


<p>California Department of Justice DIVISION OF LAW ENFORCEMENT John D. Marsh, Chief</p> 	<h1>INFORMATION BULLETIN</h1>	
<p>Subject:</p> <p><b>New and Amended Firearms/Weapons Laws</b></p>	<p>No.</p> <p>2022-DLE-17</p>	<p>Contact for information:</p> <p>Bureau of Firearms (916) 210-2300</p>
<p>Date:</p> <p>12/16/2022</p>		

**TO: ALL CALIFORNIA CRIMINAL JUSTICE AND LAW ENFORCEMENT AGENCIES, CENTRALIZED LIST OF FIREARMS DEALERS, MANUFACTURERS, EXEMPT FEDERAL FIREARMS LICENSEES, AND CALIFORNIA AMMUNITION VENDORS**

This bulletin provides a brief summary of California firearms/weapons bills signed into law in 2022. Unless otherwise noted, all bills go into effect on January 1, 2023. This bulletin also summarizes bills signed into law prior to 2022 that take effect in 2023.

This bulletin is for informational purposes only. Because it is a summary, it does not cover every aspect of the bills addressed below. You can access the full text of the bills at: <http://leginfo.legislature.ca.gov/>. The Department of Justice will hereinafter be referred to as "the Department."

**BILLS SIGNED INTO LAW IN 2022**

**AB 228 (Stats. 2022, ch. 138) – Firearms**

**Effective January 1, 2024**

- Requires the Department to conduct inspections of dealers at least every 3 years, with the exception of a dealer whose place of business is located in a jurisdiction that has adopted an inspection program.
- Authorizes the Department to inspect a dealer whose place of business is located in a jurisdiction that has adopted an inspection program.
- Specifies minimum sampling standards for the audit of dealer records during an inspection.

**AB 311 (Stats. 2022, ch. 139) – Firearms. Del Mar Fairgrounds**

**Effective January 1, 2023**

- Prohibits the sale of firearms, ammunitions, or firearm precursor parts at the Del Mar Fairgrounds property.

**AB 452 (Stats. 2022, ch. 199) – Pupil safety: parental notification: firearm safety laws**

**Effective January 1, 2023**

- Requires a school district, county office of education, and charter school to annually inform parents and guardians of pupils at the beginning of the first semester or quarter of the regular school term of California's child access prevention laws and laws relating to the safe storage of firearms.
- Requires the State Department of Education, on or before July 1, 2023, to develop, and subsequently update as provided, in consultation with the Department of Justice, and provide to school districts, county offices of education, charter schools, and, upon request, to provide to private schools, model language for the notice regarding those child access prevention and safe storage of firearms laws.
- Makes a school district, county office of education, charter school, private school, and the Department immune from civil liability for any damages relating to the notice.

**AB 1406 (Stats. 2022, ch. 945) – Law enforcement agency policies: carrying of equipment**

**Effective January 1, 2023**

- Requires a law enforcement agency that authorizes peace officers to carry an electroshock device, such as a Taser or stun gun that is held and operated in a manner similar to a pistol, to require that device to be holstered or otherwise carried on the lateral side of the body opposite to the side that that officer's primary firearm is holstered.

**AB 1594 (Stats. 2022, ch. 98) – Firearms: civil suits**

**Effective January 1, 2023**

- Establishes a firearm industry standard of conduct, which would require a firearm industry member to establish, implement, and enforce reasonable controls, take reasonable precautions to ensure that the member does not sell, distribute, or provide a firearm-related product to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls, and adhere to specified laws pertaining to unfair methods of competition, unfair or deceptive acts or practices, or false advertising.
- Prohibits a firearm industry member from manufacturing, marketing, importing, offering for wholesale sale, or offering for retail sale a firearm-related product that is abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety.
- Authorizes a person who has suffered harm, the Attorney General, or specified city or county attorneys to bring a civil action against a firearm industry member for an act or omission in violation of the firearm industry standard of conduct.

- Authorizes a court that determines that a firearm industry has engaged in the prohibited conduct to award various relief, including injunctive relief, damages, and attorney's fees and costs.

