

The original proposal is in single underline and single strikeout. Changes are illustrated by double underline for proposed additions and double strikeout for proposed deletions.

California Code of Regulations Title 11, Division 5

Chapter 3. ~~Non-Dealer Sales or Transfers of Firearms Through Licensees or Dealers and Issuance of Certificates of Eligibility~~

Article 1. General

§ 4030. Scope.

The provisions of these regulations apply to ~~sales and other transfers of firearms, as defined in subdivision (a) of section 4031, by individuals through dealers pursuant to Penal Code sections 28050 through 28070, and to the issuance of Certificates of Eligibility by the Department of Justice (DOJ) to persons described in Penal Code sections 16800, 26525, 26585, 26700, and 26710~~ any person required by statute or regulation to obtain a Certificate of Eligibility from the Department of Justice pursuant to Penal Code section 26710.

Note: Authority cited: Sections ~~16800, 26525, 26585, 26700, 26710 and 28060~~, Penal Code.
Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16520, 16140, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27005, 27200, 27535, 27545, 27670, 27966, 28050, 28055, 28060, 28065, 28070, 28450, 29050, 29120, 30314, 30347, 30370, 30312 and 31700, Penal Code.

Article 2. Definitions

§ 4031. Definition of Key Terms.

- (a) ~~The term “firearm” means any firearm within the definition of Penal Code section 16520.~~
- (b) ~~The term “dealer” means a person having a valid license to sell firearms issued pursuant to Penal Code section 26700.~~
- (c) ~~The term “section 28050 transaction” means the transfer of a firearm as provided in Penal Code section 28050.~~
- (d) ~~The term “transferor” means any person who wishes to sell or otherwise transfer a firearm through a dealer pursuant to Penal Code section 28050.~~
- (e) ~~The term “transferee” means any person who wishes to acquire a firearm in a transaction pursuant to Penal Code section 28050.~~

~~(f) The term “personal information” means personal information as defined in Civil Code section 1798.3.~~

~~(g) The term “Certificate of Eligibility” means a certificate which states that the DOJ has checked its records and determined that the applicant is not prohibited from acquiring or possessing firearms pursuant to Penal Code sections 29800, 29805, 29815 through 29825, and 29900, and Welfare and Institutions Code sections 8100 and 8103, or Title 27, Part 478.32 of the Code of Federal Regulations at the time the check was performed.~~

~~(h) (a) The term “a Applicant” means a person applying to obtain a Certificate of Eligibility.~~

~~(b) “California Ammunition Vendor” or “CAV” means an individual with a valid ammunition vendor license issued pursuant to Penal Code section 30342.~~

~~(c) “California Firearms Dealer” or “CFD” means a person having a valid license to sell firearms issued pursuant to Penal Code section 26700.~~

~~(d) “Certificate of Eligibility” means a certificate which states that the Department has checked its records and the records available to the Department in the National Instant Criminal Background Check System and determined that the applicant is not prohibited from acquiring or possessing firearms pursuant to Penal Code sections 18205, 29800, 29805, 29815 through 29825, and 29900, or Welfare and Institutions Code sections 8100 and 8103, or Title 18, sections 921 and 922 of the United States Code, or Title 27, Part 478.32 of the Code of Federal Regulations at the time the check was performed and which ensures that a person who handles, sells, delivers, or has under his or her custody or control any ammunition, is eligible to do so pursuant to Penal Code section 30347.~~

~~(e) “Certificate Holder” means a person who obtains a valid Certificate of Eligibility.~~

~~(f) “CFARS” means California Firearms Application Reporting System.~~

~~(g) “COE” means Certificate of Eligibility.~~

~~(h) “Department” means the California Department of Justice.~~

Note: Authority cited: Sections ~~16800, 26525, 26585, 26710 and 28060~~, Penal Code. Reference: Sections ~~12101, 12756, and 12757~~, Health and Safety Code; Sections ~~16520, 16140, 16800, 18205, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 28050, 28055, 28060, 28065, 28070, 29050, 29120, 29800, 29805, 29815, 29820, 29825, and 29900, 30312, 30314, 30342, 30347, 30370, and 31700~~, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; Section ~~1798.3~~, Civil Code; and Title 18, Sections 921 and 922, United States Code; and Title 27, Parts 478.32 and 478.41, Code of Federal Regulations.

