

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW

DIVISION 5. FIREARMS REGULATIONS

CHAPTER 1. BUREAU OF FIREARMS FEES

AND

**CHAPTER 4. DOCUMENTATION REQUIREMENTS FOR FIREARMS AND
AMMUNITION ELIGIBILITY CHECKS**

AND

CHAPTER 39. ASSAULT WEAPONS AND LARGE CAPACITY MAGAZINES

INITIAL STATEMENT OF REASONS

PROBLEM STATEMENT

Existing law requires any person, within 60 days of bringing a firearm into the state, to mail or personally deliver to the Department of Justice (the Department) a report, as prescribed by the Department, describing the firearm and providing personal information.

Existing law requires any sale, loan, or transfer of a firearm to be processed through a licensed firearms dealer. Existing law exempts from this requirement the transfer of certain firearms that are curios or relics to a licensed firearm collector, and certain transfers made by gift, bequest, intestate succession, or operation of law. Existing law requires a person who receives a firearm pursuant to these provisions, within 30 days after taking possession, to submit to the Department a report, as prescribed by the Department, describing the firearm and providing personal information. Existing law also requires a collector who imports such a firearm into the state to submit a report to the Department.

Existing law, Penal Code section 28230, allows the Department to charge a fee sufficient to reimburse it for the actual costs of processing these reports. The fees are set at \$14, except that the fee may be increased at a rate not to exceed any increase in the California Consumer Price Index.

Effective January 1, 2026, the Department may raise the fee for firearm self-reporting forms to cover the reasonable regulatory and enforcement costs for processing self-reporting forms. The Department may also charge a fee for each additional firearm listed on the form. The Department may also request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited.

The proposed regulation raises the fee for firearm self-reporting forms from \$19.00 to \$31.00 and imposes a processing fee of \$5.00 for each subsequent firearm listed on the form thereafter. The regulation also updates the form instructions consistent with Assembly Bill No. 3064.

BENEFITS ANTICIPATED FROM REGULATORY ACTION

Raising the fee for firearm self-reporting forms from \$19.00 to \$31.00 and imposing a processing fee of \$5.00 for each subsequent firearm listed on the form thereafter will help cover the Department's reasonable regulatory and enforcement costs for processing self-reporting forms, helping ensure timely review, accurate records, and continued oversight of firearm ownership consistent with statutory requirements.

SPECIFIC PURPOSE AND NECESSITY OF EACH SECTION

§ 4002. Miscellaneous Report Fees.

This section has been amended to establish that the Bureau of Firearms processing fees have increased from \$19.00 to \$31.00. It adds on a \$5.00 fee for each subsequent firearm listed thereafter for each of the following reports: the Firearm Ownership Report (Form BOF 4542A), Report of Operation of Law or Intra-Familial Firearm Transaction (Form BOF 4544A), New Resident Report of Firearm Ownership (Form BOF 4010A), Curio or Relic Firearm Report (Form BOF 4100A), and Collector In-State Acquisition of Curio or Relic Long Gun Report (Form BOF 961). This is necessary to help cover the Department's reasonable regulatory and enforcement costs for processing firearm self-reporting forms.

The Firearm Reporting Team currently employs seven Crime Analyst Is (CA Is) and one Program Technician I (PT I) to assist with processing firearm ownership self-reporting forms. Based on the 2024/2025 Benefit and Salary range for a CA I (\$68.13 per hour) and a PT I (\$51.80), the weighted average hourly rate is approximately \$66.09. It currently takes an average of 28.5 minutes to process each form that lists one firearm, with another five (5) minutes on average for each additional firearm listed on the form. Thus, the proposed regulations establish a processing fee of \$31.00 ($\$66.09 \times 28.5/60$), and an additional fee of \$5.00 for each additional firearm ($\$66.09 \times 5/60$). See STD 399 and STD 399 Attachment for additional analysis.

