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SB-15 Firearms. (2025-2026)

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AMENDED IN SENATE MARCH 26, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 15

Introduced by Senator Blakespear
(Coauthors: [Senators Limón and Rubio](#))

December 02, 2024

An act to amend Sections 26715, 26720, 28460, and 29055 of, and to add Section 26807 to, the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 15, as amended, Blakespear. Firearms.

Existing law requires the Department of Justice to conduct inspections of certain firearm dealers every 3 years in order to ensure compliance with specified requirements. Existing law requires inspections to include a sampling of between 25% and 50% of dealer records of each type. Existing law authorizes the department to assess a fee, up to \$115, in order to cover various costs, including the costs of inspections.

This bill would instead require the department's sampling of dealer records to include at least 25% of each record type. The bill would also authorize the department to periodically increase the inspection fee, as specified.

The bill would require the department to annually inspect the 10 firearm dealer locations, as specified, with the highest percentage of total sales that were recovered by law enforcement and found to be illegally possessed, used in a crime, or suspected to have been used in a crime. The bill would require the department to conduct the inspections within 12 months of the release of its annual report unless the dealer location has been inspected within 6 months prior to the release of the report.

Existing law directs law enforcement agencies to submit the description of a firearm that has been reported stolen, lost, found, recovered, or under observation directly to an automated Department of Justice system. Existing law requires these law enforcement agencies to report to the department any information in their possession necessary to identify and trace the history of a recovered firearm that is illegally possessed, has been used in a crime, or is suspected of having been used in a crime.

Existing law requires the department to analyze this data and to submit an annual report to the Legislature summarizing this analysis, as specified.

The bill would also require firearm dealers, commencing January 1, 2028, to maintain inventory records, as specified, at their place of business in a manner prescribed by the department. The bill would additionally require firearm dealers to produce an affidavit, under penalty of perjury, certifying the accuracy of all records, upon request. By expanding the crime of perjury, this bill would impose a state-mandated local program.

Existing law requires the department to keep a centralized list of all persons who meet the specified requirements of a dealer, licensee, or person licensed, except as specified. Existing law requires the department to remove various persons from this list, including those whose federal firearms license has expired or has been revoked.

The bill would additionally authorize the department to remove a person from the centralized list who has willfully failed to comply with specified licensing requirements or who, among other things, failed to remedy violations discovered as a result of an inspection within 90 days of the inspection. The bill would make a violation of these provisions punishable by a ~~civil fine not to exceed \$1,000~~ fine and render a person ineligible for placement on the centralized list for 2 years from the date of removal from the list.

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 26715 of the Penal Code is amended to read:

26715. (a) Except as otherwise provided in paragraphs (1) and (3) of subdivision (b), the Department of Justice shall keep a centralized list of all persons licensed pursuant to subdivisions (a) to (e), inclusive, of Section 26700.

(b) (1) The department may remove from this list a person who knowingly or with gross negligence violates a provision listed in Section 16575.

(2) The department shall remove from the centralized list a person whose federal firearms license has expired or has been revoked.

(3) The department shall remove from the centralized list a person or entity who has failed to provide certification of compliance with Section 26806 pursuant to subdivision (d) of Section 26806.

(4) The department may remove from this list a person who willfully fails to comply with the requirements of this article, including failure to comply with an inspection conducted pursuant to Section 26720.

(5) The department may remove from this list a person who fails to remedy violations discovered as a result of an inspection, within 90 days of the inspection, as provided in paragraph (5) of subdivision (a) of Section 26720.

(6) Upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer's business is located.

(7) (A) A person removed from the centralized list pursuant to paragraph (4) or (5) shall be subject to a ~~civil fine not exceeding one thousand dollars (\$1,000)~~ and shall be ineligible to be placed on the centralized list for a period of two years from the date of removal.

(B) A person who has been removed from a centralized list is also ineligible to own, operate, or be employed by a firearms dealer or ammunition vendor for a period of two years.

(c) Information compiled from the list shall be made available, upon request, for the following purposes only:

(1) For law enforcement purposes.

