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THIRD READING

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Bill No: SB 1253  
Author: Gonzalez (D)  
Amended: 5/16/24  
Vote: 21

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SENATE PUBLIC SAFETY COMMITTEE: 4-1, 4/2/24  
AYES: Wahab, Bradford, Skinner, Wiener  
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/16/24  
AYES: Caballero, Ashby, Becker, Bradford, Wahab  
NOES: Jones, Seyarto

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**SUBJECT:** Firearms: firearm safety certificates

**SOURCE:** University of San Diego Consumer Protection Policy Center

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**DIGEST:** This bill, commencing January 1, 2026, prohibits a person from possessing a firearm without possession of a valid, unexpired firearm safety certificate, and requires new California residents who possess firearms to obtain a firearm safety certificate within 120 days of bringing a firearm into the state.

**ANALYSIS:**

Existing law:

- 1) Prohibits, generally, the sale, lease or transfer of firearms unless the person has been issued a license by the California Department of Justice, and establishes various exceptions to this prohibition. (Pen. Code §§26500 – 26625.)
- 2) Provides that a license to sell firearms is subject to forfeiture for any violation of a number of specified prohibitions and requirements, with limited exceptions. (Pen. Code §§26800 – 26915.)

- 3) Provides that where neither party to a firearms transaction holds a dealer's license (i.e. a "private party transaction"), the parties shall complete the transaction through a licensed firearms dealer. (Pen. Code §27545.)
- 4) Establishes the intent of the Legislature in enacting specified provisions to require that persons who obtain firearms have a basic familiarity with those firearms, including, but not limited to, the safe handling and storage of those firearms. (Pen. Code, §31610)
- 5) Requires the Department of Justice (DOJ) to develop firearm safety certificates to be issued by instructors certified by the department to those persons who have complied with specified requirements regarding firearm safety, and which expire five years after the date of issuance. (Pen. Code, §31655, subds. (a), (c).)
- 6) Provides that a firearm safety certificate shall include, but not be limited to, the following information:
  - a) A unique handgun safety certificate identification number;
  - b) The holder's full name;
  - c) The holder's date of birth;
  - d) The holder's driver's license or identification number;
  - e) The holder's signature;
  - f) The signature of the issuing instructor; and,
  - g) The date of issuance. (Pen. Code, § 31655, subd. (b).)
- 7) Provides that a licensed firearm dealer shall not deliver a firearm unless the person receiving the firearm presents to the dealer a valid firearm safety certificate. The firearm dealer shall retain a photocopy of the firearm safety certificate as proof of compliance. (Pen. Code §26840, subd. (a).)
- 8) Provides that a person shall not purchase or receive any firearm, except an antique firearm, without a valid firearm safety certificate, except that in the case of a handgun, an unexpired handgun safety certificate may be used. (Pen. Code, §31615, subd. (a).)
- 9) Provides that a person shall not sell, deliver, loan, or transfer any firearm, except an antique firearm, to any person who does not have a valid firearm

safety certificate, except that in the case of a handgun, an unexpired handgun safety certificate may be used. (Pen. Code, §31615, subd. (a).)

- 10) Provides that a person who violates the above prohibition is guilty of a misdemeanor. (Pen. Code, §31615, subd. (b).)
- 11) Provides that a DOJ-certified instructor shall not issue a firearm safety certificate to any person who has not complied with specified safety requirements or who is under 18, a violation of which is grounds for the revocation of the instructor's certification. (Pen. Code, §31625.)
- 12) Requires DOJ to develop a firearm safety certificate instruction manual in various languages, as specified. (Pen. Code, § 31630.)
- 13) Requires the DOJ to prescribe a minimum level of skill, knowledge and competency to be required of all firearm safety certificate instructors, as specified. (Pen. Code, § 31635.)
- 14) Requires the DOJ to develop a written objective test in various languages, passage of which is a prerequisite to obtaining a firearm safety certificate, and to develop a study guide for that test. (Pen. Code, §§ 31640, 31641, 31645.)
- 15) Contains various exemptions to the firearm safety certificate requirement, including for active and retired peace officers, licensed firearm dealers, federally licensed collectors, concealed carry permit holders, hunting license holders, and specified individuals who receive a firearm via operation of law. (Pen. Code § 31700.)
- 16) Defines a "personal firearm importer" as non-licensed individual who has moved into the State of California, owns a firearm that is legal within the state, and intends to possess that firearm within the state, as specified. (Penal Code § 17000.)
- 17) Requires that, within 60 days of bringing, any firearm, into this state, a personal firearm importer shall do one of the following:
  - a) Forward by prepaid mail or deliver in person to the Department of Justice, a report prescribed by the department including information concerning that individual and a description of the firearm in question;
  - b) Sell or transfer the firearm, as specified;
  - c) Sell or transfer the firearm to a licensed dealer, as specified; or,

- d) Sell or transfer the firearm to a sheriff or police department. (Pen. Code, § 27560, subd. (a).)

