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AB-1187 Firearms: safety certificates. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 10, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1187

Introduced by Assembly Member Celeste Rodriguez

February 21, 2025

An act to amend Sections 27560 and 31615 of, and to add Section 31640.5 to, the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1187, as amended, Celeste Rodriguez. Firearms: safety certificates.

Existing law requires any person who purchases or receives a firearm to possess a firearm safety certificate. Existing law also prohibits a person from selling or transferring a firearm to any person who does not possess a firearm safety certificate. A violation of either of these provisions is punishable as a misdemeanor. Existing law requires a personal firearm importer, within 60 days of bringing any firearm into this state, to, among other things, submit a report including information concerning that individual and a description of the firearm in question to the Department of Justice. *Existing law generally makes a violation of the Penal Code a misdemeanor.*

This bill would also require that personal firearm importer to obtain a valid firearm safety certificate and include a copy of the valid firearm safety certificate within the report. The bill would ~~make it a misdemeanor for that personal firearm importer to bring~~ *prohibit a person from bringing* a firearm into this state without obtaining a valid firearm safety certificate within 60 days, except as specified. ~~By expanding the scope of a crime, this bill would impose a state-mandated local program. By creating a new prohibition, this bill would create a new crime and therefore impose a state-mandated local program.~~

Existing law requires an applicant for a firearm safety certificate to pass a test developed by the Department of Justice covering specified subjects, including, among others, the laws applicable to carrying and handling firearms and the responsibilities of ownership of firearms.

This bill would require ~~any~~ *an* applicant for a firearm safety certificate, on or after July 1, 2027, to complete a training course no less than 8 hours in length that, among other things, includes instruction on firearm safety and handling and live-fire shooting exercises on a firing range. The bill would ~~require~~ *authorize* the Department of Justice to promulgate regulations and provide additional information for the implementation of this subdivision.

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 27560 of the Penal Code is amended to read:

27560. (a) (1) Within 60 days after bringing any firearm into this state, a personal firearm ~~importer~~ *importer, as defined in Section 17000*, shall do one of the following:

(A) Submit to the Department of Justice, in a form and manner prescribed by the department, a report including information concerning that individual and a description of the firearm in question. The department may request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machinegun, or is otherwise prohibited. A person shall not furnish a fictitious name or address, knowingly furnish any incorrect information, or knowingly omit any information required to be provided in this report. A personal firearm importer shall obtain a valid firearm safety certificate, pursuant to paragraph (3) of subdivision (a) of Section 31615, and include a copy of the valid firearm safety certificate within the report.

(B) Sell or transfer the firearm in accordance with the provisions of Section 27545 or in accordance with the provisions of an exemption from Section 27545.

(C) Sell or transfer the firearm to a dealer licensed pursuant to Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2.

(D) Sell or transfer the firearm to a sheriff or police department.

(2) The department shall establish a fee for submission of the form described in subparagraph (A) of paragraph (1) and an additional fee for each additional firearm. This fee shall not exceed the reasonable and actual costs of processing the form submitted pursuant to that paragraph. The department may annually review and adjust this fee to fully fund, but not exceed, these costs.

(3) Upon receipt of the report submitted pursuant to subparagraph (A) of paragraph (1) and the required fee, the department shall examine its records, as well as those records that it is authorized to request from the State Department of State Hospitals pursuant to Section 8104 of the Welfare and Institutions Code, and records available to the department in the National Instant Criminal Background Check System, to determine if the purchaser is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(b) If all of the following requirements are satisfied, the personal firearm importer shall have complied with the provisions of this section:

(1) The personal firearm importer sells or transfers the firearm pursuant to Section 27545.

(2) The sale or transfer cannot be completed by the dealer to the purchaser or transferee.

(3) The firearm can be returned to the personal firearm importer.

(c) (1) The provisions of this section are cumulative and shall not be construed as restricting the application of any other law.

(2) However, an act or omission punishable in different ways by this article and different provisions of the Penal Code shall not be punished under more than one provision.

