

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 11. FIREARM PRECURSOR PARTS AND FIREARM BARRELS
NOTICE OF PROPOSED RULEMAKING

Notice published August 7, 2026

The Department of Justice (Department) proposes to adopt sections 4304 - 4310 of title 11, division 5, chapter 11 of the California Code of Regulations concerning instructions for licensed firearms dealers to initiate firearm barrel eligibility checks required by the statute and to fulfill purchases or transfers for people who pass the eligibility checks.

PUBLIC HEARING

The Department has not scheduled a public hearing of the proposed regulatory action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **September 22, 2026 at 5:00 p.m.** Only written comments received by that time will be considered. Submit written comments to:

L. Baladjay-Fretland
Department of Justice
P.O. Box 160487
Sacramento, CA 95816-0487
(916) 210-2621
BOFregulations@doj.ca.gov

Please note that written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY and REFERENCE

Authority: Penal Code section 33700.

Reference: Penal Code sections 11106, 16300, 16525, 26700-26915, 28180, 28220, 28235, 30000; Civil Code, section 3273.51; Section 478.11, Title 27, of the Code of Federal Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

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, subdivision (e) and (h) authorize the 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 attempting to purchase the firearm barrel is authorized to do so. (Pen. Code, § 33700, subd. (a)(2).) The statute exempts a number 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 provide instructions for licensed firearms dealers to initiate the firearm barrel eligibility checks required by the statute and to fulfill purchases or transfers for people who pass the eligibility checks.

Effect of the Proposed Rulemaking:

To implement the reporting requirements of Pen. Code, § 33700, subd. (a)(2), the proposed regulation creates a procedure for licensed firearm dealers to conduct the eligibility checks required to determine whether prospective purchasers may purchase or otherwise acquire a firearm barrel.

Anticipated Benefits of the Proposed Regulations:

These regulations will codify standards for licensed firearms dealers to conduct the background checks required to determine whether prospective purchasers are eligible to purchase or otherwise acquire a firearm barrel. This will assist the regulated industry and the public to avoid engaging in 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.

Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to the proposed regulations.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern standards for licensed firearms dealers to conduct the background checks required to determine whether prospective purchasers are eligible to purchase or otherwise acquire firearm barrels.

Forms Incorporated by Reference:

None.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency:

The Department will be expected to spend \$1,182,000 in fiscal year 2026-2027 and \$259,000 in fiscal year 2027-2028 and ongoing. This funding was provided by the Legislature pursuant to Budget Change Proposal 0820-038-BCP-2026-GB.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other non-discretionary costs or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impacts on representative person or business:

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete:

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The regulations themselves simply set forth the process by which licensed firearms dealers must conduct the background checks statutorily required to determine whether prospective purchasers are eligible to purchase or otherwise acquire firearm barrels.

Results of the Economic Impact Assessment (EIA):

The Department concludes that it is (1) unlikely that the proposal will create or eliminate jobs within the state, (2) unlikely that the proposal will create new businesses or eliminate existing businesses within the state, and (3) unlikely that the proposal will result in the expansion of businesses currently doing business within the state.

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.

Business Report Requirements:

Penal Code section 33700 requires firearms dealers to legibly record the date of the sale or transfer; the purchaser's or transferee's driver's license or other identification number and the state in which it was issued; the make, model, and caliber of the firearm that the firearm barrel

is designed for or used in; the purchaser's or transferee's full name; the name of the salesperson who processed the sale or transfer; the purchaser's or transferee's full residential address and telephone number; and the purchaser's or transferee's date of birth. A licensed firearm dealer shall electronically submit to the department the information required by subdivision (c) of Penal Code section 33700 for all sales and transfers of ownership of a firearm barrel. The Department finds it is necessary for the health, safety, or welfare of the people of this State that proposed sections 4307, 4308, and 4309, which implement the statute's reporting requirements, apply to businesses.

Small Business Determination:

The Department has determined that the proposed action affects small businesses. Firearms dealers will now be required to conduct eligibility checks for non-exempt individuals who are attempting to purchase or transfer a firearm barrel.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department finds that no alternatives were presented to, or considered by, the Department that would be more effective in carrying out the purpose of the proposed regulation or would be as effective and less burdensome to affected private persons than the proposed regulation.

Requiring the dealer to notify the Department electronically via the Dealer Record of Sale Entry System (DES) is the least burdensome way to make sure they provide all required information. Dealers are already familiar with using the DES to report transactions to the Department.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

L. Baladjay-Fretland
Department of Justice
P.O. Box 160487
Sacramento, CA 95816-0487
(916) 210-2621
BOFregulations@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

J. Walker
Department of Justice
P.O. Box 160487
Sacramento, CA 95816-0487
(916) 210-2366
BOFregulations@doj.ca.gov

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the text of the proposed regulations (the “express terms” of the regulations), the Initial Statement of Reasons, the economic and fiscal impact statement (STD 399) and addendum, and any information upon which the proposed rulemaking is based, which are available at the Department’s website at <https://oag.ca.gov/firearms/regs>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45-day public comment period, the Department will either adopt the regulations substantially as described in this notice or make modifications based on the comments. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on the Department’s website at: <https://oag.ca.gov/firearms/regs>. Please refer to the contact information listed above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout are available on the Department’s website at <https://oag.ca.gov/firearms/regs>.