Article 3. Transfers Certificate of Eligibility

§ 4032. Transfers of Concealable Firearms. Qualifications.

Except as provided in Penal Code sections 27600 through 27615, and 27850 through 27965, no person shall sell, lease or transfer any firearm to a person who is not a dealer unless the transaction is processed by a dealer pursuant to Penal Code section 28050.

Note: Authority cited: Sections 27545 and 28060, Penal Code. Reference: Sections 26700, 26710, 27535, 27545, 27600, 27605, 27610, 27615, 27850, 27855, 27860, 27865, 27870, 27875, 27880, 27885, 27890, 27895, 27900, 27905, 27910, 27915, 27920, 27925, 27930, 27935, 27940, 27945, 27950, 27955, 27960, 27965, 28050 and 28060, Penal Code.

(a) Applicant must be at least 18 years old.

(b) Applicant must not be in a class of persons described in Penal Code sections 18205, 29800, 29805, 29815 through 29825, 29900, or Welfare and Institutions Code section 8100 or 8103, or Title 18, sections 921 and 922 of the United States Code, or Title 27, Part 478.32 of the Code of Federal Regulations.

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 18205, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825, 29900, 30312, 30314, 30347, 30370, and 31700, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Part 478.32, Code of Federal Regulations.

§ 4032.5 Fingerprint Submission

Applicants for a new Certificate of Eligibility (COE) shall submit fingerprints for a COE to the Department for a firearms eligibility background check.

(a) Except as provided in subdivision (b), fingerprints shall be captured and transmitted electronically by an authorized live scan operator.

(1) The applicant shall complete a Request For Live Scan Service form prescribed by the Department which will require the following applicant information: full name, any alias name, date of birth, sex, driver license number, height, weight, eye color, hair color, place of birth, social security number, and home address. The applicant shall take the completed form to a live scan operator who shall confirm the applicant's identification, input the applicant's personal descriptor information, capture the applicant's fingerprints electronically, and transmit the data to the Department.

(2) The applicant shall pay the live scan operator a \$49 fingerprint processing fee, the \$22 COE application fee as specified in section 4038 of these regulations, and the live scan

operator's fee (fee is determined by live scan operator and is not regulated by the Department).

(3) The live scan operator will provide the applicant with an applicant transaction identifier (ATI) number. The applicant shall provide the COE ATI number when completing the electronic COE application as specified in subdivision (b) of section 4035 of these regulations.

(b) Out-of-state applicants may have their fingerprints taken manually at a local law enforcement agency in their state of residence in lieu of completing a California live scan.

(1) At least one completed fingerprint card, a \$49 fingerprint processing fee, and the \$22 COE application fee, as specified in section 4038 of these regulations, are required. Check or money order shall be mailed to the Department of Justice at the following address:

Department of Justice
Bureau of Firearms
Licensing and Certification of Eligibility Section – COE Unit
P.O. Box 160487
Sacramento, CA 95816-0487

Note: Authority cited: Sections 11105 and 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825 29900, 30312, 30314, 30347, 30370, and 31700, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Part 478.32, Code of Federal Regulations.

§ 4033. Criteria for Processing Section 28050 Transactions- California Firearms Application Reporting System; Account Requirements.

~~(a) All dealers shall process a section 28050 transaction upon the request of the transferor. All such requests shall:~~

~~(1) Be in writing and contain all of the terms of the transaction, and~~

~~(2) Be signed by the transferor and the transferee.~~

~~(b) Except as otherwise provided in Penal Code sections 28050 through 28070, a dealer shall process a section 28050 transaction in the same manner as if it were a dealer retail sale.~~

Note: Authority cited: Section 28060, Penal Code. Reference: Sections 26700, 26710, 26825, 27535, 27545, 28100, 28160, 28165, 28210 and 28215, Penal Code.

