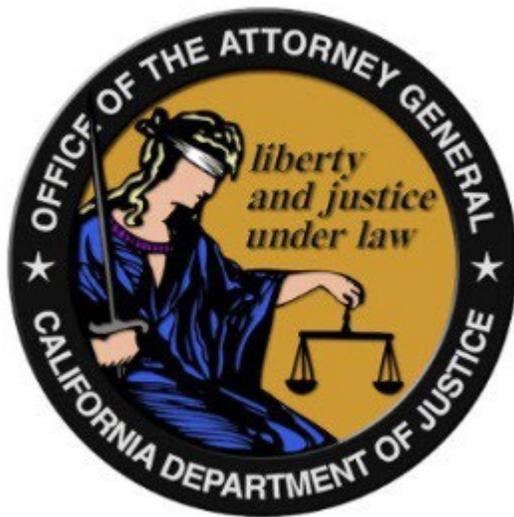


California Firearm Laws Summary



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California Firearm Laws Summary

INTRODUCTION

As the owner of a firearm, it is your responsibility to understand and comply with all federal, state and local laws regarding firearms ownership. Many of the laws described below pertain to the possession, use, and storage of firearms in the home and merit careful review. This *California Firearm Laws Summary* provides general information of California laws that govern common possession and use of firearms by persons other than law enforcement officers or members of the armed forces. It is not designed to provide individual guidance for specific situations. The legality of any specific act of possession or use will ultimately be determined by applicable federal and state statutory and case law. Persons having specific questions are encouraged to seek legal advice from an attorney, or consult their local law enforcement agency, local prosecutor, or law library. The California Department of Justice (DOJ) and all other public entities are immune from any liability arising from the drafting, publication, dissemination, or reliance upon this information. This version of the *California Firearm Laws Summary* covers laws that were enacted from 2106 through 2021.

This document has been prepared in accordance with Penal Code section 34205, which requires the DOJ to prepare and make available this summary.

PERSONS INELIGIBLE TO POSSESS FIREARMS

The following persons are prohibited from possessing firearms ([Pen. Code, §§ 29800-29825, 29900](#); [Welf. & Inst. Code, §§ 8100, 8103](#)). Note that the information below does not include firearm prohibitions under federal law (18 U.S.C. § 922(g)(1)-(9)):

Lifetime Prohibitions

- Any person who has been convicted of a felony or any violent offense including murder, mayhem, rape, attempted murder, arson, robbery, kidnapping, or any other violent felony enumerated in Penal Code section [29905](#).
- Any person convicted of an offense including a misdemeanor violation involving assault upon a person with a firearm, or machinegun, or an outstanding warrant for a misdemeanor offense or any other offense enumerated in Penal Code sections [23515](#), [29800](#), and [29805](#).
- Any person convicted of inflicting corporal injury on a spouse or significant other (Pen. Code § 273.5) after January 1, 2019 who subsequently owns, purchases, receives or has in possession or under custody or control any firearm. (Penal Code section [29805](#))
- Any person with two or more convictions for drawing or exhibiting any firearm, loaded or unloaded, in a rude, angry, or threatening manner, or unlawfully using a firearm in any fight or quarrel in the presence of another person except in self-defense violating Penal Code section [417](#), subdivision (a)(2).
- Any person adjudicated to be a danger to others as a result of a mental disorder, or a mentally disordered sex offender. ([Welf. & Inst. Code, § 8103](#), subd. (a)(1).)

- Any person found by a court to be mentally incompetent to stand trial or not guilty by reason of insanity of any crime, unless the court has made a finding of restoration of competence or sanity. ([Welf. & Inst. Code, § 8103](#), subs. (b)(1), (c)(1), and (d)(1).)

10-Year Prohibitions

- Any person convicted of, or has an outstanding warrant for, a misdemeanor violation of the following: Penal Code sections [71](#), [76](#), [136.1](#), [136.5](#), [140](#), [148](#) subdivision (d), [148.5](#) subdivision (f), [171b](#), [171c](#) subdivision (a) paragraph (1), [171d](#), [186.28](#), [240](#), [241](#), [242](#), [243](#), [243.4](#), [244.5](#), [245](#), [245.5](#), [246.3](#), [247](#), [273.5](#), [273.6](#), [417](#), [417.6](#), [422](#), [422.6](#), [626.9](#), [646.9](#), [830.95](#), [17500](#), [17510](#), [25300](#), [25800](#), [26100](#) subdivision (b) or (d), [27510](#), [27590](#) subdivision (c), [30315](#), or [32625](#); and Welfare and Institutions Code sections [871.5](#), [1001.5](#), [8100](#), [8101](#), or [8103](#).

5-Year Prohibitions

- Any person taken into custody as a danger to self or others, assessed, and admitted to a mental health facility under Welfare and Institutions Code sections [5150](#), [5151](#), [5152](#); or certified under Welfare and Institutions Code sections [5250](#), [5260](#), [5270.15](#). Persons certified under Welfare and Institutions Code sections [5250](#), [5260](#), or [5270.15](#) may be subject to a lifetime prohibition pursuant to federal law. (Welf. & Inst. Code, §§ [8100](#) and [8103](#).)
- Any person who communicates a threat (against any reasonably identifiable victim) to a licensed psychotherapist which is subsequently reported to law enforcement. ([Welf. & Inst. Code, § 8100](#), subd. (b).)
- Any person who owns/possesses a firearm or ammunition with knowledge that they are prohibited from doing so by a gun violence restraining order, is guilty of a misdemeanor. (Pen. Code, § [18205](#).)

Juvenile Prohibitions

- Juveniles adjudged wards of the juvenile court are prohibited until they reach age 30 if they committed an offense listed in [Welfare and Institutions Code section 707](#), subdivision (b). ([Pen. Code, § 29820](#).)

Miscellaneous Prohibitions

- Any person denied firearm possession as a condition of probation pursuant to [Penal Code section 29900](#), subdivision (c).
- Any person while he or she is either a voluntary patient in a mental health facility or under a gravely disabled conservatorship (due to a mental disorder or impairment by chronic alcoholism) and if he or she is found to be a danger to self or others. ([Welf. & Inst. Code, § 8103](#), subd. (e).)
- Any person addicted to the use of narcotics. ([Pen. Code, § 29800](#), subd. (a).)

- Any person who is subject to a protective order as defined in Family Code section [6218](#), Penal Code sections [136.2](#) or [646.91](#), Welfare and Institutions Code section [15657.03](#) or a temporary restraining order issued pursuant to Code of Civil Procedure sections [527.6](#), [527.8](#), or [527.85](#). (Pen. Code, § [29825](#).)
- For any person who is the subject of an outstanding warrant (felony or specified misdemeanor), only if the person has knowledge of the warrant, then they are prohibited from owning or possessing a firearm. (Pen. Code, §§ [29800](#) and [29805](#).)

Personal Firearms Eligibility Check

Any person may obtain from the DOJ a determination as to whether he or she is eligible to possess firearms (review of California records only). The Personal Firearms Eligibility Check application form ([BOF 116](#)) and instructions are on the DOJ website at <https://oag.ca.gov/firearms/forms>. The cost for this eligibility check is \$20. (Pen. Code, § [30105](#).)

REAL ID REQUIREMENTS FOR ELIGIBILITY CHECKS

As of July 1, 2019, additional documentation is required for eligibility checks for which the applicant possesses a federal non-compliant California driver license or identification card, also known as a REAL ID. For the purpose of this section, “eligibility checks” refers to background checks based on any application or report for which an applicant is required to submit a driver license or identification card, or the number from a driver license or identification card, so that the DOJ may determine the applicant’s eligibility to possess a firearm or ammunition under state or federal law.

For all eligibility checks, a copy of the applicant’s California driver license or identification card, or out-of-state driver license, if applicable, shall be submitted, as specified in the California Code of Regulations, title 11, section 4045.1.

If the applicant presents a federal non-compliant California driver license or identification card with the notation “FEDERAL LIMITS APPLY” on the front, the applicant shall also submit proof of lawful presence in the United States in the form of one of the following documents:

- (1) Valid, unexpired U.S. passport or passport card.
- (2) Certified copy of U.S. birth certificate.
- (3) Certification of Birth Abroad (FS-545), Certification of Report of Birth (DS-1350) or Consular Report of Birth Abroad of a Citizen of the United States of America (FS240), issued by the U.S. Department of State.
- (4) Valid, unexpired foreign passport with valid U.S. immigrant visa and approved Record of Arrival/Departure (I-94) form.
- (5) Certified copy of birth certificate from a U.S. Territory.
- (6) Certificate of Naturalization or U.S. Citizenship.
- (7) Valid, unexpired Permanent Resident Card.

If the applicant's name as it appears on the federal non-compliant California driver license or identification card differs from the name on the proof of lawful presence document, the applicant shall also submit one of the following certified documents:

- (1) An adoption document that contains the legal name of the applicant as a result of the adoption.
 - (2) A name change document that contains the applicant's legal name both before and, as a result of, the name change.
 - (3) A marriage certificate.
 - (4) A dissolution of marriage document that contains the legal name of the applicant as a result of the court action.
 - (5) A certificate, declaration or registration document verifying the formation of a domestic partnership.
 - (6) A dissolution of domestic partnership document that contains the legal name of the applicant as a result of the court action.
- [\(Cal. Code Regs. § 4045.1.\)](#)

SALES AND TRANSFERS OF FIREARMS

In California, only licensed California firearm dealers who possess a valid Certificate of Eligibility (COE) are authorized to engage in retail sales of firearms. These retail sales require the purchaser to provide personal identifier information for the Dealer Record of Sale (DROS) document that the firearm dealer must submit to the DOJ. There is a mandatory 10-day waiting period before the firearms dealer can deliver the firearm to the purchaser. During this 10-day waiting period, the DOJ conducts a firearm eligibility background check to ensure the purchaser is not prohibited from lawfully possessing firearms. Although there are exceptions, generally all firearm purchasers must be at least 21 years of age to purchase any firearm. As of January 1, 2020, you must be at least 21 years of age to purchase a semiautomatic centerfire rifle (unless you have a law enforcement or military exemption). Additionally, purchasers must be California residents with a valid driver license or identification card issued by the California Department of Motor Vehicles.