Subdivisions (a), (b), (c), (d) and (e) incorporate Form BOF 4542A, Form BOF 4544A, Form BOF 4010A, Form BOF 4100A, and Form BOF 961 by reference. The revision date for the forms was amended to April 2026 to reflect the new revised form date. The fees listed on the forms were amended to reflect the new fees (\$31 for the first firearm and \$5 for each additional firearm). The Department seal was updated, and the Bureau of Firearms seal was deleted. Additional amendments to the forms are described below.

Collector In-State Acquisition of Curio or Relic Long Gun Report, BOF 961

On page two, the citation to Penal Code section 27966 as authority for criminal prosecution is deleted because it is not accurate. The form is also revised to cite Penal Code section 27966, subdivision (g), as the authority for the fees.

The form is also revised to include the following language on page two:

Please complete all mandatory information. Incomplete reporting forms submitted without the mandatory information, fees or documentation will be returned without

processing. If reporting more than two firearms, attach additional copies of this report as needed. A firearm eligibility check will be conducted to determine whether you are lawfully eligible to possess firearms. Once approved, you will receive a confirmation notice of your transaction.

This report may not be used to report ownership of assault weapons defined in Penal Code sections 30510 through 30530. It is the responsibility of the applicant to determine if the firearm being reported is an assault weapon. A list of assault weapons is available on the Bureau of Firearms website at www.oag.ca.gov/firearms.

The form is also revised to include the following language on the top of Page 3:

The California Department of Justice may request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited. (Pen. Code, § 27966, subd. (h)).

These revisions are necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions are necessary to ensure accuracy and provide the public with clear directions for completing the form.

On page three, under “Part B. Firearm Information,” the form is revised as follows:

‘Category’ was updated to include Revolver, Derringer, 3 Barrels, or 4 or More Barrels. ‘Make’ was updated to include the following language: *If your firearm is self-built, the make should be listed as U.S.*

‘Caliber’ was updated to include the following language: *If your firearm has more than one caliber, please list them all.*

The following bullet point and language were added: *‘Acquired From’ Intra-Familial: Enter the name and relationship of the person from whom you obtained possession of the firearm. Operation of Law: Enter the condition under which you obtained the firearm (e.g., as an executor if an estate as a trustee in a bankruptcy; as a secured creditor)*

These revisions are necessary to accurately identify the firearm that was transferred, and the condition under which the transfer was made (if by operation of law). This ensures the Department’s records are accurate.

On the Privacy Notice, the “Collection and Use of Personal Information” section was updated:

The Division of Law Enforcement in the Department of Justice collects the information requested on this report as authorized by Penal Code section 27966(e). The Division of Law Enforcement uses this information to conduct a firearms eligibility check and to record the acquisition of a curio or relic long gun by a licensed collector. In addition, any personal information collected by state agencies is subject to the limitations

in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at <https://oag.ca.gov/privacy-policy>.

The reference to Penal Code section 27966, subdivision (f), was updated to subdivision (e). This revision is necessary so that the form conforms to the statutory changes mandated by AB 3064.

The “Providing Personal Information” section was updated:

All the personal information requested, and noted as mandatory, in the report must be provided. If you fail to provide any of the mandatory personal information, the unprocessed report will be returned to you for completion and resubmission.

The Privacy Notice is also revised to correct the reference from Penal Code section 11105 to Penal Code section 11106 in the “Possible Disclosure of Personal Information” section. The following language was also added to this section: *With other governmental agencies for the purpose of conducting a firearms eligibility check.*

These revisions are necessary so that the Privacy Notice is accurate and conforms to Civil Code section 1798.17.

Report of Operation of Law or Intra-Familial Firearm Transaction, BOF 4544A

On page one, under “A. Owner Information,” the option to provide a military ID and a copy of one’s permanent duty station orders is deleted. A California driver license or identification card is required to submit this form. (Cal. Code Regs., tit. 11, § 4045.1, subd. (d)(2)(E).)

