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AB-2156 Firearms: manufacturers. (2021-2022)

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Assembly Bill No. 2156

CHAPTER 142

An act to amend Section 29010 of the Penal Code, relating to firearms.

[Approved by Governor July 21, 2022. Filed with Secretary of State July 21, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2156, Wicks. Firearms: manufacturers.

Existing federal law requires a manufacturer of firearms to be licensed by the federal government. Existing state law requires any federally licensed firearms manufacturer that produces 50 or more firearms in the state in a calendar year to also be licensed as a manufacturer by the state. A violation of this requirement is punishable as a misdemeanor.

This bill would expand this prohibition to prohibit any person, regardless of federal licensure, from manufacturing firearms in the state without being licensed by the state. The bill would also decrease the manufacturing threshold requiring state licensure from 50 or more firearms in a calendar year to 4 or more firearms in a calendar year.

The bill would also prohibit any person, unless licensed as a firearm manufacturer, from manufacturing any firearm or precursor part by means of a 3D printer, as defined.

By expanding the application of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 29010 of the Penal Code is amended to read:

29010. (a) A person, firm, or corporation shall not manufacture more than three firearms within this state in a calendar year unless that person, firm, or corporation is licensed pursuant to Chapter 2 (commencing with Section 29030).

(b) A person, firm, or corporation shall not use a three-dimensional printer to manufacture any firearm, including a frame or receiver, or any firearm precursor part, unless that person, firm, or corporation is licensed pursuant to Chapter 2 (commencing with Section 29030). As used in this section, "three-dimensional printer" means a computer-aided manufacturing device capable of producing a three-dimensional object from a three-dimensional digital model through an additive manufacturing process that

involves the layering of two-dimensional cross sections formed of a resin or similar material that are fused together to form a three-dimensional object.

(c) If a person, firm, or corporation required to be licensed pursuant to Chapter 2 (commencing with Section 29030) ceases operations, then the records required pursuant to Section 29130 and subdivision (b) of Section 29115 shall be forwarded to the federal Bureau of Alcohol, Tobacco, Firearms and Explosives within three days of the closure of business.

(d) A violation of this section is a misdemeanor.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.