(a) COE applications shall be filed electronically using the Department's California Firearms Application Reporting System (CFARS), at the following website:
<https://cfars.doj.ca.gov/login.do>.

(b) Applicants shall create an account to use CFARS. To create a CFARS account, COE applicants shall agree to the following conditions of use:

(1) Non-Liability: the Department is not responsible for, and will have no liability for, any hardware, software, information, or other items or any services provided by any persons other than the Department. Except as may be required by law, in no event shall either party be liable to the other or any third party, under any theory of liability, including, but not limited to, any contract or tort claim for any cause whatsoever, for any indirect, incidental, special, or consequential damages, including loss of revenue or profits, even if aware of the possibility thereof.

(2) Authorization: the applicant is authorized to use CFARS for the purpose of reporting firearm information to the Department and/or submitting and managing a Certificate of Eligibility in order to comply with California firearm laws and regulations. If the applicant becomes aware of an unauthorized user obtaining access to the applicant's CFARS account, the applicant will notify the Bureau of Firearms immediately at (916) 227-7527, or via email at: firearms.bureau@doj.ca.gov.

(3) Fees: notwithstanding such notification, the applicant agrees the Department shall not be liable for transaction charges fraudulently incurred. It will be the applicant's responsibility to pay any charges. The Department will not provide refunds after the submission of a transaction.

(4) True and Accurate Information: all of the information the applicant submits to the Department through CFARS shall be true, accurate, and complete to the best of the applicant's knowledge.

(c) The following information shall be provided by the applicant to create a CFARS account:

- (1) Full Name
- (2) Email Address
- (3) Three Security Questions and Answers
- (4) Password

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30347, 30370, and 31700, Penal Code.

§ 4034. Dealer Fees: Service of Notices, Orders, and Communications.

All dealers shall display on the business premises where it can easily be seen, a schedule of fees for processing section 28050 transactions and, prior to processing, the dealer shall notify the parties of the specific fee(s) to be charged for the transaction. The dealer may also require payment of all fees prior to initiating a section 28050 transaction.

~~Note: Authority cited: Section 28060, Penal Code. Reference: Sections 28055 and 26875, Penal Code.~~

Except as otherwise provided by law or in these regulations, all notices, orders, and other communications from the Department may be sent to the applicant and/or certificate holder electronically via CFARS.

~~Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30347, 30370, and 31700, Penal Code.~~

~~§ 4035. Confidentiality of Records: Applicant Information.~~

~~Except as otherwise provided in Penal Code sections 28210 and 28215, personal information obtained by dealers in compliance with those sections is confidential and shall not be disclosed by the dealer except in the manner provided in Civil Code section 1798.24 for the disclosure of personal information by government agencies.~~

~~Note: Authority cited: Section 28060, Penal Code. Reference: Section 1798.24, Civil Code.~~

(a) Once a CFARS account has been created, the initial application form for a COE is located on CFARS under the link “Certificate of Eligibility (COE).”

(b) Initial COE applicants shall electronically provide the following information to complete the application:

(1) Applicant’s full name; driver license type and number or California identification number; date of birth; residence street address; phone number; gender; ATI number; business type(s); United States citizenship; if not a United States citizen, the country of citizenship and the federal Alien Registration Number or federal I-94 number. The application shall also require additional information requesting responses to questions asking the applicant if he or she: 1) is a current COE holder; and 2) has submitted COE fingerprint impressions through a Live Scan provider, as required by section 4032.5 of these regulations.

(A) If applicant is applying for a COE as an employee of a California Firearms Dealer (CFD), applicant shall provide the name of the dealer, the dealer address, the dealer store number if applicable, the dealer’s CFD number, and the COE number provided by the employer.

(B) If applicant is applying for a COE as an employee of a California Ammunition Vendor (CAV), applicant shall provide the name of the ammunition vendor, the ammunition vendor address, the ammunition vendor store number if applicable, the vendor’s CAV number, and the COE number provided by the employer.