On page two, the form is also revised to cite Penal Code sections 27875, subdivision (d), and 27920, subdivision (g), as the authority for the fees.

On page two, the following language was added: *The California Department of Justice may request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited. (Pen. Code, §§ 27875, subd. (e) and 27920 subd. (h)).* This revision is necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions are necessary to ensure accuracy and provide the public with clear directions for completing the form.

On page two, the following language was updated: *Please complete all mandatory information. Incomplete reporting forms submitted without the mandatory information, fees or documentation will be returned without processing. If reporting more than two firearms, attach additional copies of this report as needed. A firearm eligibility check will be conducted to determine whether you are lawfully eligible to possess firearms. Once approved, you will receive a confirmation notice of your transaction.* This revision is necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions are necessary to ensure accuracy and provide the public with clear directions for completing the form.

On page three, under “Part A. Owner Information,” the following language was deleted: *If you are using military identification, you must send a copy of your permanent duty station orders stating you are stationed in California. If you are not actively stationed in California, pursuant to Penal Code sections 28160, subdivision (a)(22), and 16400, a California driver license or identification card is required in order to have the firearms recorded in your name.* As stated above, a California driver license or identification card is required to submit this form. (Cal. Code Regs., tit. 11, § 4045.1, subd. (d)(2)(E).)

On the Privacy Notice, the “Collection and Use of Personal Information” section was updated:

The Division of Law Enforcement in the Department of Justice collects the information requested in this report as authorized by Penal Code sections 27875 and 27920. The Division of Law Enforcement uses this information to conduct firearms eligibility checks and to record operation of law or intra-familial firearm transactions.

The reference to Penal Code section 27825, subdivision (a), was updated to Penal Code sections 27875 and 27920. This revision is necessary so that the form conforms to the statutory changes mandated by AB 3064, and ensures that the privacy notice conforms to Civil Code section 1798.17.

The “Providing Personal Information” section was updated:

All the personal information requested, and noted as mandatory, in the report must be provided. If you fail to provide any of the mandatory personal information, the unprocessed report will be returned to you for completion and resubmission.

The Privacy Notice is also revised to correct the reference from Penal Code section 11105 to Penal Code section 11106 in the “Possible Disclosure of Personal Information” section. The following language was also added to this section: *With other governmental agencies for the purpose of conducting a firearms eligibility check.*

These revisions are necessary so that the Privacy Notice is accurate and conforms to Civil Code section 1798.17.

Firearm Ownership Report, BOF 4542A

On page two, the form is revised to cite Penal Code section 28000, subdivision (d), as the authority for the fees.

On page two, under “Firearm Ownership Report Transaction Submission Requirements,” the following language was updated:

Please provide all mandatory information. Incomplete reporting forms submitted without the mandatory information, fees or documentation will be returned without processing. If reporting more than two firearms, attach additional copies of this report as needed. A firearm eligibility check will be conducted to determine whether you are lawfully eligible

to possess firearms. Once approved, you will receive a confirmation notice of your transaction.

This report may not be used to report ownership of assault weapons defined in Penal Code sections 30510 through 30530. It is the responsibility of the applicant to determine if the firearm being reported is an assault weapon. A list of assault weapons is available on the Bureau of Firearms website at www.oag.ca.gov/firearms.

On page two, under “Firearm Ownership Report Transaction Submission Requirements,” the following language was added:

The California Department of Justice may request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited. (Pen. Code, § 28000, subd. (g)).

These revisions are necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions are necessary to ensure accuracy and provide the public with clear directions for completing the form.

On page three, under “Part A. Owner Information,” the reference to Penal Code sections 28160, subdivision (a)(22), and 16400 were removed because they were unnecessary.

On the Privacy Notice, the “Collection and Use of Personal Information” section was updated:

The Division of Law Enforcement uses this information to conduct a firearms eligibility check and to establish firearm ownership.