It is illegal for any person who is not a California licensed firearm dealer to sell or transfer a firearm to another non-licensed person (a private party) unless the sale or transfer is completed through a licensed California firearm dealer. A "Private Party Transfer" (PPT) can be conducted at any licensed California firearm dealer. The buyer and seller must complete the required DROS document in person at the licensed firearms dealer and deliver the firearm to the dealer who will retain possession of the firearm during the mandatory 10-day waiting period. In addition to the applicable state fees, the firearm dealer may charge a fee not to exceed \$10 per firearm for conducting the PPT. ([Pen. Code § 28050.](#))

The infrequent transfer of firearms between immediate family members is exempt from the law requiring PPTs to be conducted through a licensed firearm dealer. For purposes of this exemption, "immediate family member" means parent and child, and grandparent and grandchild but does **not** include brothers or sisters. ([Pen. Code, § 16720.](#)) Prior to taking possession of the firearm the

transferee must also comply with the Firearm Safety Certificate requirement described below. Within 30 days of the transfer, the transferee must also submit a report of the transaction to the DOJ by downloading the form, “Report of Operation of Law or Intra-Familial Firearm Transaction,” ([BOF 4544A \[Rev. 01/2020\]](#)) from the DOJ website at <https://oag.ca.gov/firearms/forms> or completing and submitting the form electronically via the internet at <https://cfars.doj.ca.gov>.

The reclaiming of a pawned firearm is subject to the DROS and 10-day waiting period requirements.

Specific statutory requirements relating to sales and transfers of firearms are as follows:

Proof of Residency Requirement

To purchase a handgun in California, you must present documentation indicating that you are a California resident. Acceptable documentation includes a utility bill from within the last three months, a residential lease, a property deed, or military permanent duty station orders indicating assignment within California.

The address provided on the proof-of-residency document must match either the address on the DROS or the address on the purchaser’s California driver license or identification card. ([Pen. Code, § 26845.](#))

Firearm Safety Certificate Requirement

To purchase or acquire a firearm, you must have a valid Firearm Safety Certificate (FSC). To obtain an FSC, you must score at least 75% on an objective written test pertaining to firearm laws and safety requirements. The test is administered by DOJ Certified Instructors, who are often located at firearm dealers. An FSC is valid for five years. You may be charged up to \$25 for an FSC. Firearms being returned to their owners, such as pawn returns, are exempt from this requirement. In the event of a lost, stolen or destroyed FSC, the issuing DOJ Certified Instructor will issue a replacement FSC for a fee of \$5. You must present proof of identity to receive a replacement FSC. ([Pen. Code, §§ 31610-31670.](#)) ([Cal. Code. Regs. § 4255.](#))

Safe Handling Demonstration Requirement

Prior to taking possession of a firearm, you must successfully perform a safe handling demonstration with the firearm being purchased or acquired. Safe handling demonstrations must be performed in the presence of a DOJ Certified Instructor sometime between the date the DROS is submitted to the DOJ and the delivery of the firearm, and are generally performed at the firearm dealer. The purchaser and firearm dealer must sign an affidavit stating the safe handling demonstration was completed. The steps required to complete the safe handling demonstration can be found starting on page 12 of the [Firearm Safety Certificate Study Guide, June 2020](#), located at <https://oag.ca.gov/firearms/forms/>. Pawn returns and intra-familial transfers are not subject to the safe handling demonstration requirement. ([Pen. Code, § 26850.](#))

Firearm Safety Device Requirement

All firearms (long guns and handguns) purchased in California must be accompanied by a firearm safety device (FSD) that has passed required safety and functionality tests and is listed on the DOJ's official roster of approved firearm safety devices. The current roster of certified FSDs is available on the DOJ website at <https://oag.ca.gov/firearms/fsdcertlist>. The FSD requirement can also be satisfied if the purchaser signs an affidavit declaring ownership of either a DOJ-approved lock box or a gun safe capable of accommodating the firearm being purchased, and presents an original receipt for purchase of the gun safe, or other proof of purchase or ownership of the gun safe. Pawn returns and intra-familial transfers are not subject to the FSD requirement. ([Pen. Code, §§ 23635-23690.](#))

Roster of Handguns Certified for Sale in California

No handgun may be sold by a firearm dealer to the public unless it is of a make and model that has passed required safety and functionality tests and is listed on the DOJ's official Roster of Handguns Certified for Sale in California. The current Roster of Handguns Certified for Sale in California is on the DOJ website at <https://oag.ca.gov/firearms/certguns>. PPTs, intra-familial transfers, curio/relic handguns, certain single-action revolvers, and pawn/consignment returns are exempt from this requirement. ([Pen. Code, § 32000 et. seq.](#))

One-Gun-per-30-Days Limit

No person shall make an application to purchase more than one handgun or, one semiautomatic centerfire rifle within any 30-day period. Exemptions to the one-handgun-per-30-days limit include pawn returns, intra-familial transfers, and private party transfers. ([Pen. Code, §§ 27535 and 27540.](#))

Handgun Sales and Transfer Requirements

	Retail Sales	Private Party Transfers	Intrafamilial Transfers	Pawns
Proof of Residency Requirement	Yes	Yes	No	Yes
Firearm Safety Certificate Requirement	Yes	Yes	Yes	No
Safe Handling Demonstration Requirement	Yes	Yes	No	No
Firearm Safety Device Requirement	Yes	Yes	No	No
Roster of Handguns Certified for Sale in California	Yes	No	No	No
One-Handgun-Per-30-Days Limit	Yes	No	No	No

Long Gun Sales and Transfer Requirements

	Retail Sales	Private Party Transfers	Intrafamilial Transfers	Pawns
Proof-of-Residency Requirement	No	No	No	No
Firearm Safety Certificate Requirement	Yes	Yes	Yes	No
Safe Handling Demonstration Requirement	Yes	Yes	No	No
Firearm Safety Device Requirement	Yes	Yes	No	No

SALES AND TRANSFERS OF AMMUNITION

Persons seeking to purchase or transfer ammunition must undergo an eligibility check, and be approved by the DOJ prior to the sale or transfer of ammunition, except as otherwise specified. DOJ approval shall occur electronically through a licensed ammunition vendor. Pursuant to Penal Code sections [30352](#) and [30370](#), the DOJ will determine that a person is eligible to purchase or transfer ammunition if they meet one of the following requirements:

- (1) The person has a current Certificate of Eligibility issued by the DOJ.
- (2) The person's information matches an entry in the Automated Firearms System (name, date of birth, current address, and driver license or other government identification) and does not fall within a class of persons who are prohibited from owning or possessing ammunition. The DOJ shall make this determination by cross-referencing the Prohibited Armed Persons file (also known as the Armed and Prohibited Persons System).
- (3) The person is not prohibited from purchasing or possessing ammunition. The DOJ determines eligibility based on a comprehensive review of its records (similar to a firearm eligibility check). (Please note: this eligibility check requires a manual review of records by a DOJ analyst. As such, the DOJ may take longer to respond with a determination of eligibility. Response times may take several days.)
- (4) The person was approved by the DOJ to receive a firearm from the ammunition vendor, pursuant to Penal Code section 28220, if that vendor is a licensed firearm dealer, and the ammunition is delivered to the person in the same transaction as the firearm. In this scenario, the dealer will use the approved firearm eligibility check as the approval to purchase ammunition, and will submit the ammunition purchase to the DOJ during the delivery of the firearm. ([Cal. Code Regs. §§ 4300-4309.](#))

PROHIBITED FIREARM TRANSFERS AND STRAW PURCHASES

What is a straw purchase?

A straw purchase is buying a firearm for someone who is prohibited by law from possessing a firearm, or buying a firearm for someone who does not want his or her name associated with the transaction.

It is a violation of California law for a person who is not licensed as a California firearm dealer to transfer a firearm to another unlicensed person, without conducting such a transfer through a licensed firearm dealer. ([Pen. Code, § 27545.](#)) Such a transfer may be punishable as a misdemeanor or a felony. ([Pen. Code, § 27590.](#))

Things to Remember About Prohibited Firearm Transfers and Straw Purchases

- An illegal firearm purchase (straw purchase) is a federal crime.
- An illegal firearm purchase can bring a felony conviction sentence of 10 years in jail and/or a fine of up to \$2,500.
- Buying a gun and giving it to someone who is prohibited from owning one is a state and federal crime.

Never buy a gun for someone who is prohibited by law or unable to purchase for themselves.

REPORTING REQUIREMENTS FOR NEW CALIFORNIA RESIDENTS

New California residents must report their ownership of firearms to the DOJ or sell/transfer them in accordance with California law **within 60 days** of bringing the firearm into the state. Persons who want to keep their California-legal firearms must submit a “New Resident Report of Firearm Ownership” ([BOF 4010A \[Rev. 01/2020\]](#)), along with a \$19 fee, to the DOJ. Forms are available at licensed firearm dealers, the Department of Motor Vehicles, or online at the DOJ website at <https://oag.ca.gov/firearms/forms>. Forms may also be completed and submitted electronically via the internet at <https://CFARS.doj.ca.gov>. ([Pen. Code, § 27560.](#))

SHIPMENT OF FIREARMS

Long guns may be mailed through the U.S. Postal Service, as well as most private parcel delivery services or common carriers. Handguns may not be sent through the U.S. Postal Service. A common or contract carrier must be used for shipment of handguns. However, pursuant to federal law, non-licensees may ship handguns only to persons who hold a valid Federal Firearms License (FFL). Both in-state and out-of-state FFL holders are required to obtain approval (e.g., a unique verification number) from the California DOJ prior to shipping firearms to any California FFL. ([BOF 08-300 \[Rev. 12/2019\]](#)) ([Pen. Code, § 27555.](#))

CARRYING FIREARMS ABOARD COMMON CARRIERS

Federal and state laws generally prohibit a person from carrying any firearm or ammunition aboard any commercial passenger airplane. Similar restrictions may apply to other common carriers such as trains, ships, and buses. Persons who need to carry firearms or ammunition on a common carrier should always consult the carrier in advance to determine conditions under which firearms may be transported. (Pen. Code, §§ [171.5](#), [171.7](#))

FIREARMS IN THE HOME, BUSINESS OR AT THE CAMPSITE

Unless otherwise unlawful, any person over the age of 18 who is not prohibited from possessing firearms may have a loaded or unloaded firearm at his or her place of residence, temporary residence, campsite, or on private property owned or lawfully possessed by the person. Any person engaged in lawful business (including nonprofit organizations) or any officer, employee, or agent authorized for lawful purposes connected with the business may have a loaded firearm within the place of business if that person is over 18 years of age and not otherwise prohibited from possessing firearms. (Pen. Code, §§ [25605](#), [26035](#), and [26055](#).)