This bill:

- 1) Provides that within 120 days of bringing any firearm, except an antique firearm, into this state, a personal firearm importer shall obtain a firearm safety certificate.
- 2) Makes a violation of the above requirement punishable as a misdemeanor.

### **Comments**

According to the author,

“California has some of the most effective firearm safety laws in the nation, which has resulted in a significant reduction in firearm incidences over the last few decades. Accidental and unintentional shootings, however, continue to be a leading cause of firearm-related incidents in the state, particularly for children, contributing to roughly 30% of firearm-related deaths and injuries from 2016 to 2022 according to the Department of Justice. In addition, almost all other states have worse firearm safety records than California, many of which lack any firearm safety requirements whatsoever. This presents a danger to California communities as firearm owners move in from other states without any requirement to complete California’s firearm safety certificate.

“Senate Bill (SB) 1253 will close this loophole and reduce avoidable firearm violence by requiring firearm owners, including those that move into California from other states, to renew their firearm safety certificate every five years to ensure they are maintaining the requisite knowledge and best practices on firearm safety, including safe handling and storage. SB 1253 also expands the firearm safety requirement to individuals that possess a firearm, not just those with a registerable firearm. This will reduce unnecessary gun violence and help keep California communities safe.”

Beginning in 1993, possession of a handgun safety certificate was required to transfer firearms, and the Department of Justice was required to develop the process for individuals to obtain a handgun safety certificate. Exemptions were provided for specific classes of individuals who did not need to obtain a firearm safety certificate, such as peace officers and persons with concealed carry permits, and for specific firearm transfers. SB 52 (Scott, Chapter 942, Statutes of 2001), repealed the basic firearms safety certificate scheme and replaced it with the more stringent handgun safety certificate scheme. SB 52 provided that, effective

January 1, 2003, no person may purchase, transfer, receive, or sell a handgun without a Handgun Safety Certificate (HSC). SB 1080 (Committee on Public Safety, Chapter 711, Statutes of 2010), required DOJ to prepare a pamphlet that summarizes California firearms laws as they pertain to a person other than law enforcement officers or members of the armed services. This pamphlet included, but was not limited to, the following: lawful possession, licensing procedures, transportation and use of firearms, the acquisition of hunting licenses, and other provisions as specified.

SB 693 (Block, Chapter 761, Statutes of 2013), which took effect January 1, 2015, changed the name of the Handgun Safety Certificate program to the Firearm Safety Certificate (FSC) program and applied the requirements to all firearms, including handguns and long guns. Under SB 693, the DOJ was required to develop a firearm safety certificate instruction manual and make the manual available to licensed firearms dealers, who were in turn required to provide the manual to the general public. These materials educate the public about their legal responsibilities and risks related to firearm ownership and includes information on firearm accidents and misuse.

Existing law requires a person to obtain an FSC before purchasing or receiving any firearm except an antique firearm and requires the recipient of the sale, delivery, loan or transfer of any firearm except an antique firearm to possess a valid FSC. A violation of these requirements is punishable as a misdemeanor. Moreover, existing law exempts from this requirement concealed carry permit holders, active and retired peace officers, licensed firearm dealers, federally licensed collectors, hunting licensees, and specified individuals who receive a firearm via operation of law. To obtain an FSC, an applicant 18 years of age or older must pass an objective written test (developed by DOJ, administered by a DOJ-certified instructor, and required to cover various specified topics) with a passing grade of at least 75%. FSCs are issued by the instructors that administer the FSC test and are valid for 5 years from the date of issue.

Existing law also imposes several restrictions on non-licensed individuals bringing firearms into the state. Firearm owners that move to California, also known as “personal firearm importers,” must either register their residency and firearm(s) with the Department of Justice, sell or transfer their firearm(s) to a licensed dealer or another eligible individual, or sell or transfer the firearm to a law enforcement agency. California residents are prohibited from bringing a firearm into California that was purchased outside the state, unless the resident arranges for the delivery of the firearm through a licensed firearm dealer. Existing law does not, however, require a personal firearm importer to obtain an FSC, a “loophole” that the Author

argues “stands to erode California’s recent progress on gun safety as firearm owners move in from other states.” Further, the Author asserts that “it is also a matter of fairness to hold these firearm owners to the same responsibility as those who purchased their firearms as a California resident.” Accordingly, this bill requires a personal firearm importer to obtain an FSC within 120 days of bringing any firearm, except an antique firearm, into the state, and makes a violation of this requirement punishable as a misdemeanor.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

**SUPPORT:** (Verified 5/16/24)

Brady California  
Brady Campaign to Prevent Gun Violence  
California Academy of Preventative Medicine  
Children’s Advocacy Institute at the University of San Diego  
City of Alameda  
LA Care Health Plan  
San Diego City Attorney’s Office  
Smart Justice California  
University of San Diego Consumer Protection Policy Center

**OPPOSITION:** (Verified 5/16/24)

California Association of Highway Patrolmen  
California Rifle and Pistol Association  
California State Sheriffs’ Association  
Delta Waterfowl  
Gun Owners of California  
National Rifle Association – Institute for Legislative Action

Prepared by: Alex Barnett / PUB. S. /  
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