The “Providing Personal Information” section was updated:

All the personal information requested, and noted as mandatory, in the report must be provided. If you fail to provide any of the mandatory personal information, the unprocessed report will be returned to you for completion and resubmission.

The Privacy Notice is revised to correct the reference from Penal Code section 11105 to Penal Code section 11106 in the “Possible Disclosure of Personal Information” section. The following language was also added to this section: *With other governmental agencies for the purpose of conducting a firearms eligibility check.*

These revisions are necessary so that the Privacy Notice is accurate and conforms to Civil Code section 1798.17.

Curio or Relic Firearm Report, BOF 4100A

On page two, the form is revised to cite Penal Code section 27565, subdivision (d), as the authority for the fees.

On page two, under “Curio or Relic Firearm Report Submission Requirements,” the following language was updated:

You must complete all fields marked as mandatory. Incomplete reporting forms submitted without the mandatory information, fees or documentation will be returned. If reporting more than two firearms, attach additional copies of this report as needed. A firearm eligibility check will be conducted to determine whether you are lawfully eligible to possess firearms. Once approved, you will receive a confirmation notice of your transaction.

The form is also revised to add the following language to the top of page 3:

The California Department of Justice may request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited. (Pen. Code, § 27565 subd. (d)).

These revisions are necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions are necessary to ensure accuracy and provide the public with clear directions for completing the form.

On page three, under “Part A. Owner Information,” the reference to Penal Code sections 28160, subdivision (a)(22), and 16400 were removed because they were unnecessary.

On page three, under “Part B. Firearm Information” section, the following bullet point and language were added: *‘Acquired From’ Intra-Familial: Enter the name and relationship of the person from whom you obtained possession of the firearm. Operation of Law: Enter the condition under which you obtained the firearm (e.g., as an executor if an estate as a trustee in a bankruptcy; as a secured creditor)*

These revisions are necessary to accurately identify the firearm that was transferred, and the condition under which the transfer was made (if by operation of law). This ensures the Department’s records are accurate.

On the Privacy Notice, the “Collection and use of Personal Information” section was updated:

The Division of Law Enforcement in the Department of Justice collects and maintains the information requested on this report as authorized by Penal Code sections 27565 and 11106. The Division of Law Enforcement uses this information to conduct a firearms eligibility check and to record a collector's firearm acquisition.

The “Providing Personal Information” section was updated:

All the personal information requested, and noted as mandatory, in the report must be provided. If you fail to provide any of the mandatory personal information, the unprocessed report will be returned to you for completion and resubmission.

The Privacy Notice is revised to correct the reference from Penal Code section 11105 to Penal Code section 11106 in the “Possible Disclosure of Personal Information” section. The following language was also added to this section: *With other governmental agencies for the purpose of conducting a firearms eligibility check.*

These revisions are necessary so that the Privacy Notice is accurate and conforms to Civil Code section 1798.17.

New Resident Report of Firearm Ownership, BOF 4010A

On page one, under “A. Owner Information,” the option to provide a military ID and a copy of one’s permanent duty station orders is deleted. Service members do not have to submit the form required by Penal Code section 27560 because they are not “personal firearm importers.” To be a “personal firearm importer,” a person must meet 15 requirements—one is being a resident of California. (Pen. Code, § 17000, subd. (a)(6).) Service members are not “residents” simply by virtue of being stationed in California.

On page two, the form is revised to cite Penal Code section 27560, subdivision (a)(2), as the authority for the fees.

On page two, under “New Resident Report of Firearm Ownership Submission Requirements,” the language was updated to the following:

Please complete all mandatory information. Incomplete reporting forms submitted without the mandatory information, fees or documentation will be returned without processing. If reporting more than two firearms, attach additional copies of this report as needed. A firearm eligibility check will be conducted to determine whether you are lawfully eligible to possess firearms. Once approved, you will receive a confirmation notice of your transaction.