NOTE: If a person's place of business, residence, temporary residence, campsite, or private property is located within an area where possession of a firearm is prohibited by local or federal laws, such laws would prevail.

TRANSPORTATION OF FIREARMS

Handguns

California Penal Code section [25400](#) does not prohibit a citizen of the United States over 18 years of age who is in lawful possession of a handgun, and who resides or is temporarily in California, from transporting the handgun by motor vehicle provided it is unloaded and stored in a locked container. (Pen. Code. §§ [25610](#) and [25615](#).)

The term "locked container" means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device. This includes the trunk of a motor vehicle, but does not include the utility or glove compartment. ([Pen. Code, § 16850](#).)

Rifles and Shotguns

Firearms that cannot be concealed upon the person (rifles and shotguns) are not generally covered within the provisions of California Penal Code section [25400](#) and therefore are not required to be transported in a locked container. However, as with any firearm, non-concealable firearms must be unloaded while they are being transported. A rifle or shotgun that is defined as

an assault weapon pursuant to Penal Code section [30510](#) or [30515](#) must be transported in accordance with Penal Code section [25610](#).

Registered Assault Weapons and .50 BMG Rifles

Registered assault weapons and registered .50 BMG rifles may be transported only between specified locations and must be unloaded and in a locked container when transported. (Pen. Code, §§ [25400](#), [25615](#), and [30945](#), subd. (g).)

The term “locked container” means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device. This includes the trunk of a motor vehicle, but does not include the utility or glove compartment. ([Pen. Code, § 16850](#).)

USE OF LETHAL FORCE IN SELF-DEFENSE

The use of lethal force in self-defense, and the defense of others, is governed by statutory law, case law, and the jury instructions that are based on these authorities. Except where otherwise indicated, this section is based on the instructions generally given to the jury in a criminal case where self-defense is claimed and illustrates the general rules regarding the use of lethal force in self-defense. “The ‘ultimate question’ for the jury is whether a reasonable person in defendant’s situation ‘would believe in the need to kill to prevent imminent harm.’” (*People v. Horn* (2021) 63 Cal.App.5th 672, 685-686, quoting *People v. Humphrey* (1996) 13 Cal.4th 1073, 1087.) Accordingly, the question of whether use of lethal force is justified in self-defense cannot be reduced to a simple list of factors.

Permissible Use of Lethal Force to Resist Threats of Death or Great Bodily Injury or to Resist the Commission of Forcible and Atrocious Felonies

The killing of one person by another may be justifiable when necessary to resist the imminent threat of death, great bodily injury, or the commission of a forcible and atrocious felony, provided that (a) the person using lethal force reasonably believed they, or someone else, was in imminent danger of death, great bodily injury, or being a victim of a forcible and atrocious felony; (b) the person using lethal force reasonably believed that the immediate use of deadly force was necessary to defend against that danger; and (c) the person using lethal force used no more force than was reasonably necessary to defend against that danger. The danger must be imminent and cannot merely be a belief in future harm. The belief in imminent danger must be reasonable and the person using lethal force must have done so only because of that belief. A person may use such force, up to lethal force, as a reasonable person in the same or similar circumstances would believe necessary to prevent the imminent danger of death, great bodily injury, or being a victim of a forcible and atrocious crime.

Great bodily injury means significant or substantial physical injury, not merely a minor or moderate injury. A forcible and atrocious crime is any felony that by its nature and the manner of its commission threatens, or is reasonably believed by the person to threaten, life or great bodily

injury so as to instill in the person a reasonable fear of death or great bodily injury. (*People v. Ceballos* (1974) 12 Cal.3d 470, 478.) Murder, mayhem, rape, and certain instances of robbery are examples of forcible and atrocious crimes.

Limitations on the Use of Force in Self-Defense

The right of self-defense ceases when there is no further danger from an assailant. Thus, where a person attacked under circumstances initially justifying self-defense renders the attacker incapable of inflicting further injuries, the law of self-defense ceases and no further force may be used. As stated previously, a person may only use the amount of force that a reasonable person in the same or similar circumstances would believe necessary to prevent the imminent danger of death, great bodily injury, or being the victim of a forcible and atrocious crime. It is important to note that the use of excessive force beyond the limitations previously described may result in civil or criminal penalties.

The right of self-defense is not initially available to a person who attacks another. However, if such a person attempts to stop further combat and clearly informs the adversary of his or her desire for peace, but the opponent nevertheless continues the fight, the right of self-defense returns and is the same as the right of any other person who reasonably believes they are in imminent danger of death or great bodily injury.

Protecting Oneself or Another Person in One's Home

A person may use lethal force to defend oneself or any other person in their home, provided that (a) the person using lethal force reasonably believed they were defending the home against an intruder who intended to, or tried to, commit a forcible and atrocious felony; (b) the person using lethal force reasonably believed the danger of violence to that person or another inside the home was imminent; (c) the person using lethal force reasonably believed the use of such force was necessary to defend against the danger; and (d) the person using lethal force used no more force than was reasonably necessary to defend against that danger. The danger must be imminent and cannot merely be a belief in future harm. As stated previously, murder, mayhem, rape, and certain instances of robbery are examples of forcible and atrocious felonies.

The amount of force that may be used in resisting an intruder's violent entry is limited to that which would appear necessary to a reasonable person in the same or similar circumstances to resist the violent entry. One is not bound to retreat, even though a retreat might safely be made. A person who uses lethal force against an intruder who they know or reasonably believes unlawfully and forcibly entered their home is presumed to have held a reasonable fear of imminent peril of death or great bodily injury to oneself or another person in the home if the intruder was not a member of the household or family. (Pen. Code, § 198.5.) It is important to note that the use of force beyond that necessary to defend against the danger, and/or the rebuttal of this presumption of fear, may result in civil or criminal penalties.

Defense of Property

The lawful occupant of real property has the right to request a trespasser to leave the premises. If the trespasser does not do so within a reasonable time, the occupant may use force to eject the trespasser. The amount of force that may be used to eject a trespasser is limited to that which a reasonable person would believe to be necessary under the same or similar circumstances.

CARRYING A CONCEALED WEAPON WITHOUT A LICENSE

It is illegal for any person to carry a handgun concealed upon his or her person or concealed in a vehicle without a license issued pursuant to Penal Code section [26150](#). ([Pen. Code, § 25400](#).) A firearm locked in a motor vehicle's trunk or in a locked container carried in the vehicle other than in the utility or glove compartment, is not considered concealed within the meaning of the Penal Code section [25400](#); neither is a firearm carried within a locked container directly to or from a motor vehicle for any lawful purpose. ([Pen. Code, § 25610](#).)

The prohibition from carrying a concealed handgun does not apply to licensed hunters or fishermen while engaged in hunting or fishing, or while going to or returning from the hunting expedition. ([Pen. Code, § 25640](#).) Notwithstanding this exception for hunters or fishermen, these individuals may not carry or transport loaded firearms when going to or from the expedition. The unloaded firearms should be transported in the trunk of the vehicle or in a locked container other than the utility or glove compartment. ([Pen. Code, § 25610](#).)

There are also occupational exceptions to the prohibition from carrying a concealed weapon, including authorized employees while engaged in specified activities. ([Pen. Code, §§ 25630, 25640](#).)

LOADED FIREARMS IN PUBLIC

It is illegal to carry a loaded firearm on one's person or in a vehicle while in any public place, on any public street, or in any place where it is unlawful to discharge a firearm. ([Pen. Code, § 17030](#).)

It is illegal for the driver of any motor vehicle, or the owner of any motor vehicle irrespective of whether the owner is occupying the vehicle, to knowingly permit any person to carry a loaded firearm into the vehicle in violation of Penal Code section [25850](#), or Fish and Game Code section [2006](#). ([Pen. Code, § 26100](#).)

A firearm is deemed loaded when there is a live cartridge or shell in, or attached in any manner to, the firearm, including, but not limited to, the firing chamber, magazine, or clip thereof attached to the firearm. A muzzle-loading firearm is deemed loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinder. ([Pen. Code, § 16840](#).)

In order to determine whether a firearm is loaded, peace officers are authorized to examine any firearm carried by anyone on his or her person or in a vehicle while in any public place, on any public street, or in any prohibited area of an unincorporated territory. Refusal to allow a peace officer to inspect a firearm pursuant to these provisions is, in itself, grounds for arrest. ([Pen. Code, § 25850](#), subd. (b).)

The prohibition from carrying a loaded firearm in public does not apply to any person while hunting in an area where possession and hunting is otherwise lawful or while practice shooting at target ranges. (Pen. Code, §§ [26005](#), [26040](#).) There are also occupational exceptions to the prohibition from carrying a loaded firearm in public, including authorized employees while engaged in specified activities. (Pen. Code, §§ [26015](#), [26030](#).)

NOTE: Peace officers and honorably retired peace officers with properly endorsed identification certificates may carry a concealed weapon at any time. Otherwise, these exemptions apply only when the firearm is carried within the scope of the exempted conduct (such as hunting or target shooting), or within the course and scope of assigned duties (such as an armored vehicle guard transporting money for his employer). A person who carries a loaded firearm outside the limits of the applicable exemption is in violation of the law, notwithstanding his or her possession of an occupational license or firearm training certificate. (Pen. Code, § [25900](#).)

OPENLY CARRYING AN UNLOADED HANDGUN

It is generally illegal for any person to carry upon his or her person or in a vehicle, an exposed and unloaded handgun while in or on:

- A public place or public street in an incorporated city or city and county; or
- A public street in a prohibited area of an unincorporated city or city and county. ([Pen. Code, § 26350](#).)

It is also illegal for the driver or owner of a motor vehicle to allow a person to bring an open and exposed unloaded handgun into a motor vehicle in specified public areas. ([Pen. Code, § 17512](#).)

