CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 11. FIREARM PRECURSOR PARTS AND FIREARM BARRELS

INITIAL STATEMENT OF REASONS

PROBLEM STATEMENT

The Legislature has enacted several laws designed to address the proliferation of unlawfully manufactured ghost guns, which are unserialized firearms produced by individuals who do not have a valid license to manufacture firearms. Ghost guns are typically produced using products sold without eligibility checks or sale records, including machines such as three-dimensional printers and/or firearm build kits, accessories, and components. One such component is a firearm barrel, defined by Penal Code section 16525(a) as "the tube, usually metal and cylindrical, through which a projectile or shot charge is fired." Because the remaining parts of a firearm may be more easily produced by consumer-level three-dimensional printers, the unregulated sale of firearm barrels without eligibility checks allowed minors and prohibited individuals to illegally manufacture firearms without undergoing the background check that is normally required for firearm purchasers in California.

In 2025, the Legislature passed SB 704, codified at Penal Code section 33700, which places conditions and requirements on the purchase, sale, or transfer of firearm barrels. Penal Code section 33700, subdivisions (e) and (h), authorize the Department of Justice (Department) to adopt regulations to implement the statute. Penal Code section 33700, subdivision (a)(1), provides that a firearm barrel shall not be sold or transferred unless that transaction is completed in person by a licensed firearms dealer. Starting July 1, 2027, a firearm barrel "shall not be sold or transferred unless . . . the licensed firearms dealer has conducted an eligibility check . . . in a manner prescribed by the Department of Justice" to determine whether the person is at least 18 years of age and is not prohibited from possessing, receiving, owning, or purchasing a firearm under state or federal law, and thus is authorized to complete the transaction. (Pen. Code, § 33700, subds. (a)(2), (b).) The statute exempts several types of sales or transfers, including those to federal, state, and local law enforcement agencies, and those to federal firearms licensees, from this process. (Pen. Code, § 33700, subd. (g).)

The purpose of these regulations is to implement the statute by providing instructions for licensed firearms dealers to initiate the eligibility checks required by the statute and to fulfill purchases or transfers for people who pass the eligibility checks.

ANTICIPATED BENEFITS FROM REGULATORY ACTION

These proposed regulations would allow the Department to enforce the provisions, prohibitions, and requirements set forth in SB 704. These regulations will codify standards for licensed firearms dealers to conduct the eligibility checks required to determine whether prospective purchasers may purchase or otherwise acquire a firearm barrel. This will assist the regulated industry and the public to avoid unlawful purchases or transfers of firearm barrels.

The regulations will benefit public safety by preventing the sale of firearm barrels to persons who are not authorized to purchase them, including people convicted of felonies and certain misdemeanors, people who are prohibited due to a mental health-based event, and people who are subject to certain court protection or restraining orders, among others. The regulations will implement the statute's goals of preventing people who are otherwise not authorized to possess firearms from obtaining firearm barrels, which they could use to manufacture firearms.

PURPOSE AND NECESSITY OF EACH SECTION

Article 2. Firearm Barrel Purchases, Sales or Transfers

§ 4304 Title and Scope.

This section identifies the title of Chapter 11, Article 2, which shall be known as the "Department of Justice Regulations for Firearm Precursor Parts and Firearm Barrels." This section also clarifies the scope of the regulations, which do not apply to the transactions outlined in Penal Code section 33700, subdivision (g)(1)-(8), except as specified therein. This section is necessary to outline the scope of the chapter.

§ 4305 Definition of Key Terms.

This section defines twelve key terms and explains acronyms that are used in the proposed regulations. The definitions are necessary to facilitate appropriate interpretation and to ensure uniform application of the regulations.

Subdivision (a) defines "AFS" to mean the Department's Automated Firearms System. This definition is necessary to identify the meaning of this acronym that is used in the regulations.

Subdivision (b) defines "Automated Firearms System" as the repository of firearm records maintained by the Department, established by Penal Code, section 11106. This definition is necessary to identify one of the systems being reviewed in a Standard Firearm Barrel Eligibility Check, as referenced in section 4306.