(C) If applicant is applying for a COE as an employee of both a CFD and a CAV, the applicant shall list only the CFD information as specified in subdivision (b)(1)(A) of this section.

(2) Applicant shall agree to the following Department Privacy Notice:

(A) Collection and Use of Personal Information: the Division of Law Enforcement, Bureau of Firearms in the Department of Justice collects the information requested as authorized by Penal Code Section 26710. The Bureau of Firearms uses this information to establish grounds for the issuance of the license or permit indicated on this application. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

(B) Providing Personal Information: all the personal information requested must be provided. If you fail to provide all personal information requested, your application will not be accepted.

(C) Access to Your Information: you may review the records maintained by the Division of Law Enforcement, Bureau of Firearms in the Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

(D) Possible Disclosure of Personal Information: in order to establish grounds for the issuance of the certificate, we may need to share the information you provide us with any Bureau of Firearms representative or other person designated by the Attorney General upon request. The information provided may also be disclosed in the following circumstances:

(i) With other persons or agencies when necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations, licensing, certification, or regulatory purposes;

(ii) To another government agency as required by state or federal law.

(E) Contact Information: for questions about this notice or access to your records, you may contact the Staff Services Analyst at the Bureau of Firearms at (916) 227-7527, via email firearms.bureau@doj.ca.gov, or by mail at P.O. Box 160487 Sacramento, CA 95816-0487.

(3) Applicant shall agree to the following personal declaration:

(A) I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I expressly authorize the Department of Justice (DOJ) to perform firearms eligibility checks of all relevant state and federal databases. I further understand that if I knowingly furnish a fictitious name or address

or knowingly furnish any incorrect information or omit any information required to be provided on this application, I am guilty of a misdemeanor.

(c) Applicant shall submit fingerprints for a COE to the Department for a firearms eligibility background check as specified in section 4032.5 of these regulations before submitting the electronic application.

(d) Applicant shall submit the appropriate COE fees as specified in subdivision (b)(1) of section 4038 of these regulations to the live scan operator before submitting the electronic application.

Note: Authority cited: Sections 11105 and 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825, 29900, 30312, 30314, 30342, 30347, 30370, and 31700, Penal Code; and Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Part 478.32, Code of Federal Regulations.

Article 4. Certificate of Eligibility

§ 4036. Qualifications. Modifications to Applicant Information

~~(a) Applicant must be at least 18 years old.~~

~~(b) Applicant must not be in a class of persons described in Penal Code sections 29800, 29805, 29815 through 29825, or 29900, or Welfare and Institutions Code section 8100 or 8103, or Title 27, Part 478.32 of the Code of Federal Regulations.~~

~~Note: Authority cited: Sections 16800, 26525, 26585 and 26710, Penal Code. Reference: Sections 16800, 26525, 26585, 26700, 26710, 27535, 27545, 29800, 29805, 29815-29825 and 29900, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; and Title 27, Part 478.32, Code of Federal Regulations.~~

(a) Any modifications to information required in subdivision (b) of section 4035 of these regulations shall be submitted to the Department via CFARS by clicking the link “View or Modify COE Details”.

(1) Any modifications to the certificate holder’s name, date of birth, gender, driver license type or identification number, or citizenship require the certificate holder to electronically upload documents verifying the change as follows: ~~prompted by CFARS.~~

(A) A change of the certificate holder’s primary name requires a copy of his or her California driver license, California identification card, out-of-state driver license, court documents, or marriage certificate.

(B) A change to the certificate holder's identification type or number requires a copy of his or her California driver license, California identification card, or out-of-state driver license.

(C) A change to the certificate holder's date of birth requires a copy of his or her California driver license, California identification card, out-of-state driver license, or birth certificate.

(D) A change to the certificate holder's gender requires a copy of his or her California driver license, California identification card, out-of-state driver license, or court documents.

(E) A change to the certificate holder's United States citizenship status requires a copy of his or her Certificate of Citizenship or Certificate of U.S. Naturalization.