PUNISHMENT FOR CARRYING UNRECORDED HANDGUN

Any person who commits the crime of carrying a concealed handgun while having both the handgun and ammunition for that handgun on his/her person or in his/her vehicle may be subject to a felony enhancement if the handgun is not on file (recorded) in the DOJ's Automated Firearms System (AFS). ([Pen. Code, § 25400](#), subd. (c).)

Any person who commits the crime of carrying a loaded handgun on his/her person in a prohibited place may be guilty of a felony if the handgun is not on file (recorded) in the DOJ's AFS. ([Pen. Code, § 25850](#), subd. (c).)

UNIQUE SERIAL NUMBER APPLICATION PROCESS

Prior to manufacturing or assembling a firearm, a person shall apply to the DOJ for a unique serial number.

A new resident to the state shall apply to the DOJ for a unique serial number within 60 days of arrival for any firearm the resident wishes to possess in the state that the resident previously self-manufactured or self-assembled or a firearm the resident owns, that does not have a unique serial number or other mark of identification.

Please refer to California Penal Code sections [29180-29184](#) and the California Code of Regulations, title 11, division 5, chapter 41 ([Regulations regarding Identifying Info and the USNA Process](#) and [Emergency Regulations regarding Firearms: Identifying Info – Existing and New California Residents](#)) for complete instructions on the process and information regarding firearms that are eligible for a unique serial number prior to starting the application process.

MISCELLANEOUS PROHIBITED ACTS

Obliteration or Alteration of Firearm Identification

It is illegal for any person to obliterate or alter the identification marks placed on any firearm including the make, model, serial number, or any distinguishing mark lawfully assigned by the DOJ. ([Pen. Code, § 23900.](#))

It is illegal for any person to buy, sell, or possess a firearm knowing its identification has been obliterated or altered. ([Pen. Code, § 23920.](#))

Unauthorized Possession of a Firearm on School Grounds

It is illegal for any unauthorized person to possess or bring a firearm upon the grounds of, or into, any public school, including the campuses of the University of California and California State University, California community colleges, any private school (kindergarten through 12th grade), or private university or college. ([Pen. Code, § 626.9.](#))

Unauthorized Possession of a Firearm in a Courtroom, the State Capitol, etc.

It is illegal for any unauthorized person to bring or possess any firearm within a courtroom, courthouse, court building, or at any meeting required to be open to the public. ([Pen. Code, § 171b.](#))

It is illegal for any unauthorized person to bring or possess a loaded firearm within (including upon the grounds of) the State Capitol, any legislative office, any office of the Governor or other constitutional officer, any Senate or Assembly hearing room, the Governor's Mansion or any other residence of the Governor, or the residence of any constitutional officer or any Member of

the Legislature. For these purposes, a firearm shall be deemed loaded whenever both the firearm and its unexpended ammunition are in the immediate possession of the same person. (Pen. Code, §§ [171c](#), [171d](#), [171e](#).)

Drawing or Exhibiting a Firearm

If another person is present, it is illegal for any person, except in self-defense, to draw or exhibit a loaded or unloaded firearm in a rude, angry, or threatening manner, or who in any manner, unlawfully uses a firearm in a fight or quarrel. ([Pen. Code, § 417](#).)

Threatening Acts with a Firearm on a Public Street or Highway

It is illegal for any person to draw or exhibit a loaded or unloaded firearm in a threatening manner against an occupant of a motor vehicle which is on a public street or highway in such a way that would cause a reasonable person apprehension or fear of bodily harm. ([Pen. Code, § 417.3](#).)

Discharge of a Firearm in a Grossly Negligent Manner

It is illegal for any person to willfully discharge a firearm in a grossly negligent manner which could result in injury or death to a person. ([Pen. Code, § 246.3](#).)

Discharge of a Firearm at an Inhabited/Occupied Dwelling, Building, Vehicle, Aircraft

It is illegal for any person to maliciously and willfully discharge a firearm at an inhabited dwelling, house, occupied building, occupied motor vehicle, occupied aircraft, inhabited housecar, or inhabited camper. ([Pen. Code, § 246](#).)

Discharge of a Firearm at an Unoccupied Aircraft, Motor Vehicle, or Uninhabited Building or Dwelling

It is illegal for any person to willfully and maliciously discharge a firearm at an unoccupied aircraft. It is illegal for any person to discharge a firearm at an unoccupied motor vehicle, building, or dwelling. This does not apply to an abandoned vehicle, an unoccupied motor vehicle, or uninhabited building or dwelling with permission of the owner and if otherwise lawful. ([Pen. Code, § 247](#).)

Discharge of a Firearm from a Motor Vehicle

It is illegal for any person to willfully and maliciously discharge a firearm from a motor vehicle. A driver or owner of a vehicle who allows any person to discharge a firearm from the vehicle may be punished by up to three years imprisonment in state prison. ([Pen. Code, § 26100](#).)

Criminal Storage

- “Criminal storage of a firearm of the first degree” – Keeping any firearm (loaded or unloaded) within any premises that are under your custody or control and you know or

reasonably should know that a child (any person under 18) is likely to gain access to the firearm without the permission of the child's parent or legal guardian, or a prohibited person is likely to gain access to the firearm, or a child obtains access to the firearm and thereby causes death or great bodily injury to themselves or any other person. ([Pen. Code, § 25100](#), subd. (a).)

- “Criminal storage of a firearm of the second degree” – Keeping any firearm (loaded or unloaded) within any premises that are under your custody or control and you know or reasonably should know that a child (any person under 18) is likely to gain access to the firearm without the permission of the child's parent or legal guardian, or a prohibited person is likely to gain access to the firearm, or a child obtains access to the firearm and thereby causes injury, other than great bodily injury, to himself, herself, or any other person, or carries the firearm either to a public place or in violation of Penal Code section 417. ([Pen. Code, § 25100](#), subd. (b).)
- “Criminal storage of a firearm in the third degree” – Keeping any firearm (loaded or unloaded) within any premises that are under your custody or control and negligently storing or leaving a firearm in a location where you know, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by you to secure the firearm against access by the child. ([Pen. Code, § 25100](#), subd. (c).)

These criminal storage offenses (first, second, or third degree) shall not apply whenever the firearm is kept in a locked container or locked with a locking device that has rendered the firearm inoperable. ([Pen. Code, § 25105](#).)

Sales, Transfers and Loans of Firearms to Minors

Generally, it is illegal to sell, loan or transfer any firearm to a person under 21 years of age. (Pen. Code, §§ [27505](#) and [27510](#).)

Possession of a Handgun or Live Ammunition by Minors

It is unlawful for a minor to possess a handgun unless one of the following circumstances exist:

- The minor is accompanied by his or her parent or legal guardian and the minor is actively engaged in a lawful recreational sporting, ranching, or hunting activity, or a motion picture, television, or other entertainment event;
- The minor is accompanied by a responsible adult and has prior written consent of his or her parent or legal guardian and is involved in one of the activities cited above; or
- The minor is at least 16 years of age, has prior written consent of his or her parent or legal guardian, and the minor is involved in one of the activities cited above. (Pen. Code, §§ [29610](#), [29615](#).)

It is unlawful for a minor to possess live ammunition unless one of the following circumstances exist:

- The minor has the written consent of a parent or legal guardian to possess live ammunition;
- The minor is accompanied by a parent or legal guardian; or
- The minor is actively engaged in, or is going to or from, a lawful, recreational sport, including, competitive shooting, or agricultural, ranching, or hunting activity. (Pen. Code, §§ [29650](#), [29655](#).)

NEW FIREARM/WEAPON LAWS

BILLS SIGNED INTO LAW IN 2016

AB 857 (Stats. 2016, ch. 60) – Firearms: Identifying Information

- Subject to exceptions, requires a person who manufactures or assembles a firearm to apply to the DOJ for a unique serial number or other identifying mark, as provided.
- Subject to exceptions, requires any person who, as of July 1, 2018, owns a firearm that does not bear a serial number shall apply to the DOJ for a unique serial number or other mark of identification.
- Prohibits the sale or transfer of ownership of a firearm manufactured or assembled pursuant to these provisions.
- Prohibits a person from aiding in the manufacture or assembly of a firearm by a person who is prohibited from possessing a firearm.
- Requires the DOJ to issue a serial number or other identifying mark to an applicant meeting specified criteria and would allow the DOJ to charge a fee to recover its costs associated with assigning a distinguishing number or mark pursuant to the above provisions.

SB 880 (Stats. 2016, ch. 48) – Firearms: Assault Weapons & AB 1135 Firearms: Assault Weapons. (Stats. 2016, ch. 40)

- Revises the definition of “assault weapon” to mean a semiautomatic centerfire rifle, or a semiautomatic pistol that does not have a fixed magazine but has any one of those specified attributes.
- Defines “fixed magazine” to mean an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.
- Requires that any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, and including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, register the firearm with the DOJ before January 1, 2018, but not before the effective date of specified regulations.

- Permits the DOJ to increase the \$20 registration fee as long as it does not exceed the reasonable processing costs of the DOJ.
- Requires registrations to be submitted electronically via the Internet utilizing a public-facing application made available by the DOJ.
- Requires the registration to contain specified information, including, but not limited to, a description of the firearm that identifies it uniquely and specified information about the registrant.
- Permits the DOJ to charge a fee of up to \$15 per person for registration through the Internet, not to exceed the reasonable processing costs of the DOJ to be paid and deposited, as specified, for purposes of the registration program.
- Requires the DOJ to adopt regulations for the purpose of implementing those provisions and would exempt those regulations from the Administrative Procedure Act.