Subdivision (c) defines "Basic Firearm Barrel Eligibility Check" as a background check, conducted pursuant to Penal Code section 33700, subdivision (a)(2), that is used to determine an individual's eligibility to purchase or otherwise acquire a firearm barrel. This definition is necessary to identify the background check that is outlined in section 4307, as distinguished from the simpler and faster Standard Firearm Barrel Eligibility Check outlined in subdivision (l) of this section and in section 4306, and the general category of Firearm Barrel Eligibility Check outlined in subdivision (i) of this section referring to all the various types of background checks that can determine eligibility for purchase or acquisition of a firearm barrel.

Subdivision (d) defines "CFARS" as the California Firearms Application Reporting System, available at https://cfars.doj.ca.gov/login. This definition is necessary to identify the meaning of this acronym that is used in the regulations to reference where a prospective purchaser can monitor the status of their Basic Firearm Barrel Eligibility Check, as outlined in section 4307, subdivision (d).

Subdivision (e) defines "Dealer Record of Sale Entry System" or "DES" as the website that a firearm dealer shall use to submit a prospective purchaser's or transferee's information for the purpose of conducting a Firearm Barrel Eligibility Check. The definition explains that DES is available at: https://des.doj.ca.gov/login. This definition is necessary to identify the meaning of this acronym that is used in the regulations as the place where a prospective purchaser's information must be entered and where the Department will update a purchaser's eligibility status for Firearm Barrel Eligibility Checks, as outlined in sections 4306, 4307, and 4310.

Subdivision (f) defines "Department" as the California Department of Justice. This definition is necessary to identify which Department is referenced in the regulations.

Subdivision (g) defines "firearms dealer" or "dealer" as an individual listed on the Centralized List of Firearms Dealers pursuant to Penal Code section 26700 to 26915, inclusive. This definition is necessary to identify which types of dealers are authorized to fulfill the purchase or acquisition of a firearm barrel.

Subdivision (h) defines "firearm barrel," as having the same meaning as set forth in Penal Code section 16525(a). This definition is necessary to identify the types of products that are subject to the regulations.

Subdivision (i) defines "Firearm Barrel Eligibility Check" as the Department's procedures for determining whether an individual is eligible to purchase or otherwise acquire a firearm barrel, pursuant to Penal Code section 33700 subdivision (a)(2). This definition is necessary to reference collectively the various types of background checks that can determine eligibility for purchase or acquisition of a firearm barrel.

Subdivision (j) defines "Head of the Agency" as the chief of police or the director of public safety for a police department, the sheriff for a county sheriff's office, the head of a state law enforcement agency, or their designee, or the manager in charge of any local field office for a federal law enforcement or military agency. This definition is necessary to clarify who can provide the necessary certification to allow for the purchase or acquisition of a firearm barrel that is exempt from the Firearm Barrel Eligibility Check, as outlined in section 4309.

Subdivision (k) defines “Prohibited Armed Persons File” as the database established by Penal Code section 30000. This definition is necessary to identify one of the systems being reviewed in a Standard Firearm Barrel Eligibility Check, as referenced in section 4306.

Subdivision (l) defines “Standard Firearm Barrel Eligibility Check” as a Firearm Barrel Eligibility Check conducted by cross-referencing a prospective purchaser or transferee’s information with any information about the prospective purchaser or transferee that may be contained in the Prohibited Armed Persons File. This definition is necessary to explain what a Standard Firearm Barrel Eligibility Check is as compared to the more involved Basic Firearm Barrel Eligibility Check or other possible methods for completing a Firearm Barrel Eligibility Check.

§ 4306 Standard Firearm Barrel Eligibility Check (AFS Match).

This section explains the process for a person to purchase or transfer a firearm barrel consistent with Penal Code section 33700, subdivisions (a) and (b), using the Department’s Automated Firearms System (AFS Match) process. The Department anticipates that most firearm barrel purchases will be approved through the Standard Firearm Barrel Eligibility Check.

Subdivision (a) sets the conditions under which a person may purchase or acquire a firearm barrel through a Standard Firearm Barrel Eligibility Check. When a prospective purchaser’s information matches an entry in AFS and does not match an entry in the Prohibited Armed Persons File, they are eligible to purchase or otherwise acquire a firearm barrel. This section is necessary to explain how a person undergoing a Standard Firearm Barrel Eligibility Check meets the requirements of Penal Code section 33700, subdivision (b).

Subdivision (a)(1) states that a person may request that the Department conduct a Standard Firearm Barrel Eligibility Check through a Firearms dealer to determine if the person is authorized to purchase or acquire a firearms barrel, in accordance with Penal Code section 33700, subdivisions (a)(1) and (2). This is necessary to specify how a person seeking to purchase or acquire a firearm barrel can determine their eligibility.

