



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Power of Attorney for Firearms Relinquishment, Sale or Disposal - Declaration

I, _____, hereby designate _____

Printed Name of Firearm Owner/Possessor

Printed Name of Power of Attorney Designee

to have Power of Attorney for the purpose of transferring or disposing of my firearm(s). This Power of Attorney designation is only effective for 30 days from the date of this designation. This designation shall become null and void after 30 days. As the firearm owner, I hereby declare, under penalty of perjury under the laws of the State of California, that the forgoing is true and correct and that to the best of my knowledge, the above designee is not prohibited from possessing firearms pursuant to Penal Code sections 29800-29875 or 29900-29905, or Welfare and Institutions Code sections 8100 or 8103.

Signature of Firearm Owner/Possessor

Date

I, _____, hereby agree to accept appointment as Power of Attorney for the sole purpose of transferring or disposing firearms on behalf of _____, the owner

Printed Name of Power of Attorney Designee

Printed Name of Firearm Owner/Possessor

or possessor of the firearm(s). I understand that it is my legal responsibility to carry out one of the actions listed on the second page of this form. I declare, under penalty of perjury under the laws of the State of California, after reviewing the included list of prohibitions, that I am not prohibited by law from possessing firearms.

Signature of Power of Attorney Designee

Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Must be notarized by a person who is not a party to this transaction

In the State of California, county of _____, on _____ before me,

County

Date

_____, the following individuals personally appeared:

Printed Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Printed Name of Firearm Owner/Possessor

Printed Name of Power of Attorney Designee

I declare that these individuals are personally known to me - OR - proved to me on the basis of satisfactory evidence or identity to be the persons whose names are scribed within this instrument. The parties acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

Signature of Notary

(Official Seal of Notary)

Questions concerning a prohibited persons legal status or questions pertaining to the use of this form may be directed to the Department of Justice, Bureau of Firearms at (916) 227-7527.



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Power of Attorney for Firearms Relinquishment, Sale or Disposal - Declaration



Pursuant to Penal Code section 29810, the Department of Justice provides this form to the following individuals who are prohibited under the law from possessing firearms: (1) any person who has been **convicted** of a felony, a specified misdemeanor, or a specified firearms offense; (2) any person who is addicted to narcotics; (3) any person who is the subject of a protective order; or (4) any person who has found by a court or mental health facility to have certain mental disabilities. Please refer to the accompanying document entitled "Firearms Prohibiting Categories" for a complete list of the firearms prohibitions under the law.

NOTE: The duration of the prohibitions vary. Also, federal law may impose additional and/or more restrictive prohibitions on firearms possession. Therefore, a person who is entitled to possess firearms under state law may nevertheless be prohibited from possessing firearms under federal law. For specific legal advice about the duration of a state prohibition, whether a state prohibition is still in effect, or whether federal law prohibits the possession of firearms, please consult with an attorney who is licensed to practice law in the State of California.

The prohibition against firearms possession is effective immediately upon the occurrence of the prohibiting event (such as the date of the conviction, or the date when a protective order is issued) and requires the person who is prohibited from possessing firearms to immediately relinquish all firearm(s). This form helps the person who is prohibited from possessing firearms comply with the law by designating another person to relinquish, sell or dispose of the firearm(s) on behalf of the prohibited person. **However, this form does not transfer ownership of the firearm(s), or confer any rights or privileges other than the right to temporarily possess firearms for the purpose of relinquishment, sale or disposal of those firearms.** Both the owner of the firearm(s) and the person who is granted Power of Attorney for Firearms Relinquishment, Sale or Disposal are obligated to comply with state law regarding the sale and transfer of firearm(s), such as the requirement to transfer ownership of firearm(s) through a licensed firearms dealer. (See Pen. Code, §§ 26500-26590.)

A person who is subject to a **protective order** (as defined in Family Code section 6218) is subject to special rules. Such a person must do **both** of the following:

- 1) **Within 24 hours** of being served with notice of the protective order, surrender all firearms to the control of local law enforcement officials, or sell the firearm(s) to a licensed gun dealer: but **immediately** surrender the firearm(s) to a law enforcement officer upon an officer's request. (Fam. Code, § 6389, subd. (c)(2).)
- 2) **Within 48 hours** of **receiving** the order, provide proof to the court that issued the order that all firearms have been relinquished.

NOTE: A person who has Power of Attorney for Firearms Relinquishment, Sale or Disposal in a case where a protective order is issued must surrender the firearm(s) to the control of local law enforcement officials, or sell the firearm(s) to a licensed gun dealer on behalf of the gun owner within the times set forth above so that the gun owner is able to comply with the law.

In other cases (that do not involve a protective order or a more specific court order), the person with Power of Attorney for Firearms Relinquishment, Sale or Disposal must do one of the following **within 30 days**:

- 1) Take the firearm(s) to a licensed firearms dealer so that it can be sold or transferred.
- 2) Surrender the firearm(s) to a California law enforcement agency for the purpose of safe keeping.
- 3) Surrender the firearm(s) to a California law enforcement agency for the purpose of destruction.
- 4) **Under no circumstances does completion of this form allow the designee to possess the firearm(s) beyond the 30 day period. (Pen. Code, § 27880.)**

Special rules apply to assault weapons (as defined in Penal Code sections 16170, subdivision (a), 16350, 16890, 30510, and 30515, and in California Department of Justice regulations) and .50 BMG rifles (as defined in Penal Code sections 16170, subdivision (a), 30525, and 30530). Please contact the Department of Justice, Bureau of Firearms at (916) 227-7527 for more information.