SB 1235 (Stats. 2016, ch. 55) – Ammunition & Proposition 63 (Approved by the Voters on Nov. 8, 2016) – Safety for All Act of 2016

- Every person shall report the loss or theft of a firearm he or she owns or possesses to a local law enforcement agency in the jurisdiction in which the theft or loss occurred within five days of the time he or she knew or reasonably should have known that the firearm had been stolen or lost.
- Requires upon conviction of any offense that renders a person subject to Section 29800 or Section 29805, the person shall relinquish all firearms he or she owns, possesses, or has under his or her custody or control in the manner provided in this section. The court shall, upon conviction of a defendant for an offense that renders a person subject to Section 29800 or Section 29805, instruct the defendant that he or she is prohibited from owning, purchasing, receiving, possessing, or having under his or her custody or control, any firearms, ammunition, and ammunition feeding devices, including but not limited to magazines, and shall order the defendant to relinquish all firearms in the manner provided by Section 29810. The court shall also provide the defendant with a Prohibited Persons Relinquishment Form.
- Requires the property or things to be seized include a firearm that is owned by, or in the possession of, or in the custody or control of, a person who is subject to the prohibitions regarding firearms pursuant to Section 29800 or 29805, and the court has made a finding pursuant to subdivision (c) of Section 29810 that the person has failed to relinquish the firearm as required by law.
- Authorizes the DOJ to issue ammunition vendor licenses to applicants who the DOJ has determined, either as an individual or a responsible person, are not prohibited from possessing, receiving, owning, or purchasing ammunition under subdivision (a) of Section 30305 or federal law, and who provide a copy of any regulatory or business license required by local government, a valid seller's permit issued by the State Board of Equalization, a federal firearms license if the person is federally licensed, and a certificate of eligibility issued by the DOJ.

- Establishes that a firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, shall automatically be deemed a licensed ammunition vendor.
- Establishes that a valid ammunition vendor license shall be required for any person, firm, corporation, or other business enterprise to sell more than 500 rounds of ammunition in any 30-day period.
- Requires that only a licensed ammunition vendor may sell ammunition.
- Requires with specified exemptions, the sale, delivery or transfer of ownership ammunition by any party may only occur in a face-to-face transaction with the seller, deliverer, or transferor, provided, however, that ammunition may be purchased or acquired over the internet or through other means of remote ordering if a licensed ammunition vendor initially receives the ammunition and processes the transaction.
- Requires with specified exemptions, a resident of this state shall not bring or transport into this state any ammunition that he or she purchased or otherwise obtained from outside of this state unless he or she first has that ammunition delivered to a licensed ammunition vendor for delivery to that resident pursuant to the procedures set forth in Section 30312.
- Establishes that ammunition vendors shall require any agent or employee who handles, sells, delivers, or has under his or her custody or control any ammunition, to obtain and provide to the vendor a certificate of eligibility from the DOJ issued pursuant to Section 26710.
- Establishes that a firearms dealer shall require any agent or employee who handles, sells, or delivers firearms to obtain and provide to the dealer a certificate of eligibility from the DOJ pursuant to Section 26710.
- Requires with specified exceptions, ammunition can be sold only to a person whose information matches an entry in the AFS and who is eligible to possess ammunition, to a person who has a current certificate of eligibility issued by the DOJ, or to a person who purchases or transfers the ammunition in a single ammunition transaction, as specified. Ammunition purchasers and transferees would be charged a per transaction fee not to exceed \$1.
- Establishes that an ammunition vendor shall electronically submit to the DOJ information regarding ammunition sales and transfers. The DOJ shall retain this information in a database to be known as the Ammunition Purchase Records File. This information shall remain confidential and may be used by the DOJ and those entities specified in, and pursuant to, subdivision (b) or (c) of Penal Code section 11105, through the California Law Enforcement Telecommunications System, only for law enforcement purposes. The ammunition vendor shall not use, sell, disclose, or share the information for any other purpose other than the submission required by this subdivision without the express written consent of the purchaser or transferee.

BILLS SIGNED INTO LAW IN 2017

AB 7 (Stats. 2017, ch. 734) – Firearms – Open Carry

- Prohibits the carrying of, and makes it a crime to carry, an unloaded firearm other than a handgun while in or upon a public place or public street within a prohibited area located within the unincorporated area of a county. ([Pen. Code, § 26400.](#))

AB 424 (Stats. 2017, ch. 779) – Possession of a Firearm in a School Zone

- Deletes the authority of a school superintendent, his or her designee, or equivalent school authority to provide written permission for a person to possess a firearm within a school zone.
- Activities of a program involving shooting sports or activities sanctioned by a school, school district, college, university, or other governing body of the institution, are exempt from the crime.

AB 585 (Stats. 2017, ch. 107) – Public Officers

- For the purposes of this measure, a police security officer includes an officer employed by a police division that is within a city department and that operates independently of the city police department commanded by the police chief of a city.

AB 693 (Stats. 2017, ch. 783) – Firearms (Loan and Transfer)

- Exempts the loan of a firearm from the requirement that the transaction be conducted through a dealer or by a dealer if the loan is made to a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, for purposes of participation in the course.
- Makes the prohibition on large-capacity magazines inapplicable to the sale, gift, or loan of a large-capacity magazine to a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, or to the possession of, or purchase by, the person, for purposes of participation in the course during his or her enrollment.
- Exempts individuals in the basic training academy for peace officers or any other course certified by the Commission on Peace Officer Standards and Training, an instructor of the academy or course, or a staff member of the academy or entity providing the course, who is purchasing the ammunition for the purpose of participation or use in the course from the requirement of individuals purchasing ammunition through a licensed ammunition vendor.

AB 785 (Stats. 2017, ch. 784) – Possession of Firearms by Convicted Persons

- Adds Penal Code section [422.6](#) to the list of prohibiting misdemeanors.

AB 1525 (Stats. 2017, ch. 825) – Firearms Warnings

- Requires a specified statement relating to the risks of firearms and the laws regulating firearms to be included in the warnings on the packaging of firearms and descriptive materials that accompany firearms and in the instructional manual developed by the DOJ.
- Requires additional specified warnings to be included at the premises of a licensed firearms dealer.
- Requires a specified warning label to be given to a person who takes the firearms safety certificate examination and would require the applicant to acknowledge receipt of the prescribed warning prior to the issuance of the firearms safety certificate.
- Requires the DOJ to update the testing material at least once every five years and requires the DOJ to update a referenced Internet Web site to reflect current laws and regulations.

SB 497 (Stats. 2017, ch. 809) – Firearms

- Permits a peace officer, as defined, to store a handgun in the locked center utility console of a vehicle that does not have a trunk, under specified circumstances.
- Defines the terms “trunk” and “plain view” for purposes of these provisions.

SB 536 (Stats. 2017, ch. 810) – Firearm Violence Research Center: Gun Violence Restraining Orders

- Requires the DOJ to make information relating to gun violence restraining orders that is maintained in the California Restraining and Protective Order System, or any similar database maintained by the DOJ available to researchers affiliated with the University of California Firearm Violence Research Center, or, at the discretion of the DOJ, to any other nonprofit educational institution or public agency immediately concerned with the study and prevention of violence, as specified, for academic and policy research purposes, provided that any material identifying individuals is not transferred, revealed, or used for other than research or statistical activities and reports or publications derived therefrom do not identify specific individuals.

BILLS SIGNED INTO LAW IN 2018

AB 1192 (Stats. 2018, ch. 63) – Firearms: Retired Peace Officers

- Redefines the term “honorably retired” for purposes of certain exceptions to the law involving the carrying of firearms by a retired peace officer. The term “honorably retired” now includes a retired reserve officer who has met specified length-of-service requirements.

AB 1872 (Stats. 2018, ch. 56) – Firearms: Unsafe Handguns

- Adds the following to the list of exempt agencies and individuals who are allowed to purchase unsafe handguns (as defined by Penal Code section 31910): harbors and port districts and other entities employing peace officers described in subdivision (b) of Penal Code section 830.33, the San Diego Unified Port District Harbor Police, the Harbor Department of the City of Los Angeles, and the sworn members of these entities who meet specified training requirements. Prohibits resale by these agencies, officers, and employees to a person who is not exempt from the requirements of Penal Code section 32000.

AB 1968 (Stats. 2018, ch. 861) – Mental Health: Firearms

- This bill imposes a lifetime firearm prohibition on a person who has been taken into custody, assessed, and admitted to a designated facility pursuant to Welfare and Institutions Code sections 5150, 5151, and 5152 twice within a one-year period because he or she is a danger to self or others because of a mental health disorder. (Welf. & Inst. Code, § 8103, subd. (f)(1)(B).)
- This bill allows a person subject to this lifetime firearm prohibition to request a hearing every five years to show that he or she can use firearms in a safe and lawful manner. At this hearing, the burden of proof is on the petitioner to establish by a preponderance of the evidence that the petitioner can use a firearm in a safe and lawful manner. (Welf. & Inst. Code, § 8103(f)(11).)
- This bill requires the form to request a hearing that is provided to a person subject to the prohibition to include an authorization for the release of the person’s mental health records, upon request, to the appropriate District Attorney, solely for use in the hearing. (Welf. & Inst. Code, § 8103(f)(3).)

AB 1993 (Stats. 2018, ch. 184) – Secondhand Goods: Tangible Personal Property: Dealers

- Reduces the 30-day period that secondhand dealers were required to hold tangible personal property to a seven-day period (and in certain circumstances, a five-day period), except for

firearms. Firearms must still be held for 30 days, beginning on the date the report of its acquisition was made electronically to the DOJ by the secondhand dealer.

AB 2103 (Stats. 2018, ch. 752) – Firearms: License to Carry Concealed

- Requires that the training for applicants for a license to carry a concealed weapon (CCW) shall be no less than eight hours and no more than sixteen hours in length and specifies safe handling and shooting proficiency requirements.
- Requires that the training include live-fire shooting exercises on a firing range and a demonstration by the applicant of safe handling of, and shooting proficiency with, each firearm the applicant will be licensed to carry.
- Requires the licensing authority to establish, and make available to the public, standards for live-fire shooting exercises that include, without limitation, a minimum number of rounds to be fired and minimum passing scores at specified firing distances.

AB 2176 (Stats. 2018, ch. 185) – Firearms

- Requires that a receipt given by an officer who takes custody of a firearm or other deadly weapon at the scene of a domestic violence incident, when serving a protective order, or when serving a Gun Violence Restraining Order, shall include the name and residential mailing address of the owner of the firearm or other deadly weapon.
- Extends civil liability to a person who authorizes a minor’s acquisition of tear gas by signing a statement of consent or accompanying the minor at the time of acquisition.

AB 2222 (Stats. 2018, ch. 864) – Crime Prevention and Investigation: Informational Databases

- Requires all law enforcement agencies in California to enter information regarding each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, or under observation, into the DOJ’s AFS within seven days of being notified of the precipitating event.
- Requires all law enforcement agencies in California to enter information for firearms that are illegally possessed, have been used in a crime, or are suspected to have been used in a crime, into the AFS within seven days of the agency having possession of the information.
- Defines “law enforcement agency,” as used for these reporting requirements, as meaning a police or sheriff’s department, or any department or agency of the state or any political subdivision thereof that employs any peace officer as defined in Penal Code section 830, including but not limited to the Department of the California Highway Patrol, Department of Fish and Wildlife, the University of California or California State University Police Departments, and the police department of any school district, transit district, airport, and harbor, port, or housing authority.