### **AB 1621 (Stats. 2022, ch. 76) – Firearms: unserialized firearms**

#### **Effective June 30, 2022**

- Redefines a firearm precursor part as any forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture where it may readily be completed, assembled or converted to be used as the frame or receiver of a functional firearm, or that is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled, or converted.
- Extends the definition of a firearm to include a firearm precursor part for the purposes of most criminal and regulatory provisions related to the possession, sale, and transfer of a firearm, including provisions which do not apply to a frame or receiver under existing law.
- Repeals provisions relating to the sale of firearm precursor parts through a licensed precursor part vendor, and would prohibit the sale, transfer, or possession of an unserialized firearm precursor part, except as specified.
- Create a process by which a person may apply to the Department for a determination that a particular item or kit is or is not a firearm precursor part.
- Requires any person in possession of an unserialized firearm to apply to the Department for a unique mark of identification and to affix that mark to the firearm before January 1, 2024.
- Beginning on January 1, 2024, explicitly prohibits the possession or transfer of a firearm without a serial number or mark of identification.
- Authorizes a new resident of the state to, within 60 days after arrival in the state, request a unique mark or identification for any unserialized firearm that is otherwise valid to possess in the state.
- Prohibits the possession, sale, transfer, or use of specified firearms manufacturing equipment, with exceptions for specified entities, including the Armed Forces of the United States, the National Guard, and law enforcement.
- Beginning on January 1, 2024, prohibits a person from purchasing more than one completed frame, receiver, or firearm precursor part within a 30-day period.
- Includes a 10-year prohibition for a misdemeanor violation of manufacturing an unserialized firearm, or aiding or abetting the manufacture of a firearm by a prohibited person, that occurs on or after January 1, 2023.

**AB 1769 (Stats. 2022, ch. 140) – Firearms: prohibited places**

**Effective January 1, 2023**

- Requires, with specified exemptions, that an officer, employee, operator, lessee, or licensee of the 31st District Agricultural Association, shall not contract for, authorize, or allow the sale of any firearm, firearm precursor part, or ammunition on the property or in the buildings that comprise the Ventura County Fair and Event Center, in the County of Ventura, the City of Ventura, or any successor or additional property owned, leased, or otherwise occupied or operated by the district.

**AB 1842 (Stats. 2022, ch. 141) – Firearms: restocking fee**

**Effective January 1, 2023**

- Prohibits a licensee from charging more than 5% of the purchase price of the firearm as a restocking or other return-related fee when the purchase of the firearm, as specified, is canceled by the buyer within 10 days of the application.

**AB 2137 (Stats. 2022, ch. 20) – Family justice centers**

**Effective January 1, 2023**

- Requires family justice centers to provide clients with educational materials related to gun violence restraining orders, domestic violence restraining orders, and other legal avenues of protection for victims and their families.

**AB 2156 (Stats. 2022, ch. 142) – Firearms: manufacturers**

**Effective January 1, 2023**

- Expands this prohibition to prohibit any person, regardless of federal licensure, from manufacturing firearms in the state without being licensed by the state.
- Decreases the manufacturing threshold requiring state licensure from 50 or more firearms in a calendar year to 3 or more firearms in a calendar year.
- Prohibits any person, unless licensed as a firearm manufacturer, from manufacturing any firearm or precursor part by means of a 3D printer.

**AB 2239 (Stats. 2022, ch. 143) – Firearms: prohibited persons**

**Effective January 1, 2023**

- Prohibits a person convicted of misdemeanor child abuse or elder abuse from having a firearm for ten years.

### **AB 2551 (Stats. 2022, ch. 100) – Firearms**

#### **Effective January 1, 2023**

- Requires the Department, should it determine that a person prohibited from possessing a firearm has attempted to acquire a firearm, to notify the local law enforcement agency with primary jurisdiction over the area in which the person was last known to reside.
- If the person is prohibited from owning or possessing a firearm for reasons relating to mental health, the bill would require the Department to also notify the county Department of Mental Health in the county in which the person was last known to reside.
- Requires the Department, should it determine that a person prohibited from possessing ammunition has attempted to acquire ammunition, to notify any relevant local law enforcement agency.

### **AB 2552 (Stats. 2022, ch. 696) – Firearms: gun shows and events**

#### **Effective January 1, 2023**

- Commencing July 1, 2023, will require the Department to conduct enforcement and inspections at a minimum of one-half of all gun shows or events in the state to ensure compliance with gun show and event laws.
- Requires the Department to post certain violations discovered on their internet website and would require the Department to submit an annual report to the Legislature summarizing their enforcement efforts.
- Doubles the maximum fines for violating this and other requirements and makes the person ineligible for a Certificate of Eligibility for a period of 2 years.
- Requires a vendor to certify that they will not display, possess, or offer for sale any unserialized frame or receiver, including an unfinished frame or receiver or any handgun conversion kits.
- Adds a fine and a suspension from participating as a vendor for a period of one year to the punishment for these violations.
- Requires additional notices relating to the storage, handling, purchase, and theft of firearms to be posted at each public entrance of an event.

### **AB 2571 (Stats. 2022, ch. 77) – Firearms: advertising to minors**

#### **Effective June 30, 2022**

- Prohibits a firearm industry member from using, advertising, or marketing any firearm-related product in a manner that is designed, intended, or reasonably appears to be attractive to minors.

- Prohibits a firearm industry member from using, disclosing, or compiling a minor's personal information if it is intended to market or advertise a firearm to that minor.
- Imposes a civil penalty of up to \$25,000 for each violation of these provisions, and would authorize a person harmed by a violation to bring suit to recover any damages suffered.
- Makes each copy or republication of marketing or advertising prohibited by these provisions a separate violation.