(F) A change to the certificate holder's federal I-94 number requires a copy of his or her U.S. employment authorization card.

(G) A change to the certificate holder's federal Alien Registration Number requires a copy of his or her U.S. permanent resident card.

(b) Any modifications to the employment status of a certificate holder of a CFD or CAV shall be reported via CFARS by both the employee and the CFD/CAV.

(1) A certificate holder shall make changes to his or her employment status via CFARS.

(A) To report employment, a certificate holder shall select "Report Employment" and shall enter the employer's CFD/CAV number, business name, and business address.

(B) To terminate employment, a certificate holder shall select "Report Termination of Employment," shall select the employment location, and shall agree to the following Department notification:

(i) This is to notify the DOJ that effective today, I am no longer associated with the aforementioned firearms dealership/ammunition vendor. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(2) A CFD and/or CAV shall make changes to the employment status of an employee by logging into the employer CFARS account and utilizing the links under the "Manage Employees" tab.

(A) To add an employee, a CFD/CAV shall select "Report Employment" and shall enter the employee's full name, COE number, identification number, and employment location.

(B) To terminate an employee, a CFD/CAV shall select “Report Termination of Employment,” shall select the employment location and employee, and shall agree to the following Department notification:

(i) This is to notify the DOJ that as of the date stated on this form, this COE holder/employee is no longer associated with the aforementioned firearms dealership/ammunition vendor. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am the licensee of the aforementioned firearms dealership/ammunition vendor, and possess the authority to submit this form.

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30342, 30347, 30370, and 31700, Penal Code.

§ 4037. Application for Certificate of Eligibility. Renewal of Certificate.

~~(a) Applicant shall complete and submit an application form prescribed by the DOJ which will require the following information: name, address, date of birth, driver's license number, telephone number; business information, if applicable, to include business name, primary business address, and business telephone number. The application shall also require additional information requesting responses to questions asking the applicant if he or she: 1) has ever been convicted of a felony or an offense specified in Penal Code sections 23515, 29800, 29805, 29815 through 29825, or 29900; 2) is a mental patient or on leave of absence from a mental hospital; 3) has ever been adjudicated by a court to be a danger to self or others, found not guilty by reason of insanity of any crime, or found incompetent to stand trial for any crime, pursuant to Welfare and Institutions Code section 8103; or 4) is currently under a restraining order.~~

~~(b) Applicant shall also submit two current DOJ fingerprint cards (Form BID-7), with complete sets of fingerprints prepared by the DOJ, or any other agency which is qualified to provide fingerprinting services. For this purpose the DOJ shall make applicant fingerprint cards available to local law enforcement agencies at no charge. This subdivision does not apply to applications for renewal of a Certificate of Eligibility.~~

~~(c) Applicant shall submit the appropriate Certificate of Eligibility fees as set forth in section 4040, subdivision (b), of these regulations.~~

~~Note: Authority cited: Sections 11105(i), 16800, 26525, 26585 and 26710, Penal Code. Reference: Sections 16800, 26525, 26585, 26700, 26710, 27535, 27545, 29800, 29805, 29815, 29820, 29825 and 29900, Penal Code; and Sections 8100 and 8103, Welfare and Institutions Code; and Title 27, Part 478, Code of Federal Regulations.~~

(a) A COE shall be renewed prior to expiration in order to remain valid. Completed applications for a COE renewal shall be submitted electronically within 60 days prior to the expiration of the certificate.

(b) Application renewal shall occur through CFARS by clicking the link “Renew COE”. Applicants shall electronically provide the following information to complete the renewal application:

(1) Applicant’s full name; driver license type and identification number; email address; date of birth; residence street address; phone number; gender; United States citizenship; if not a United States citizen, the country of citizenship and the federal Alien Registration Number or federal I-94 number; business type(s).

(2) Applicant shall agree to the Department’s Privacy Notice as specified in subdivision (b)(2) of section 4035 of these regulations.

(c) Any changes to the required information shall be submitted to the Department via CFARS as specified in section 4036 of these regulations and can be modified at the time of renewal.