Subdivision (b) establishes the fee for a Standard Firearm Barrel Eligibility Check at $0.00. This subdivision is necessary to notify potential purchasers of the specific cost of a Standard Firearm Barrel Eligibility Check, and to implement Penal Code section 33700, subdivision (i), which states that the Department shall require a licensed firearms dealer to charge each purchaser a fee of up to $5.00 to conduct the eligibility check set forth by the statute. As outlined in the STD 399 Attachment A, Fiscal Impact Statement, Section B – Fiscal Effect on State Government, funding provided by the Legislature, granted by Budget Change Proposal (0820-038-BCP-2026-GB), will enable the Department to update its applications and systems to accommodate Firearm Barrel Eligibility Checks, to pay for the personnel required to conduct Firearm Barrel Eligibility Checks, and to conduct ongoing system maintenance associated with processing the checks. The Department has determined that no additional fee is necessary at this time to offset its costs for running the background checks. The Department may seek to change the fee in future regulations depending on the actual costs and volume of Firearm Barrel Eligibility Checks.

Subdivision (c) specifies the personal information typically contained on a government-issued identification that the firearms dealer shall collect from the purchaser or transferee. The subdivision further specifies that the firearms dealer shall submit this information to the Department by entering it into the DES website so that the Department may complete the Standard Firearm Barrel Eligibility Check. This subdivision is necessary to allow the Department to verify a purchaser's identity in performing the Standard Firearm Barrel Eligibility Check and to determine whether a purchaser is authorized to complete a firearm barrel transaction. This information is also necessary to implement Penal Code section 33700, subdivision (c), which requires firearms dealers to record each piece of information pertaining to the sale or transfer of the firearm barrel on a form prescribed by the Department.

Subdivision (d) explains how the Department will transmit the results of a Standard Firearm Barrel Eligibility Check to a firearms dealer through the DES website. The subdivision is necessary to explain how a dealer will be informed of the result of an eligibility check. The subdivision is also necessary to ensure compliance with Penal Code section 33700, subdivisions (a)(2) and (b), which prohibits a firearms dealer from selling or transferring a firearm barrel to someone who is not authorized to purchase or otherwise acquire a firearm barrel.

Subdivision (e) requires a firearms dealer to provide a person with a Dealer Record of Sale (DROS) number if the person's purchase or transfer is rejected following a Standard Firearm Barrel Eligibility Check. This section is necessary to provide the person with the information they need to follow up with the Department regarding the reason why their purchase or transfer was rejected.

§ 4307 Basic Firearm Barrel Eligibility Check (Single Transaction or Purchase).

This section sets forth procedures for the Basic Firearm Barrel Eligibility Check, which can be performed instead of a Standard Firearm Barrel Eligibility Check when a person does not have an entry in the AFS. This section is necessary to facilitate eligibility checks for people who have not previously purchased firearms in California.

Subdivision (a) sets the conditions under which a person may pass a Basic Firearm Barrel Eligibility Check. This section is necessary to explain how a Basic Firearm Barrel Eligibility Check meets the requirements of Penal Code section 33700, subdivision (b).

Subdivision (a)(1) outlines that a person may request that the Department conduct a Basic Firearm Barrel Eligibility Check through a firearms dealer to determine if the person is authorized to purchase or acquire a firearms barrel, in accordance with Penal Code section 33700, subdivisions (a)(1) and (2). This is necessary to specify how a person seeking to purchase or acquire a firearm barrel can determine their eligibility.

Subdivision (a)(2) outlines that a person may instead seek authorization to purchase or acquire a firearm barrel by the methods outlined in sections 4306, 4308, and 4309 as applicable. This section is necessary to clarify that other means of determining eligibility may be available or required; the Basic Firearm Barrel Eligibility Check is not the exclusive means by which a purchaser or transferee may determine eligibility for a transaction.
Subdivision (b) establishes the fee for an eligibility check of $0.00. This subdivision is necessary to notify potential purchasers of the specific cost of a Basic Firearm Barrel Eligibility Check, and to implement Penal Code section 33700, subdivision (i), which states that the Department shall require a licensed firearms dealer to charge each purchaser a fee of up to $5.00 to conduct the eligibility check set forth by the statute. As outlined in STD 399 Attachment A, Fiscal Impact Statement, Section B – Fiscal Effect on State Government, the funding provided by the Legislature in granting the Budget Change Proposal (0820-038-BCP-2026-GB) will enable the Department to pay for the personnel required to conduct Firearm Barrel Eligibility Checks, as well as ongoing system maintenance associated with processing the checks. The Department has determined that no additional fee is necessary at this time. The Department may seek to change the fee in future regulations depending on the actual costs and volume of Firearm Barrel Eligibility Checks.