### **AB 2870 (Stats. 2022, ch. 974) – Firearms: gun violence restraining orders**

#### **Effective January 1, 2023**

- Allows a petition for a gun violence restraining order to be made by an individual who has a child in common with the subject, an individual who has a dating relationship with the subject, or a roommate of the subject of the petition.
- Expands the family members who can file a petition for a gun violence restraining order to include any person related by consanguinity or affinity within the 4th degree who has had substantial and regular interactions with the subject for at least one year.

### **SB 906 (Stats. 2022, ch. 144) – School safety: mass casualty threats: firearm disclosure**

#### **Effective January 1, 2023**

- Requires on or before July 1, 2023, the State Department of Education, in consultation with relevant local educational agencies, civil rights groups, and the Department of Justice, to develop model content that includes, at a minimum, content that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms.
- Requires, commencing with the 2023–24 school year, local educational agencies maintaining kindergarten or any of grades 1 to 12, inclusive, to, informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils.
- Requires a school official whose duties involve regular contact with pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school, and who is alerted to or observes any threat or perceived threat to immediately report the threat or perceived threat to law enforcement.
- Requires, with the support of the local educational agency, the local law enforcement agency, or school-site police, as applicable, to immediately conduct an investigation and threat assessment.
- Requires the investigation and threat assessment to include a review of the firearm registry of the Department and, if justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat, a school-site search.

**SB 915 (Stats. 2022, ch. 145) – Firearms: state property**

**Effective January 1, 2023**

- This bill would, except as exempted, prohibit a state officer or employee, or operator, lessee, or licensee of any state-owned property, from contracting for, authorizing, or allowing the sale of any firearm, firearm precursor part, or ammunition on state property.

**SB 1327 (Stats. 2022, ch. 146) – Firearms: private rights of action**

**Effective January 1, 2023**

- Creates a private right of action for any person against any person who, within this state, (1) manufactures or causes to be manufactured, distributes, transports, or imports into the state, or causes to be distributed or transported or imported into the state, keeps for sale or offers or exposes for sale, or gives or lends any firearm lacking a serial number required by law, assault weapon, or .50 BMG rifle; (2) purchases, sells, offers to sell, or transfers ownership of any firearm precursor part that is not a federally regulated firearm precursor part; or (3) is a licensed firearms dealer and sells, supplies, delivers, or gives possession or control of a firearm to any person under 21 years of age, all subject to certain exceptions.
- Makes the provisions listed above inoperative upon invalidation of a specified law in Texas, and would repeal its provisions on January 1 of the following year.
- Specifies that all statutes regulating or prohibiting firearms shall not be construed to repeal any other statute regulating or prohibiting firearms, in whole or in part, unless the statute specifically states that it is repealing another statute.

**SB 1384 (Stats. 2022, ch. 995) – Firearms: dealer requirements**

**Effective January 1, 2023**

- Requires that dealer to carry a policy of general liability insurance (commences July 1, 2023).
- Requires a licensed firearm dealer to have a digital video surveillance system on their business premises (commences January 1, 2024).

***BILLS SIGNED INTO LAW BEFORE 2022 THAT BECOME OPERATIVE, IN WHOLE OR IN PART, IN 2023***

**AB 1281 (Stats. 2021, ch. 209) – Criminal procedure: protective orders**

**Operative July 1, 2023**

- Subject to an appropriation in the Annual Budget Act, on a monthly basis, Requires the Department to review the records in the statewide criminal justice databases, and based on information in the state summary criminal history repository and the Supervised Release File,

identify persons with convictions that meet the criteria set forth in subdivision (B) this statute and are eligible for automatic conviction record relief.

**SB 24 (Stats. 2021, ch. 129) – Domestic violence: protective orders: information pertaining to a child**

**Operative January 1, 2023**

- Requires a security guard to complete an assessment to be issued a firearms permit prior to carrying a firearm.
- Requires an applicant who is a registered security guard to have met the requirement of being found capable of exercising appropriate judgment, restraint, and self-control, for purposes of carrying and using a firearm during the course of their duties, within the 6 months preceding the date the application is submitted to the Bureau of Security and Investigative Services (Bureau) within the Department of Consumer Affairs.
- Prohibits an applicant who fails the assessment from completing another assessment any earlier than 180 days after the results of the previous assessment are provided to the Bureau.
- Authorizes the Bureau to revoke a firearm permit upon notification from the Department that the holder of the firearm permit is prohibited from possessing, receiving, or purchasing a firearm under state or federal law, and would instead authorize the Bureau to seek an emergency order against a permit holder if a specified event occurs.

**SB 715 (Stats. 2021, ch. 250) – Criminal law**

**Operative July 1, 2023**

- Prohibits the possession of a semiautomatic centerfire rifle and, commencing July 1, 2023, the possession of any firearm, by a minor, with certain exceptions.
- Prohibits a dealer from returning a firearm to the person making the sale, transfer, or loan, if that person is prohibited from obtaining a firearm and would, in those cases, provide a procedure by which that person could transfer the firearm to a law enforcement agency or to a third party, as specified.