(d) Payment of renewal fees as specified in section 4038 of these regulations shall be submitted electronically via CFARS for the renewal application to be processed. Payment shall be made using a major credit card or debit card with a major credit card logo.

(e) A renewal occurring 90 days after the expiration of a COE will require the applicant to resubmit fingerprints for a COE to the Department for a firearms eligibility background check and the required fees, as described in section 4032.5 of these regulations, and submit a new COE application, as described in section 4035 of these regulations.

Note: Authority cited: Sections 11105 and 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825, 29900, 30312, 30314, 30342, 30347, 30370, and 31700, Penal Code; and Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Part 478.32, Code of Federal Regulations.

§ 4038. Term and Fees.

(a) The term of a COE shall not exceed one year from the date issued or renewed.

(b) As authorized pursuant to Penal Code section 26710, subdivision (d), the Bureau of Firearms fees for a Certificate of Eligibility are as follows:

(1) Fee for initial application: \$22

(2) Fee for renewal application: \$22

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710,

26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30347, 30370, and 31700, Penal Code.

§ 4039. ~~Term of Certificate of Eligibility.~~ Cancellation of Certificate.

~~The term of a Certificate of Eligibility shall not exceed one year from the date issued.~~

~~Note: Authority cited: Section 26710, Penal Code. Reference: Section 26710, Penal Code.~~

If a certificate holder wishes to cancel his or her COE before the term expires, he or she shall submit a cancellation notice via CFARS. To cancel a COE, the applicant shall click the link on CFARS titled “View or Modify COE Details” and then select the link “I Want to Cancel My COE.”

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30342, 30347, 30370, and 31700, Penal Code.

§ 4040. ~~Fees.~~ Applicant Denial Review Process

~~As authorized pursuant to Penal Code section 26710, subdivision (d), the Bureau of Firearms fees for a Certificate of Eligibility are as follows:~~

~~(a) — Fee for initial application: \$22~~

~~(b) — Fee for renewal application: \$22~~

~~Note: Authority cited: Section 26710, Penal Code. Reference: Sections 16800, 26710 and 29050, Penal Code; and Section 12101, Health and Safety Code.~~

(a) Applicant will receive a Notice of Denial through CFARS if the application is denied by the Department. The Notice shall specify all grounds on which the denial is based.

(b) Upon the denial of an application, the applicant may seek review of the records upon which the denial was based pursuant to Penal Code section 11121 and may seek to have those records changed pursuant to Penal Code section 11126. If within one year of the original application date, the applicant is successful in correcting the records to show that the applicant is not in any prohibited class of persons, the applicant may resubmit the application through CFARS without additional charge.

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30347, 30370, and 31700, Penal Code.

§ 4041. Applicant Denial Review Process: Revocation, Reasons, and Process

~~Upon the denial of an application, the applicant may seek review of the records upon which the denial was based pursuant to Penal Code section 11121 and may seek to have those records changed pursuant to Penal Code section 11126. If within one year of the original application date, the applicant is successful in correcting the records to show that the applicant is not in any prohibited class of persons, the applicant may resubmit the application without additional charge.~~

~~Note: Authority cited: Sections 16800, 26525, 26585 and 26710, Penal Code. Reference: Sections 16800, 26525, 26585, 26700 and 26710, Penal Code.~~

(a) A certificate may be revoked anytime during the permit year when it is determined the certificate holder becomes prohibited from acquiring or possessing firearms, as specified in Penal Code sections 18205, 29800, 29805, 29815 through 29825, or 29900, or Welfare and Institutions Code section 8100 or 8103, or Title 18, sections 921 and 922 of the United States Code, or Title 27, Part 478.32 of the Code of Federal Regulations.

(b) The Department shall electronically provide the certificate holder with a Notice of Revocation through CFARS which shall specify all causes on which the revocation is based.

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756, and 12757, Health and Safety Code; Sections 16410, 16800, 18205, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825, 29900, 30312, 30314, 30347, 30370, and 31700, Penal Code; and Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Part 478.32, Code of Federal Regulations.