

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW

DIVISION 5. FIREARMS REGULATIONS

CHAPTER 12. CALIFORNIA FIREARMS APPLICATION REPORTING SYSTEM

NOTICE OF PROPOSED RULEMAKING

Notice published January 9, 2026

The Department of Justice (Department) proposes to adopt sections 4341, 4342, 4343, and 4344 of title 11, division 5, chapter 12 of the California Code of Regulations concerning sworn members of eligible entities providing notice to the Department regarding the sale or transfer of unsafe handguns.

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 **February 24, 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
bofregulations@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 32000, Penal Code.

Reference: Sections 26600, 27545, 32000, Penal Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

Assembly Bill (AB) 2699 (stats. 2020, ch. 289) expanded exemptions to the prohibition against the sale, use, purchase, or transfer of unsafe handguns to additional law enforcement and government entities, as well as to sworn members of those entities.

Penal Code section 32000, subdivisions (b)(4), (b)(6), and (b)(7) specify which entities are exempt from the prohibition against the sale, use, purchase, or transfer of unsafe handguns, and details the requirements sworn members of these entities must meet to qualify for the exemptions.

AB 2699 also requires an eligible entity or sworn member to notify the Department within 72 hours of the sale or transfer of an unsafe handgun. (Pen. Code, § 32000, subd. (e)(2).) The Department must prescribe the manner and format by which eligible sworn members and entities can satisfy this reporting requirement.

Effect of the Proposed Rulemaking:

To implement the reporting requirements of Penal Code section 32000, subdivision (e)(2), the proposed regulation creates a procedure for a sworn member of an eligible entity to notify the Department of the sale or transfer of an unsafe handgun. Eligible sworn members will report the required information to the Department using the California Firearms Application Reporting System (CFARS). CFARS will generate a form for the individual to complete.

The reporting requirement mandated by Penal Code section 32000, subdivision (e)(2) shall also be deemed satisfied if the transfer or sale is processed through a licensed firearms dealer pursuant to Penal Code section 27545. Eligible entities may also satisfy the reporting requirements of Penal Code section 32000, subdivision (e)(2) by reporting the sale or transfer of an unsafe handgun through the Automated Firearms System under Penal Code section 26600, subdivision (c).

Anticipated Benefits of the Proposed Regulations:

The proposed regulation protects public safety by implementing a statutory requirement that the Department be notified of an unsafe handgun transfer or sale. This reporting requirement helps ensure unsafe handguns cannot be purchased or sold by members of the general public.

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. The Department tailored the regulations to fit within existing firearms reporting programs.

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: None.

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, (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 will benefit the health and welfare of California residents by creating a procedure for a sworn member of an eligible entity to report to the Department the sale or transfer of an unsafe handgun.
- (2) The proposal will not benefit worker safety because it does not regulate worker safety standards.
- (3) The proposal will 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. Requiring eligible individuals to notify the Department of a sale or transfer of an unsafe handgun via CFARS is the easiest way to ensure the individual provides all required information to the Department.

CONSIDERATION OF ALTERNATIVES

Pursuant to 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 invites interested persons to submit alternatives with respect to the proposed regulations during the written comment period.

The Department has determined that the proposed regulation is the most effective way for an eligible individual to report the sale or transfer of an unsafe handgun. Requiring the individual to notify the Department electronically via CFARS is the easiest way to ensure that the individual provides all required information.

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) 210-2366
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 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>.