Subdivision (c) specifies the personal information that the firearms dealer shall collect from the purchaser or transferee in order to complete the eligibility check, in accordance with California Code of Regulations, title 11, section 4045.2 and 27 C.F.R. section 478.124(c)(1). This subdivision further specifies that the firearms dealer shall submit this information to the Department by entering it into the DES website so that the Department may complete the Basic Firearm Barrel Eligibility Check. This subdivision is also necessary to implement Penal Code section 33700, subdivision (c), which requires firearms dealers to record each piece of information pertaining to the sale or transfer of the firearm barrel on a form prescribed by the Department.

Subdivision (d) explains that the firearm barrel purchaser will be provided a DROS number by the firearms dealer to allow the purchaser to monitor the status of the Basic Firearm Barrel Eligibility Check through the Department's California Firearms Application Reporting System (CFARS) website.

Subdivision (d)(1) specifies that an approved Basic Firearm Barrel Eligibility Check can only be used for one firearm barrel transfer transaction, including one or more firearm barrels and that the check expires 30 calendar days from when it is issued. This provision is consistent with the time periods pertaining to firearms eligibility checks under Penal Code section 28220(g)(3) and 27 C.F.R. § 478.102(c) and is necessary so purchasers are on notice that eligibility checks must be obtained each time someone wants to purchase or otherwise acquire a firearm barrel. The eligibility determination does not last indefinitely, as eligibility can change over time.

Subdivision (d)(2) explains that a purchaser or transferee whose eligibility check is denied will be informed of the reason by the Department via U.S. Mail. This section ensures consistency

with the eligibility check process for firearms in Penal Code section 28220, subdivision (c)(2), which requires that the Department notify the purchaser if the Department determines that the purchaser is prohibited by state or federal law from possessing or owning a firearm, so that the purchaser understands the process for obtaining their criminal and mental health records and correcting any inaccuracies, as applicable.
Subdivision (e) establishes that upon the completion of a Basic Firearm Barrel Eligibility Check, no more than 30 days after the initiation of the transaction, the Department shall update the purchaser's or transferee's DES record. This section is necessary so that the firearms dealer can be apprised of the outcome of the Basic Firearm Barrel Eligibility Check and make a determination of whether they can release the firearm barrel. It also informs prospective purchasers that they can expect the result of a Basic Firearm Barrel Eligibility Check no more than 30 days after their initial request.

§ 4308. Purchasing a Firearm and One or More Firearm Barrels in a Single Transaction.

This section sets forth the procedure for conducting an eligibility check when a person seeks to purchase a firearm, which requires its own eligibility check, and a firearm barrel in a single transaction.

Subdivisions (a) and (a)(1) establish that when a person seeks to purchase a firearm and firearm barrel in the same transaction, the Department shall complete a firearms eligibility check before the person can take possession of the firearm or firearm barrel. The person need not undergo an additional firearm barrel eligibility check, except as specified in subdivision (c), because the firearms eligibility check meets the requirements of Penal Code section 33700, and is consistent with the exemption from the firearm barrel eligibility check outlined in Penal Code section 33700, subdivision (g)(4), for individuals who are purchasing a firearm in the same transaction. A person may not complete a firearm barrel eligibility check in lieu of completing the standard firearms eligibility check when seeking to purchase a firearm and a firearm barrel in the same transaction because of additional state law restrictions governing the purchase of firearms. Each firearm purchase requires the completion of a background check pursuant to Penal Code section 28220, including a review of the federal National Instant Criminal Background Check System. This section is necessary to set forth the eligibility check procedure for people seeking to purchase two types of products requiring eligibility checks in one transaction.

Subdivision (b) provides that a person seeking to purchase a firearm and firearm barrel in the same transaction shall pay the fee for a firearms eligibility check. This section is necessary to ensure that people do not pay for multiple eligibility checks when the firearms eligibility check meets the requirements for both types of purchases.