AB 2526 (Stats. 2018, ch. 873) – Temporary Emergency Gun Violence Restraining Orders

- Allows a judicial officer to issue a temporary emergency Gun Violence Restraining Order (GVRO) orally, based on the statements of a law enforcement officer. A temporary GVRO may be obtained in writing, if time and circumstances permit.
- Requires an officer who requests a temporary emergency GVRO to sign a declaration under penalty of perjury reciting the oral statements provided to the judicial officer and to memorialize the order of the court, if the request is made orally.

AB 2930 (Stats. 2018, ch. 880) – Unlawful Detainer: Nuisance: Unlawful Weapons and Ammunition

- Extends authority, until January 1, 2024, for two nuisance-eviction pilot programs that conditionally allow city attorneys and prosecutors in authorized cities to bring eviction proceedings against tenants for committing nuisance violations involving unlawful weapons or controlled substances.

AB 3129 (Stats. 3129, ch. 883) – Firearms: Prohibited Persons

- Prohibits a person from ever possessing a firearm, if that person is convicted on or after January 1, 2019, of a misdemeanor violation of Penal Code section 273.5, regarding the willful infliction of corporal injury resulting in a traumatic condition upon a spouse, cohabitant, or other specified person.

SB 1100 (Stats. 2018, ch. 894) – Firearms: Transfers

- Prohibits the sale, supplying, delivery, or giving possession or control of any firearm by a licensed dealer, except as specifically exempted, to any person under 21 years of age per Penal Code section 27510. The exemptions apply to the sale, supplying, delivery, or giving possession or control of a firearm that is not a handgun to a person 18 years of age or older and who:
 - Possesses a valid, unexpired hunting license issued by the Department of Fish and Wildlife;
 - Is an active peace officer, as described in Chapter 4.5 (commencing with section 830) of Title 3 of Part 2 of the Penal Code, who is authorized to carry a firearm in the course and scope of his or her employment;
 - Is an active federal officer or law enforcement agent who is authorized to carry a firearm in the course and scope of his or her employment;
 - Is a reserve peace officer, as defined in section 832.6 of the Penal Code, who is authorized to carry a firearm in the course and scope of his or her employment as a reserve peace officer; Provides proper identification of his or her active membership in the United States Armed

Forces, the National Guard, the Air National Guard, or active reserve components of the United States; or

- Provides proper identification that he or she is an honorably discharged member of the United States Armed Forces, the National Guard, the Air National Guard, or active reserve components of the United States.
- Requires any person who wishes to manufacture or assemble a firearm, and who applies to the DOJ for a unique serial number or identifying mark, as required by law, be at least 21 years of age, for any firearm. If the application is made before February 1, 2019, that application may be granted for an applicant who is at least 18 years of age but less than 21 years of age, for a firearm that is not a handgun.

SB 1200 (Stats. 2018, ch. 898) – Firearms: Gun Violence Restraining Orders

- Expands the definition of “ammunition,” for the purposes of the Gun Violence Restraining Order (GVRO) law, to include a “magazine.”
- Requires a law enforcement officer, when serving a GVRO, to verbally ask the restrained person if he or she has any firearms, ammunition, or magazines in his or her possession or under his or her custody or control.
- Requires a court that issues a temporary emergency GVRO (issued on the basis of a law enforcement officer’s attestation) to hold a hearing within 21 days to determine if the GVRO should be extended to one year.

SB 746 (Stats. 2018, ch. 780) – Firearms and Ammunition: Prohibited Possession: Transfer to Licensed Dealer

- This bill authorizes a person who is temporarily prohibited from owning, purchasing, receiving, or possessing a firearm or ammunition, to transfer his or her ammunition to a licensed ammunition vendor for the duration of the prohibition. Beginning July 1, 2020, the release of stored ammunition shall be handled similar to the release of stored firearms, and therefore must be returned by a firearms dealer or an ammunition vendor in accordance with the procedures set forth in Penal Code section 30370 et seq. (Pen. Code, §§ 29830 and 33850.)
- This bill requires a new resident to the state, within 60 days of arrival, to apply for a unique serial number or other identifying mark for any firearm the resident wishes to possess in the state that the resident previously manufactured or assembled, or a firearm the resident owns, that does not have a unique serial number or other mark of identification. (Pen. Code, § 29180.)
- This bill makes the procedure for a court or law enforcement agency to return a seized firearm also applicable to ammunition feeding devices and ammunition. (Pen. Code, § 33885.)
- This bill makes certain provisions regarding ammunition also applicable to “ammunition feeding devices,” as defined. (Pen. Code, § 33895.)

SB 1346 (Stats. 2018, ch. 795) – Firearms: Multiburst Trigger Activators

- Clarifies that the definition of “multiburst trigger activator” includes a bump stock, bump fire stock, or other similar devices that are attached to, built into, or used in combination with a semiautomatic firearm to increase the rate of fire of that firearm.

SB 1382 (Stats. 2018, ch. 94) – Firearms: Vehicle Storage

- Authorizes locking a handgun in a locked toolbox or utility box, when leaving a handgun in an unattended vehicle.
- Defines “locked toolbox or utility box” as a fully enclosed container that is permanently affixed to the bed of a pickup truck or vehicle that does not contain a trunk, and is locked by a padlock, keylock, combination lock, or other similar locking device.

BILLS SIGNED INTO LAW IN 2019

AB 164 (Stats. 2019, ch. 726) – Firearms: Prohibited Persons

- This bill expands the scope of existing law to provide that anyone who possesses a firearm while knowing that he or she is prohibited from possessing a firearm due to an out-of-state restraining order, is guilty of a public offense, punishable by imprisonment and/or fines not to exceed one thousand dollars. ([Pen. Code, § 29825.](#))

AB 339 (Stats. 2019, ch. 727) – Firearms: Gun Violence Restraining Orders: Law Enforcement Procedures

- This bill requires each specified law enforcement agency to develop and adopt written policies and standards relating to gun violence restraining orders. ([Pen. Code, § 18108.](#))

AB 645 (Stats. 2019, ch. 729) – Firearms: Warning Statements

- This bill requires licensed dealers to post a new firearm warning message on the premises and on the firearm warning labels that cover the topic of suicide prevention. ([Pen. Code, §§ 23640, and 26835.](#))
- This bill also requires the Firearm Safety Certificate (FSC) test to cover the topic of suicide prevention. ([Pen. Code, § 31640.](#))

AB 1292 (Stats. 2019, ch. 110) – Firearms

- This bill clarifies existing law regarding firearms, trusts, and estates. It also creates exemptions on openly carrying a firearm, possessing an FSC and transporting a firearm to a law enforcement agency if a person either finds a firearm or takes a firearm from a person committing a crime against them. (See Pen. Code, §§ [16990](#), [25570](#), [26392](#), [26406](#), [26582](#), [26589](#), [27920](#), [27922](#), and [31700](#).)

AB 1297 (Stats. 2019, ch. 732) – Firearms: Concealed Carry License

- This bill requires local Law Enforcement Agencies (who issue Carry Concealed Weapon [CCW] licenses) to charge a fee for new licenses, in addition to the fee paid to the DOJ, in an amount equal to the reasonable cost for processing the application, issuing the license, and enforcing the CCW. The bill deletes the prohibition on charging more than \$100 for the fee. (Pen. Code, § [26190](#).)

AB 1669 (Stats. 2019, ch. 736) – Firearms: Gun Shows and Events

- This bill amends the provisions of law prescribing the rules and regulations for gun shows and events to be consistent with the sale of ammunition at gun shows and events as authorized by Proposition 63, The Safety for All Act of 2016. (See Pen. Code, §§ [27205](#), [27210](#), [27220](#), [27225](#), [27235](#), [27240](#), [27305 – 27320](#), [27340](#), and [27345](#).)
- This bill reduces the fee amount the DOJ charges to fund several enforcement and administrative programs relating to firearms and to cover the regulatory cost of processing firearms transactions to \$1. It also removes the authority of the DOJ to spend the proceeds from the fee on specified regulatory costs related to the purchase, sale, and transfer of firearms. (Pen. Code, §§ [28225](#), [28235](#), and [28240](#).)
- The bill also authorizes the DOJ to charge an additional fee in the amount of \$31.19 per firearms-related transaction to cover the costs of its firearms-related regulatory and enforcement activities, as specified. (Pen. Code, §§ [28233](#), [28235](#), and [28240](#).)

SB 61 (Stats. 2019, ch. 737) – Firearms: Transfers

- This bill prohibits anyone under 21 from purchasing a semiautomatic centerfire rifle, except law enforcement and active military. An individual age 18-20 with a valid hunting license can buy rifles or shotguns that are lever action, bolt action, pump action, single shot, or semiautomatic rim fire. Persons 18-20 with a valid hunting license can no longer purchase semiautomatic, centerfire rifles as they could under SB 1100 of 2018. (Pen. Code, § [27510](#).)
- In addition, this bill makes minor changes to the warning signs that firearm dealers shall conspicuously post within the licensed premises. (Pen. Code, § [26835](#).)

