemaking as unnecessary. Subdivisions (a), (e) and (f) of the final text have been modified to be consistent with existing regulations, as referenced. Subdivisions (c), (d), (e) and (j) of the draft text have been deleted from this rulemaking, as definitions for those terms have already been adopted into this section.

SUMMARY OF COMMENTS AND DEPARTMENT RESPONSES

No comments were received during the 45-day comment period.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose any mandate on local agencies or school districts.

ALTERNATIVES DETERMINATIONS

The Department has determined that no alternative it considered, or that it otherwise identified, or was brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department has determined that the proposed regulations are the most effective way to implement a background check approval process for firearm precursor part purchases and transfers. The proposed regulations are modeled after existing regulations governing eligibility check approvals for ammunition purchases and transfers. By modeling existing processes, the

proposed regulations efficiently implement the authorization program mandated, and authorized, by Penal Code section 30470, in a way that is already familiar to the regulated community.

ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES

The Department finds that no reasonable alternatives were presented to, or considered by, the Department that would lessen any adverse impact on small business.

DOCUMENTS INCORPORATED BY REFERENCE

- Firearm Precursor Part Vendor (Non-Firearms Dealer or Ammunition Vendor)
Application for Telephonic Vendor Approval, BOF 1107 (Orig. 09/2021)

The above form is incorporated by reference because it would be cumbersome, unduly expensive, or otherwise impractical to publish the form in the California Code of Regulations. During the rulemaking proceeding, the form was made available upon request, and was available for viewing on the Department's website.

NON-DUPLICATION

Some of the regulations may repeat or rephrase in whole or in part a state or federal statute or regulation. This was necessary to satisfy the clarity standard set forth in Government Code section 11349.1, subdivision (a)(3).