Subdivision (c) provides that if a person wants to take possession of the firearm barrel before the Department completes the firearms eligibility check, the firearms dealer shall initiate a separate transaction and a Firearm Barrel Eligibility Check following the procedures set forth in these regulations. This section is necessary to instruct firearms dealers to handle purchases differently when a person wants to take possession of a firearm barrel before a firearms eligibility check can be completed. A firearm purchaser may not take possession of a firearm for at least 10 days; a firearms eligibility check may take up to 30 days if eligibility cannot be immediately determined.

§ 4309. Firearm Barrel Purchases or Transfers for Exempted Individuals.

This section establishes procedures for firearms dealers to verify that certain people are exempt from the eligibility checks prescribed in these regulations, as outlined in Penal Code section 33700, subdivision (g).

Subdivision (a) describes the types of identification, credentials, and documents that a person must present to a licensed firearms dealer in order to establish that the person is exempt from the firearm barrel eligibility check requirement. This section is necessary to implement Penal Code section 33700, subdivision (g).

Subdivision (a)(1) provides that a representative of a federal, state, or local law enforcement agency shall present both a valid sworn law enforcement officer's credential, including name and picture of the person, as well as verifiable written certification from the Head of the Agency, issued within the past 30 days, identifying the representative as the person authorized to conduct the transaction and authorizing the transaction for the exclusive use of the agency by which the person is employed. This section is necessary to ensure that the exemption outlined in Penal Code section 33700, subdivision (g)(1)-(8), is not misused and is limited only to law enforcement officers making authorized transactions on behalf of their respective law enforcement agencies, and cannot be used by law enforcement officers that may be purchasing in their personal capacities.

Subdivision (a)(2) provides that a federal firearms licensee (other than a Type 03 Collector of Curios and Relics) shall present a valid and current Federal Firearms License, in accordance with Penal Code section 33700, subdivision (g)(2). A federal firearms licensee holding a Type 03 Collector of Curios and Relics Federal Firearms License who is acquiring or being loaned the barrel of a firearm that is a curio or relic, as defined in Section 478.11 of Title 27 of the Code of Federal Regulations, shall present a valid and current federal collector's license and a current certificate of eligibility issued by the Department pursuant to Penal Code section 26710, in accordance with Penal Code section 33700, subdivision (g)(5).

Subdivision (a)(3) provides that a representative of the United States military shall present both a valid identification card indicating that the bearer is a member of the armed forces, including name and picture of the person, and a verifiable written certification from the Head of the Agency, issued within the past 30 days, identifying the representative as the person authorized to conduct the transaction and authorizing the transaction for the exclusive use of the military branch by which the person is employed. Consistent with subdivision (a)(1), this section is necessary to ensure that the exemption outlined in Penal Code section 33700, subdivision (g)(3), is not misused and is limited only to U.S. military members making authorized transactions on behalf of their military branch or unit, and cannot be use by U.S. military members that may be purchasing in their personal capacities.

Subdivision (b) establishes that when a person presents a document, credential, and/or identification to a firearms dealer pursuant to subdivision (a) of this section, the firearms dealer shall keep a photocopy of the front and back of the credential and/or identification, along with the original verifiable written certification from the Head of the Agency, if applicable. This subdivision also specifies that the records shall be retained for no less than five years from the date of the recorded transfer.

Subdivision (b)(1) specifies that if the law enforcement agency or the law does not allow photocopies to be made of the credential, then the firearms dealer shall retain a business card from the sworn law enforcement officer after personally viewing the credential.
The firearms dealer shall make a copy of these records available to the Department upon request. This section is necessary for the Department to verify that the firearms dealer has complied with these regulations, during dealer inspections conducted in accordance with Penal Code section 26720.

Subdivision (c) establishes at the time of delivery, the firearms dealer, authorized associate, or salesperson shall require the purchaser or transferee to provide an identification document that meets the requirements of Penal Code section 16300 to verify that the person who is receiving delivery of the firearm barrel is the person exempted pursuant to Penal Code section 33700, subdivision (g)(1)-(8). This section is necessary to ensure that only exempted individuals can purchase or transfer firearm barrels without undergoing an eligibility check.