- This bill makes the 30-day prohibition on purchasing more than one handgun and the dealer delivery prohibition applicable to semiautomatic centerfire rifles. An individual can still buy multiple rifles or shot guns that are lever action, bolt action, pump action, single shot, or semiautomatic rim fire. ([Pen. Code, § 27535.](#))
- This bill prohibits a dealer from delivering a handgun or semiautomatic centerfire rifle whenever the dealer is notified by the DOJ that within the preceding 30-day period, the purchaser has made another application to purchase a handgun or semiautomatic centerfire rifle. ([Pen. Code, § 27540.](#))
- Except under specified circumstances, a violation of any of these provisions is a misdemeanor. ([Pen. Code, § 27590.](#))

SB 172 (Stats. 2019, ch. 840) – Firearms: Storage and Keep our Seniors Safe Act

- This bill requires firearms, loaded or unloaded, to be safely stored when the owner of a residential property is outside of their residence. A violation of this requirement would result in a misdemeanor and a 10-year firearms prohibition. ([Health & Saf. Code, §§ 1567.93, 1567.94, 1568.095, 1568.097, and 1568.098.](#))
- This bill enacts the “Keep our Seniors Safe Act,” which sets firearm and ammunition storage requirements for elder care facilities, if the facilities allow the residents to possess firearms on the property. ([Health & Saf. Code, §§ 1569.280 – 1569.284.](#))
- This bill also authorizes the temporary transfer of a firearm to a person who is 18 years of age or older without using a firearms dealer in order to prevent a suicide. ([Pen. Code, § 27882.](#))
- In addition, this bill updates the warning signs firearms dealers must post in their place of business. ([Pen. Code, § 26835.](#))

SB 376 (Stats. 2019, ch. 738) – Firearms: Transfers

- This bill redefines the term “infrequent” to mean less than six firearm transactions per calendar year, regardless of the type of firearm. ([Pen. Code, § 16730.](#)) Prior to this legislation, the term “infrequent” was not defined in the Penal Code.
- This bill exempts from the “infrequent” requirement specified transfers made by a formerly licensed dealer that is ceasing operations, transfers made to a specified government entity as part of a “gun-buyback” program, and transfers made by a person prohibited from possessing a firearm to a dealer for the purpose of storing that firearm. ([Pen. Code, §§ 26556 and 29010.](#)) Prior to this legislation, the term “infrequent” was not defined in the Penal Code.
- This bill requires anyone manufacturing 50 or more firearms per year, selling more than 50 firearms per year, or engaging in five or more transactions in a year to be licensed. ([Pen. Code, § 29010.](#))
- This bill also updates existing law regarding firearms in raffles to bring the transfer process more in line with standard firearms transfers. ([Pen. Code, § 26890.](#))

AB 12 (Stats. 2019, ch. 724) – Firearms: Gun Violence Restraining Orders

- This bill increases the maximum duration of a Gun Violence Restraining Order (GVRO) from one year to between one and five years. A GVRO issued under this chapter has a duration of one year, subject to termination by further order of the court at a hearing held pursuant to Section 18185 and renewal by further order of the court pursuant to Section 18190. A person subject to a GVRO may submit a written appeal once a year requesting termination of the GVRO. (Pen. Code, §§ 18160, 18170, and 18175.)
- In addition, this bill allows law enforcement officers to file a petition for a GVRO in the name of the law enforcement agency in which they are employed. (Pen. Code, § 18109.)
- This bill also removes the requirements that a person who has been served with a GVRO be given an opportunity to relinquish their firearms prior to a search warrant being issued. (Pen. Code, § 18175.)

AB 61 (Stats. 2019, ch. 725) – Gun Violence Restraining Orders

- This bill expands the list of individuals who may request an Ex Parte GVRO, to include an employer, a coworker, or an employee of a secondary or postsecondary school that the person has attended in the last six months. (Pen. Code, § 18150.)

AB 879 (Stats. 2019, ch. 730) – Firearms: as Amended by SB 118 (Stats. 2020, ch. 29) Effective April 1, 2022 and July 1, 2022

- Commencing April 1, 2022, The DOJ will start accepting applications for firearm precursor part vendor licenses. (Pen. Code, § 30485.)
- Licensed firearm dealers and licensed ammunition vendors who meet certain basic requirements as described in Penal Code section 16532 will automatically be deemed a licensed firearm precursor part vendor. (Pen. Code, § 16532.)

Commencing July 1, 2022

- Firearm precursor parts cannot be possessed by someone who is prohibited from owning or possessing a firearm. (Pen. Code, §§ 30405 and 30406.)
- Firearm precursor parts cannot be sold in California except by (or through) a licensed firearm precursor part vendor, in a face-to-face transaction. (Pen. Code, §§ 30412, 30450.)
- Employees of a firearm precursor part vendor must have a Certificate of Eligibility. (Pen. Code, § 30447.)
- Firearm precursor parts cannot be sold to any person under the age of 21, or to any person the vendor should reasonably know is prohibited. (Pen. Code, § 30400.)

- Only one firearm precursor part may be sold per month (i.e., via Private Party Transfer), unless the seller has a firearm precursor part vendor license. ([Pen. Code, § 30442.](#))
- Firearm precursor parts cannot be imported into the state without being processed by a licensed firearm precursor part vendor. ([Pen. Code, § 30414.](#))
- The DOJ will conduct eligibility checks on potential purchasers or transferees. ([Pen. Code, § 30470.](#))
- A firearm precursor part vendor must record certain specified information about a purchaser or transferee, and electronically transmit this information to the DOJ. ([Pen. Code, § 30452.](#))
- All vendor records must be maintained for five years. ([Pen. Code, § 30454.](#))

AB 893 (Stats. 2019, ch. 731) – 22nd District Agricultural Association: Firearm and Ammunition Sales at the Del Mar Fairgrounds

- This bill prohibits the sale of firearms and ammunition from being conducted at the Del Mar Fairgrounds. ([Food & Agr. Code, § 4158.](#))

AB 1076 (Stats. 2019, ch. 578) – Criminal Records: Automatic Relief

- Subject to an appropriation in the Budget Act, this bill requires the DOJ to streamline the process of granting relief to persons for specified arrests and convictions for the purpose of disseminating criminal history regarding an applicant for employment. This relief would not restore firearms rights. The DOJ would be required to update the state summary history information to document the relief granted. The DOJ would also be required to publish statistics annually. ([Pen. Code, § 851.93.](#))

AB 1493 (Stats. 2019, ch. 733) – Gun Violence Restraining Orders

- This bill authorizes a person subject to a GVRO to submit a form to the court relinquishing their firearms rights and stating their intent not to contest the restraining order. ([Pen. Code, § 18175.](#))

BILLS SIGNED INTO LAW IN 2020

AB 2617 (Stats. 2020, ch. 286) – Firearms: Gun Violence Restraining Orders

- This bill requires a law enforcement officer who requests a temporary GVRO on an ex parte basis to file a copy of a protective order with the court as soon as practicable, but no later than three court days after issuance.
- Additionally, every person who owns/possesses a firearm or ammunition with knowledge that they are prohibited from doing so by a GVRO, is guilty of a misdemeanor and shall be prohibited from possessing, owning or purchasing a firearm/ammunition for a five-year period. (Pen. Code, § 18205.)

AB 2699 (Stats. 2020, ch. 289) – Firearms: Unsafe Handguns

- This bill creates a new group of exempt entities (law enforcement agencies) who are not subject to the restrictions on purchasing handguns that are not listed on the DOJ's Roster of Handguns Certified for Sale, for use by their sworn members.
- This bill requires the DOJ to maintain a database of all firearms that are obtained pursuant to one of the listed exemptions.
- This bill requires the DOJ to provide a notification to persons/entities possessing an unsafe handgun, pursuant to 32000 (4), (6), and (7) regarding the new prohibitions on the sale or transfer of that handgun. Thereafter, the DOJ shall provide the same notification, upon notification of sale or transfer, to the purchaser or transferee of any unsafe handgun pursuant to this bill. (Pen. Code, § 32000.)

AB 3242 (Stats. 2020, ch. 149) – Mental Health: Involuntary Commitment

- This bill allows an examination that is required or authorized under Welfare and Institutions Code Section 5150 or 5151 be conducted using telehealth or other audio-visual technology. (Health & Saf. Code, § 1799.111.)

SB 723 (Stats. 2020, ch. 306) – Firearms: Prohibited Persons

- The amendment to this bill emphasizes that only if the person has knowledge of an outstanding warrant (felony or specified misdemeanor), will he/she will be prohibited from owning or possessing a firearm. (Pen. Code, §§ 29800 and 29805.)

AB 2061 (Stats. 2020, ch. 273) – Firearms: Inspections: Effective July 1, 2022

- This bill will allow the DOJ to inspect firearm dealers, ammunition vendors, or manufacturers participating in a gun show or event in order to ensure that all transfers or sales are conducted in compliance with applicable state and local laws.
- The bill will also allow the DOJ to inspect ammunition vendors to ensure compliance with applicable state and federal laws.
- The DOJ may adopt regulations to administer the application and enforcement of laws relating to gun shows and ammunition vendors. (Pen. Code, §§ [27310](#) and [30345](#).)

AB 2362 (Stats. 2020, ch. 284) – Firearms: Dealers Conduct of Business: Effective July 1, 2022

- This bill authorizes the DOJ to impose a civil fine not exceeding \$1,000 for a violation of any prohibition or requirement under Penal Code section 26800.
- This bill also authorizes the DOJ to impose a civil fine not exceeding \$3,000 for a violation of any prohibition or requirement under Penal Code section 26800, when the licensee has failed to take corrective action following written notification. (Pen. Code, § [26800](#).)

AB 2847 (Stats. 2020, ch. 292) – Firearms: Unsafe Handguns: Effective July 1, 2022

- This bill revises the criteria for unsafe handguns by requiring the microstamp to be imprinted in one (1) place on the cartridge, instead of two (2).
- The DOJ will be required, for every new firearm added to the roster of not unsafe handguns, to remove three firearms from the roster of not unsafe handguns that are not compliant with current requirements (i.e., the microstamp technology). (Pen. Code, § [31910](#).)

BILLS SIGNED INTO LAW IN 2021

AB 173 (Stats. 2021, ch. 253) – Public safety

- Requires specified firearms data maintained by the DOJ be provided to the California Firearm Violence Research Center at University of California, Davis, upon request. At the DOJ's discretion, this data may be provided to any other nonprofit bona fide research institution accredited by the United States Department of Education or the Council for Higher Education Accreditation, for the study of the prevention of violence. Any reports or publications derived from such data are prohibited from identifying specific individuals. (Pen. Code, § [11106](#); Welf. & Inst. Code, § [8106](#).)

AB 229 (Stats. 2021, ch. 697) – Private Investigators, Proprietary Security Services, Private Security Services, and Alarm Companies: Training: Use of Force

Effective January 1, 2023

- Modifies training requirements for private security officers and private investigators. (Bus. & Prof. Code, § [7542](#), [7574.18](#), [7583.5](#) and [7583.6](#).)
- Prohibits a person required to be registered as a security guard from carrying or using a firearm or baton unless the security guard is an employee of a private patrol operator, the state, or a political subdivision of the state. (Bus. & Prof. Code, § [7583.3](#).)