(d) The department shall conduct a public education and notification program regarding this section to ensure a high degree of publicity of the provisions of this section.

(e) As part of the public education and notification program described in this section, the department shall do all of the following:

(1) Work in conjunction with the Department of Motor Vehicles to ensure that any person who is subject to this section is advised of the provisions of this section, and provided with blank copies of the report described in subparagraph (A) of paragraph (1) of subdivision (a), at the time when that person applies for a California driver's license or registers a motor vehicle in accordance with the Vehicle Code.

(2) Make the reports referred to in subparagraph (A) of paragraph (1) of subdivision (a) available to dealers licensed pursuant to Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2.

(3) Make the reports referred to in subparagraph (A) of paragraph (1) of subdivision (a) available to law enforcement agencies.

(4) Make persons subject to the provisions of this section aware of all of the following:

(A) The report referred to in subparagraph (A) of paragraph (1) of subdivision (a) may be completed at either a law enforcement agency or the licensed premises of a dealer licensed pursuant to Article 1 (commencing with Section 26700) and Article 2 (commencing with Section 26800) of Chapter 2.

(B) It is advisable to do so for the sake of accuracy and completeness of the report.

(C) Before transporting a firearm to a law enforcement agency to comply with subdivision (a), the person should give notice to the law enforcement agency that the person is doing so.

(D) In any event, the handgun should be transported unloaded and in a locked container and a firearm that is not a handgun should be transported unloaded.

(f) Any costs incurred by the department to implement this section shall be absorbed by the department within its existing budget and the fees in the Dealers' Record of Sale Special Account allocated for implementation of subdivisions (d) and (e) of this section pursuant to Section 28235.

SEC. 2. Section 31615 of the Penal Code is amended to read:

31615. (a) A person shall not do ~~either~~ *any* of the following:

(1) 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.

(2) 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.

(3) Bring any firearm, except an antique firearm, into this state without obtaining a valid firearm safety certificate within 60 days of bringing that firearm into this state if the person is required to report the importation of the firearm to the department pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 27560.

(b) Any person who violates *paragraph (1) or (2) of* subdivision (a) is guilty of a misdemeanor.

(c) The provisions of this section are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of this code shall not be punished under more than one provision.

(d) Paragraph (3) of subdivision (a) shall not apply to a person if evidence of that violation arises only as the result of the person applying for a firearm safety certificate after the expiration of the 60-day period in paragraph (3) of subdivision (a).

SEC. 3. Section 31640.5 is added to the Penal Code, to read:

31640.5. (a) An applicant for a firearm safety certificate on or after July 1, 2027, shall have completed a training course that meets all of the following conditions:

(1) The training shall be no less than eight hours in length, including at least one hour of live shooting.

(2) The training shall include instruction on all of the following:

(A) Federal and state laws related to possession, transportation, and storage of firearms.

(B) The importance of secure storage to prevent unauthorized access and use of firearms.

(C) Safe firearm handling and fundamentals of shooting firearms.

(D) Risks of firearms and causes of accidents.

(E) How to legally relinquish or transfer a firearm.

(F) State laws pertaining to self-defense and techniques for conflict resolution.

(G) Mental health, suicide prevention, and domestic violence issues associated with firearms and firearm violence.

(3) The training shall be taught and supervised by firearms instructors certified by the Department of Justice pursuant to Section 31635 and in a manner to be prescribed by regulation.

(4) The live-fire shooting exercises shall take place on a firing range and shall include a demonstration by the applicant of safe handling of firearms and basic firearm shooting proficiency.

(b) This subdivision does not apply to persons properly identified pursuant to Section 31700.

(c) The Department of Justice may promulgate regulations and provide additional information for the implementation of this subdivision.

(d) The Dealers' Record of Sale Special Account may be used, upon appropriation by the Legislature, for any costs associated with this law's implementation and ongoing expenses.

SEC. 4. 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.