

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW

DIVISION 5. FIREARMS REGULATIONS

CHAPTER 17. FIREARM LOAN OBLIGATIONS ACKNOWLEDGMENT

NOTICE OF PROPOSED RULEMAKING

Notice published February 13, 2026

The Department of Justice (Department) proposes to adopt section 4700 of Title 11, Division 5, Chapter 17 of the California Code of Regulations concerning the firearm loan document prescribed by Penal Code section 27883.

PUBLIC HEARING

The Department has not scheduled a public hearing on this 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 **March 31, 2026 at 5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

S. Villareal
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
(916) 210-2364
b0fregulations@doj.ca.gov

NOTE: 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: Section 27883, Penal Code.
Reference: Section 27883, Penal Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

The loan of a firearm to another person must be conducted through a licensed firearms dealer. (Pen. Code, §§ 27545, 28050.)¹ Penal Code section 27883 creates an exemption to this rule when the following requirements are met:

- The firearm being loaned is lawfully owned by the person making the loan pursuant to Penal Code section 11106.
- The firearm being loaned is stored in the receiver's place of residence or in an enclosed structure on the receiver's private property, which is not zoned for commercial, retail, or industrial activity.
- The firearm at all times stays within the receiver's place of residence or in an enclosed structure on the receiver's private property, which is not zoned for commercial, retail, or industrial activity.
- The individual receiving the firearm is not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.
- The individual receiving the firearm is 18 years of age or older.
- The firearm is unloaded and securely stored, as defined in Penal Code section 25145.
- The loan does not exceed 120 days in duration.
- The loan is made without consideration.

The Department is tasked with creating the format for a written document that explains the obligations imposed by Penal Code section 27883. (§ 27883, subd. (i).) Both parties to the loan must sign this document and keep a signed copy for their records. (§ 27883, subd. (j).)

Effect of the Proposed Rulemaking:

The proposed regulation requires the party loaning the firearm for storage and the person receiving the firearm pursuant to Penal Code section 27883 to sign the Firearm Loan Obligations Acknowledgment, Form BOF 145, and keep a signed copy during the period of the loan.

Anticipated Benefits of the Proposed Regulations:

Penal Code section 27883 protects public safety by allowing a person to temporarily loan a firearm to another person for safekeeping or other lawful purposes, as long as the loan does not exceed 120 days. Establishing the document prescribed by Penal Code section 27883 will ensure that the parties to the loan are aware of the obligations imposed by this section. This is especially important to reduce the risk of accidents, theft, or misuse during periods when the owner cannot securely store or supervise the firearm.

¹ All references are to the Penal Code unless otherwise indicated.

Comparable Federal Regulations:

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

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that these 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 the firearm loan document prescribed by Penal Code section 27883.

Forms Incorporated by Reference:

None.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department's Initial Determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: One-time costs to create the Firearm Loan Obligations Acknowledgment are minor, and absorbable within the Department's existing resources.

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.

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 by establishing the format for the firearm loan document prescribed by Penal Code section 27883, allowing a person to temporarily loan a firearm to another person for safekeeping or other lawful purposes, as long as the loan does not exceed 120 days. Establishing the document prescribed by Penal Code section 27883 will ensure that the parties to the loan are aware of the obligations imposed by this section. This is especially important to reduce the risk of accidents, theft, or misuse during periods when the owner cannot securely store or supervise the firearm;
- (2) The proposal would not benefit worker safety because it does not regulate worker safety standards; and
- (3) The proposal would not benefit the state's environment because it does not change any applicable environmental standards.

Business report requirement: None.

Small business determination: The Department has determined that this proposed action does not affect small businesses because the Firearm Loan Obligations Acknowledgment is signed by individuals.

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 has determined the proposed regulations are the most effective way to mandate use of the Firearm Loan Obligations Acknowledgment. There are no costs associated with requiring the use of the prescribed document.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

S. Villareal
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
(916) 210-2364
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:

L. Baladjay-Fretland
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
(916) 210-2621
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 of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on 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 these 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 included 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 express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department's website at <https://oag.ca.gov/firearms/regs>.