AB 1057 (Stats. 2021, ch. 682) – Firearms

Effective July 1, 2022

- For the purpose of specified GVRO and domestic violence restraining order (DVRO) provisions, a “firearm” is redefined to include a frame or receiver of the weapon, or a firearm precursor part. (Fam. Code, § [6215](#); Pen. Code, § [16520](#).)

AB 1191 (Stats. 2021, ch. 683) – Firearms: Tracing

- Requires the DOJ to analyze the information and data it currently collects on “crime guns” from various law enforcement agencies, to identify and evaluate patterns and trends relating to recovered firearms that have been illegally possessed, used in a crime, or suspected to have been used in a crime, and to create an annual firearm tracing report (beginning July 1, 2023) detailing which California licensed firearms dealers are responsible for selling firearms that are illegally used and possessed. (Pen. Code, § [11108.3](#).)

SB 264 (Stats. 2021, ch. 684) – Firearms: The OC Fair and Event Center

- Prohibits an officer, employee, operator, lessee, or licensee of the 32nd District Agricultural Association from contracting for, authorizing, or allowing the sale of any firearm, firearm precursor part, or ammunition, on the property or in the buildings that comprise the OC Fair and Event Center (in the County of Orange, the City of Costa Mesa), or any successor or additional property owned, leased, or otherwise occupied or operated by the 32nd District Agricultural Association. (Pen. Code, § [27575](#).)
- Exempts gun buyback events held by a law enforcement agency; the sale of a firearm by a public administrator, public guardian, or public conservator within the course of their duties; the sale of a firearm, firearm precursor part, or ammunition on state property that occurs

pursuant to a contract that was entered into before January 1, 2022; and the purchase of ammunition on state property by a law enforcement agency in the course of its regular duties. (Pen. Code, § [27575](#).)

SB 320 (Stats. 2021, ch. 685) – Domestic Violence Protective Orders: Possession of a Firearm

- Requires a court, when making a domestic violence protective order, to order the restrained person to relinquish any ammunition (in addition to any firearms) in the person’s immediate possession or control and to provide information to a restrained person describing how they can relinquish possession of a firearm or ammunition as well as how to submit a receipt of the relinquishment to the court. (Fam. Code, §§ [6304](#), [6389](#).)
- When relevant information is presented to the court at a noticed hearing that a restrained person has a firearm or ammunition, the court shall consider that information and determine, by a preponderance of the evidence, whether the person subject to a domestic violence protective order has a firearm or ammunition in, or subject to, their immediate possession or control in violation of Family Code Section 6389. (Fam. Code, § [6322.5](#).)
- Requires every law enforcement agency in the state to develop, adopt, and implement written policies and standards regarding law enforcement officers who request immediate relinquishment of firearms or ammunition upon issuance of a domestic violence protective order. (Fam. Code, § [6389](#).)

SB 715 (Stats. 2021, ch. 250) – Criminal law

- Prohibits a minor from possessing a semiautomatic centerfire rifle, with certain exemptions. Modifies the requirements for the lawful transfer or loan of a firearm to a minor. (Pen. Code, §§ [27505](#), [29610](#), [29615](#).)
- Requires a licensed firearms dealer to visually inspect a hunting license to confirm that it is valid and unexpired, and requires the dealer to record the document number, GO ID and dates valid, whenever a hunting license is used to qualify for the exemption to the general prohibition on the sale of a firearm to a person under 21 years of age, applicable to firearms that are not handguns or semiautomatic centerfire rifles. The dealer or salesperson shall not deliver the firearm if, upon visual inspection of the hunting license, they are unable to confirm that the license is valid and unexpired. (Pen. Code, §§ [28210](#) and [28215](#).)
- Requires a licensed firearms dealer to notify the DOJ within 72 hours of delivering a firearm to a local law enforcement agency subsequent to a failed private party transfer, when the firearm cannot be delivered to the intended purchaser, nor returned to the seller, due to both parties having outstanding firearms prohibitions. (Pen. Code, § [28050](#).)
- Exempts licensed ammunition manufacturers from both the general requirement that a firearm purchase must be conducted through a licensed firearms dealer, and from the general requirement that a firearm purchaser possess a Firearm Safety Certificate where those

firearms are used in the course and scope of the licensee's activities. (Pen. Code, §§ [26537](#), [27963](#) and [31834](#).)

Effective July 1, 2023

- Prohibits a minor from possessing any firearm, with certain exemptions. (Pen. Code, §§ [29610](#) and [29615](#).)

Effective July 1, 2024

- When the firearm cannot be delivered to the intended purchaser, nor returned to the seller, in a failed private party transfer, requires a firearms dealer to retain possession, for 45 days, of the firearm if the seller requests the 45-day retention of possession. The firearms dealer may charge a storage fee not to exceed \$10 per firearm. The firearms dealer must notify the DOJ of the retention of possession within 72 hours after retaining possession of the firearm. If, before the end of the 45-day period, the seller designates a person to receive the firearm and that person completes an application to purchase, the dealer shall process the transaction in accordance with the provisions of Section 27540. But if no such designation is made or can successfully be made before the end of the 45-day period, the firearms dealer must deliver the firearm to a local law enforcement agency, which will then dispose of the firearm, and the dealer must notify the DOJ of the delivery within 72 hours after the delivery. (Pen. Code, §§ [28050](#), [28055](#).)

Effective July 1, 2025

- Requires the DOJ to verify the validity of a hunting license with the Department of Fish and Wildlife for sales of firearms to persons under 21 years of age who are eligible to purchase a firearm based upon their possession of a hunting license. If the DOJ is unable to ascertain the validity of a hunting license as part of the background check, the DOJ shall immediately notify the firearms dealer to cancel the sale of the firearm. (Pen. Code, § [28220](#).)

AB 2061 (Stats. 2020, ch. 273) – Firearms: Inspections

Effective July 1, 2022

- Allows the DOJ to inspect firearm dealers, ammunition vendors, or manufacturers participating in a gun show or event in order to ensure that all transfers or sales are conducted in compliance with applicable state and federal laws. (Pen. Code, § [27310](#).)
- Allows the DOJ to inspect ammunition vendors to ensure compliance with applicable state and federal laws. (Pen. Code, § [30345](#).)

AB 2362 (Stats. 2020, ch. 284) – Firearms Dealers: Conduct of Business

Effective July 1, 2022:

- Authorizes the DOJ to impose a civil fine on a licensed firearms dealer not exceeding \$1,000 for a violation of any prohibition or requirement under Penal Code section [26800](#), subdivision (a). (Pen. Code, § [26800](#).)
- Authorizes the DOJ to impose a civil fine on a licensed firearms dealer not exceeding \$3,000 for a violation of any prohibition or requirement under Penal Code section [26800](#), subdivision (a) when the firearms dealer either knowingly or with gross negligence violated the prohibition or requirement, or the dealer received written notification from the DOJ regarding the violation and failed to take corrective action. (Pen. Code, § [26800](#).)

AB 2847 (Stats. 2020, ch. 292) – Firearms: Unsafe Handguns

Effective July 1, 2022

- Revises the criteria for a firearm to not be considered an unsafe handgun by requiring that new semiautomatic pistol models have microstamped characters (i.e. a microscopic array of characters used to identify the make, model, and serial number of the pistol that are transferred by imprinting on each cartridge case when the pistol is fired) on one location on the interior surface or internal working parts of the pistol instead of two. (Pen. Code, § [31910](#).)
- Requires the DOJ, for every new semiautomatic pistol added to the roster of not unsafe handguns, to remove three semiautomatic pistols from the roster that were added to the roster before July 1, 2022 and are lacking one or more of the features described in paragraphs (4), (5), or (6) of Penal Code section 31910, subdivision (b). (Pen. Code, § [31910](#).)

AB 879 (Stats. 2019, ch. 730) – Firearms, as Amended by SB 118 (Stats. 2020, ch. 29): Public Safety

Effective April 1, 2022

- The DOJ will begin accepting applications for firearm precursor part vendor licenses. (Pen. Code, § [30485](#).)
- Licensed firearms dealers and licensed ammunition vendors that meet the requirements as described in Penal Code section 16532 will automatically be deemed a licensed firearm precursor part vendor. (Pen. Code, § [16532](#).)
- The DOJ is authorized to adopt regulations to implement these provisions.

Effective July 1, 2022

- A person who is prohibited from owning or possessing a firearm cannot own, possess, or have under custody or control a firearm precursor part. (Pen. Code, § [30405](#).)
- Firearm precursor parts cannot be sold in California except by (or through) a licensed firearm precursor part vendor. (Pen. Code, §§ [30412](#), [30450](#).)
- Any agent or employee of a firearm precursor part vendor who handles, sells, delivers, or has in their custody or control any firearm precursor part must obtain and provide to the vendor a certificate of eligibility from the DOJ. (Pen. Code, § [30447](#).)
- Firearm precursor parts cannot be sold to any person under the age of 21, or to any minor the vendor should reasonably know is prohibited from possessing a firearm or ammunition at that time. (Pen. Code, § [30400](#).)
- Only one firearm precursor part may be sold per month (i.e., via private party transfer), unless the seller has a firearm precursor part vendor license or falls under another identified exemption. (Pen. Code, § [30442](#).)
- A California resident cannot bring or transport into California a firearm precursor part without being processed by a licensed firearm precursor part vendor, with certain exemptions. (Pen. Code, § [30414](#).)
- The DOJ will conduct eligibility checks on potential purchasers or transferees of firearm precursor parts. (Pen. Code, § [30470](#).)
- At the time of delivery of a firearm precursor part, the firearm precursor part vendor must record certain specified information about a purchaser or transferee, and electronically transmit this information to the DOJ. This does not apply to any firearm precursor part that is attached or affixed to a firearm involved in a successful dealer record of sale transaction. (Pen. Code, § [30452](#).)
- All records required under Part 6, Title 4, Division 10, Chapter 1.5, Article 2 of the Penal Code must be maintained on the premises of a firearm precursor part vendor for five years or more after the date of the recorded transfer. (Pen. Code, § [30454](#).)
- The DOJ is authorized to adopt regulations to implement these provisions.