Subdivision (d) establishes that Department approval is not required for a firearms dealer to process a firearm barrel purchase or transfer once the firearms dealer has verified that the individual is exempt from the processes outlined elsewhere in the regulations. This section is necessary to implement Penal Code, section 33700, subdivision (g).

§ 4310. Delivery of a Firearm Barrel Following DES Submission.

This section establishes procedures for people who have passed eligibility checks to take possession of the firearm barrels that they have purchased or otherwise acquired.

Subdivision (a) specifies that if the Department approves a firearm barrel purchase or transfer as described 4306, 4307, or 4308, the DES transaction record will change from “Pending” to “Approved.” This section is necessary to explain how a firearms dealer will know the results of a Firearm Barrel Eligibility Check.

Subdivision (b) establishes that a firearm barrel may be delivered to the purchaser or transferee if the status of the DES transaction record is "Approved." This section is necessary to implement Penal Code section 33700, subdivisions (a)(2) and (b)(2).

Subdivision (c) specifies the responsibilities of the firearms dealer, authorized associate, or salesperson at the time of delivery. Subdivision (c)(1) requires the purchaser or transferee to provide identification that meets the requirements of Penal Code section 16300. This section is necessary to ensure that the person who is receiving delivery of the firearm barrel is the person who is authorized to do so pursuant to a completed eligibility check. Subdivision (c)(2) requires the firearms dealer, authorized associate, or salesperson to comply with the requirements of Civil Code section 3273.51(e)(1). This section is necessary to remind firearms dealers of the requirement to comply with the notice and acknowledgement provisions in Civil Code section 3273.51(e)(1). Civil Code section 3273.51 applies to a broader category of sellers selling a broad category of products, so including reference to this statutory requirement here helps to clarify for the regulated community that they are legally obligated to adhere to these notice and acknowledgement requirements as well prior to completing the sale or delivery of a firearm barrel. Subdivision (c)(3) requires the firearm dealer, authorized associate, or salesperson to submit the firearm barrel sale information, required by Penal Code section 33700, subdivision (c), into DES. This section is necessary to implement Penal Code section 33700, subdivision (c).

ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Department concludes:

(1) It is unlikely that the proposal would create or eliminate jobs within the state because it applies to existing firearms dealers.

(2) It is unlikely that the proposal would create new businesses or eliminate existing businesses within the state because it applies to existing firearms dealers.

(3) It is unlikely that the proposal would result in the expansion of businesses currently doing business within the state because it applies to existing firearms dealers.

The Department also concludes that:

(1) The proposal would benefit the health and welfare of California residents because they help ensure an individual prohibited by either state or federal law to possess a firearm will also be unable to purchase or transfer firearm barrels. Additionally, these regulations will reduce the ability for individuals to circumvent California's ghost gun laws by purchasing commercially manufactured firearm barrels to attach to 3D-printed precursor parts and ensure firearm barrels are commercially available only to people who are authorized to possess or purchase a firearm.

(2) The proposal would not benefit worker safety because it does not regulate worker safety standards.

(3) The proposal would not benefit the state's environment because it does not change any applicable environmental standards.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDIES, REPORTS OR SIMILAR DOCUMENTS RELIED UPON

The Department did not rely on any technical, theoretical, or empirical studies, reports, or similar documents in proposing these regulations.

EVIDENCE SUPPORTING DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Department has made an initial determination that the proposed action would not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This determination is based on the fact that firearm dealers will not have to collect fees to facilitate eligibility checks for the purchase or transfer of firearm barrels. Moreover, these regulations are modeled after other existing eligibility checks. There is currently no data to suggest dealers have been impacted by the implementation of similar eligibility checks.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

Because the Department does not anticipate any adverse impact on small business, no other reasonable alternatives were considered that would be either more effective, or would be as effective and less burdensome, in implementing Penal Code section 33700.

REASONABLE ALTERNATIVES TO THE PROPOSED ACTION AND THE AGENCY'S REASON FOR REJECTING THOSE ALTERNATIVES

No reasonable alternatives were identified or considered by the Department that would be either more effective, or would be as effective and less burdensome, in implementing Penal Code section 33700.

Performance Standard as Alternative:

The Department has determined that it is not possible to implement Penal Code section 33700 using a performance standard. The specific system referenced in the regulations that firearm dealers are required to use (DES) is the existing system for other types of firearms and ammunition transactions, allowing dealers to directly transmit information to, and receive information from, the Department.