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**SB-965 Firearms.** (2023-2024)

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**Senate Bill No. 965**

**CHAPTER 546**

An act to amend Section 11108.3 of the Penal Code, relating to firearms.

[ Approved by Governor September 24, 2024. Filed with Secretary of State September 24, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 965, Min. Firearms.

Existing law, commencing January 1, 2024, requires the Department of Justice to conduct inspections of specified licensed firearms dealers at least once every 3 years, to ensure compliance with applicable laws and regulations. Previous law authorized the department to conduct such inspections. Existing law requires the department to maintain specified records regarding these inspections and to make those records available upon request. Existing law also authorizes the department to inspect licensed ammunition vendors.

Existing law requires the department to maintain a list of all handguns that have been tested and certified not to be unsafe handguns, as defined. Existing law prohibits the sale of a handgun not on the roster, except as specifically exempted.

Existing law requires the department to annually prepare and submit a report to the Legislature analyzing and summarizing specified data received from law enforcement agencies regarding firearms that have been stolen, lost, found, or recovered, have been used in a crime or suspected of having been used in a crime, or are under observation. Existing law requires the department to make this report available to the public.

This bill would require the department to include in this report information about department staffing for conducting inspections of firearms dealers and ammunition vendors, detailed information about each such inspection conducted, including violations and the resolution of those violations, and specified information about the roster of handguns, including information about handguns added to, removed from, or denied addition to, the roster. The bill would require the report due on July 1, 2025, to include this data from January 1, 2020, to December 31, 2024, inclusive, and each annual report thereafter, to include the data from the previous year.

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

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

**SECTION 1.** Section 11108.3 of the Penal Code is amended to read:

**11108.3.** (a) In addition to the requirements of Section 11108.2 that apply to a law enforcement agency's duty to report to the Department of Justice the recovery of a firearm, a law enforcement agency described in Section 11108.2 shall, and any other law enforcement agency or agent, including but not limited to a federal or tribal law enforcement agency or agent, may, report to the

department in a manner determined by the Attorney General in consultation with the Bureau of Alcohol, Tobacco, Firearms and Explosives all available information necessary to identify and trace the history of all recovered firearms that are illegally possessed, have been used in a crime, or are suspected of having been used in a crime, within seven calendar days of obtaining the information.

(b) When the department receives information from a law enforcement agency pursuant to subdivision (a), it shall promptly forward this information to the National Tracing Center of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives to the extent practicable.

(c) In implementing this section, the Attorney General shall ensure to the maximum extent practical that both of the following apply:

(1) The information provided to the federal Bureau of Alcohol, Tobacco, Firearms and Explosives enables that agency to trace the ownership of the firearm described in subdivision (a).

(2) Law enforcement agencies can report all relevant information without being unduly burdened by this reporting function.

(d) Information collected pursuant to this section shall be maintained by the department for a period of not less than 10 years, and shall be available, under guidelines set forth by the Attorney General, for academic and policy research purposes.

(e) The department shall, on an ongoing basis, analyze the information collected pursuant to this section for patterns and trends relating to recovered firearms that have been illegally possessed, used in a crime, or suspected to have been used in a crime, including the leading sources and origins of those firearms.

(f) (1) The department shall, by no later than July 1, 2023, and annually thereafter, prepare and submit a report to the Legislature summarizing the analysis completed pursuant to subdivisions (e) and (g). This report shall be submitted in compliance with Section 9795 of the Government Code.

(2) The report shall, without limitation and to the extent possible, include all of the following:

(A) The total number of firearms recovered in the state.

(B) The number of firearms recovered, disaggregated by county and by city.

(C) The number of firearms recovered, disaggregated by the firearms dealer where the most recent sale or transfer of the firearm occurred. This shall include the full name and address of the firearms dealer.

(D) The number of firearms recovered, disaggregated by manufacturer.

(E) The total number of unserialized firearms recovered in the state.

(F) The number of unserialized firearms recovered, disaggregated by county and by city.

(3) The department shall make the report described in this subdivision available to the public.

(g) The report described in subdivision (f) shall also contain all of the following information from the applicable time period described in subdivision (h):

(1) The department's staffing levels for conducting firearms dealer inspections pursuant to Section 26720 and ammunition vendor inspections pursuant to Section 30345, to include both allocated positions and filled positions.

(2) The number of firearms dealer inspections conducted and, for each inspection, all of the following information:

(A) The name of the dealer.

(B) The dealer's license number.

(C) The business address of the dealer.

(D) The number of hours spent to complete the inspection.

(E) A list of violations identified through the inspection, whether those violations were subsequently resolved and, if so, the date they were resolved, and any fines or penalties assessed.

(F) The date of reinspection, if applicable, and any violations identified during reinspection.

(G) The dates of any prior inspections.

(H) The number of Dealers' Record of Sale (DROS) background checks submitted by the dealer during the one-year period prior to the inspection, and the outcome of those background checks.

(I) The total number of firearms used in crimes that were traced back to the dealer during the one-year period prior to the inspection, and the percentage of total sales by the dealer in the same period of time that the traced firearms represent.

(J) The number of firearms that the dealer reported or discovered lost or stolen during the one-year period prior to the inspection.

(3) The number of ammunition vendor inspections conducted and, for each inspection, all of the following information:

(A) The name of the vendor.

(B) The vendor's license number.

(C) The business address of the vendor.

(D) The number of hours spent to complete the inspection.

(E) A list of violations identified through the inspection, whether those violations were subsequently resolved and, if so, the date they were resolved, and any fines or penalties assessed.

(F) The date of reinspection, if applicable, and any violations identified during reinspection.

(G) The dates of any prior inspections.

(H) The number of ammunition purchaser background checks submitted by the vendor during the one-year period prior to the inspection, and the outcome of those background checks.

(I) The amount of ammunition that the vendor reported or discovered lost or stolen during the one-year period prior to the inspection.

(4) All of the following information regarding the roster of handguns that have been determined not to be unsafe handguns, as described in Section 32015:

(A) The total number of handguns on the roster.

(B) The number of handguns added to the roster during the applicable time period.

(C) The number of handguns removed from the roster during the applicable time period, including the reasons for removal.

(D) The number of handguns that were denied approval to be listed on the roster during the applicable time period, including the reasons for denial.

(h) The report described in subdivision (f) that is due by no later than July 1, 2025, shall include the data described in subdivision (g) from January 1, 2020, to December 31, 2024, inclusive. Each annual report thereafter shall include the data described in subdivision (g) from the previous year.

(i) The Attorney General may issue regulations to further the purposes of this section.