The following language was added:

The California Department of Justice may request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited. (Pen. Code, § 27560, subd. (a)(1)(A)).

These revisions are necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions are necessary to ensure accuracy and provide the public with clear directions for completing the form.

On page three, the following language was updated:

Only a person who is a 'personal firearm importer,' as defined in Penal Code section 17000, may submit this report. Additionally, a 'personal firearm importer' must submit this report within 60 days of bringing any firearm into the state. (Pen. Code, § 27590,

subd. (a)(1)). Your failure to comply with this reporting requirement could result in criminal prosecution. (Pen. Code, § 27590).

This revision is necessary so that the form conforms to the statutory changes mandated by AB 3064. These revisions provide the public with clear directions for completing the form, and also stress the importance of the reporting requirement.

On page three, under “Part A. Owner Information,” information about providing a military ID and a copy of one’s permanent duty station orders is deleted for the reasons stated above.

On page three, under “Part B. Firearm Information” section, the following bullet point and language were added: *‘Acquired From’ Intra-Familial: Enter the name and relationship of the person from whom you obtained possession of the firearm. Operation of Law: Enter the condition under which you obtained the firearm (e.g., as an executor if an estate as a trustee in a bankruptcy; as a secured creditor)*

These revisions are necessary to accurately identify the firearm that was transferred, and the condition under which the transfer was made (if by operation of law). This ensures the Department’s records are accurate.

On the Privacy Notice, the “Collection and Use of Personal Information” section was updated:

The Division of Law Enforcement uses this information to conduct a firearms eligibility check and to record firearm ownership by a new resident.

The “Providing Personal Information” section was updated:

All the personal information requested, and noted as mandatory, in the report must be provided. If you fail to provide any of the mandatory personal information, the unprocessed report will be returned to you for completion and resubmission.

The Privacy Notice is revised to correct the reference from Penal Code section 11105 to Penal Code section 11106 in the “Possible Disclosure of Personal Information” section. The following language was also added to this section: *With other governmental agencies for the purpose of conducting a firearms eligibility check.*

These revisions are necessary so that the Privacy Notice is accurate and conforms to Civil Code section 1798.17.

Changes without regulatory effect. Authority and reference citations are amended.

§ 4045.1 Additional Documentation Requirements for Eligibility Checks with Federal Non-Compliant California Driver License or Identification Card.

In Section 4051.1, subdivision (d)(2)(A), (d)(2)(B), (d)(2)(C), (d)(2)(D), and (d)(2)(E), the revision date for the forms was amended to April 2026 to reflect the new revised form date.

§ 5478. Registration of Assault Weapons Pursuant to Penal Code Section 30900(b)(1); Voluntary Deregistration.

In Section 5478, subdivision (b), the revision date for the form was amended to April 2026 to reflect the new revised form date.

ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Department concludes:

(1) It is unlikely that the proposal would create or eliminate jobs within the state because the fee applies to firearm ownership self-reporting forms. The cost of a single report is increased by \$12.00, with an additional \$5.00 fee for each additional firearm reported.

(2) It is unlikely that the proposal would create new businesses or eliminate existing businesses within the state because the proposal does not apply to or affect businesses.

(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 firearm ownership self-reporting forms which already collect fees for submission and do not apply to or affect businesses.

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.

These regulations apply to existing firearm self-reporting forms for which fees are already collected. The proposal does not apply to or affect business.

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

The Department has determined that this proposed action does not affect small businesses.

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

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 these proposed regulations or would be as effective and less burdensome to affected private persons than these proposed regulations.

Raising the fee for firearm self-reporting forms from \$19.00 to \$31.00 and imposing a processing fee of \$5.00 for each subsequent firearm listed on the form thereafter is necessary to help cover the Department's reasonable regulatory and enforcement costs for processing self-reporting forms.

Performance Standard as Alternative:

The proposed regulations do not mandate the use of specific technologies or equipment or prescribe specific actions or procedures.