(2) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(3) When information is requested by a person promoting, sponsoring, operating, or otherwise organizing a show or event as defined in Section 478.100 of Title 27 of the Code of Federal Regulations, or its successor, who possesses a valid certificate of

eligibility issued pursuant to Article 1 (commencing with Section 27200) of Chapter 3, if that information is requested by the person to determine the eligibility of a prospective participant in a gun show or event to conduct transactions as a firearms dealer pursuant to subdivision (b) of Section 26805.

(d) Information provided pursuant to subdivision (c) shall be limited to information necessary to corroborate an individual's current license status as being one of the following:

(1) A person licensed pursuant to subdivisions (a) to (e), inclusive, of Section 26700.

(2) A person who is licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code, and who is not subject to the requirement of being licensed pursuant to subdivisions (a) to (e), inclusive, of Section 26700.

SEC. 2. Section 26720 of the Penal Code is amended to read:

26720. (a) The Department of Justice may conduct inspections of dealers at least every three years to ensure compliance with the requirements of this title, including any regulations promulgated to implement this title, Sections 21628.2, 21636, and 21640 of the Business and Professions Code, and any other applicable state law.

(1) Commencing on January 1, 2024, the department shall conduct inspections of all dealers, except a dealer specified in paragraph (2) or a dealer specified in subdivision (c), at least once every three years, to ensure compliance with the requirements of this title, including any regulations promulgated to implement this title, Sections 21628.2, 21636, and 21640 of the Business and Professions Code, and any other applicable state law.

(2) Each year, the department shall conduct an inspection of the 10 firearm dealer locations with the highest percentage of total sales that were recovered by law enforcement and found to be illegally possessed, used in a crime, or suspected to have been used in a crime, as described in the report specified in subdivision (e) of Section 11108.3. A firearm dealer location shall only be inspected pursuant to this paragraph if it is reported to be the source of no fewer than 20 firearms that were illegally possessed, used in a crime, or suspected to have been used in a crime.

(3) The inspections pursuant to paragraph (2) shall occur within 12 months after the release of the report required by Section 11108.3. The department may forgo an inspection of a location as described in paragraph (2) if the location has been inspected within six months prior to the release of the report.

(4) Inspections of dealers pursuant to this subdivision shall include an audit of dealer records that includes a sampling of at least 25 percent of each record type.

(5) A dealer found to have committed a violation of the requirements specified in paragraph (1) shall remedy the violation within 90 days of the inspection and submit proof of that remedy to the department.

(b) The department may assess an annual fee to cover the reasonable cost of maintaining the list described in Section 26715, including the cost of inspections. A fee adjustment shall not exceed 15 percent over the previous year and shall not exceed the amount necessary to cover the costs described in this subdivision.

(c) A dealer whose place of business is located in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law is exempt from that portion of the department's fee that relates to the cost of inspections. The applicant is responsible for providing evidence to the department that the jurisdiction in which the business is located has the inspection program. The department may inspect a dealer who is exempt from mandatory inspections under subdivision (b) to ensure compliance with the requirements of this title, including any regulations promulgated to implement this title, Sections 21628.2, 21636, and 21640 of the Business and Professions Code, and any other applicable state law.

SEC. 3. Section 26807 is added to the Penal Code, to read:

26807. (a) Commencing January 1, 2028, every dealer shall maintain inventory records at the dealer's place of business in a form and for a period as required by the Department of Justice. Inventory records shall include, but not be limited to, the following:

(1) The manufacturer, model, caliber or gauge, and serial number of all firearms that are acquired or disposed of not later than one business day after their acquisition or disposition.

(2) All firearms acquired, but not yet disposed of, shall be accounted for through an inventory check prepared once each month.

(b) Inventory records, including a written affidavit certifying the accuracy of all inventory records, under penalty of perjury, shall be made available to the department during inspections and upon a department request. The written affidavit shall be completed in a manner prescribed by the department.

SEC. 4. Section 28460 of the Penal Code is amended to read:

28460. (a) The department shall assess a reasonable annual fee to cover its costs of maintaining the centralized list of exempted federal firearms licensees prescribed by Section 28450, conducting inspections in accordance with this article, and for the cost of maintaining the firearm shipment verification number system described in Section 27555. A fee adjustment shall not exceed 15 percent over the previous year and shall not exceed the amount necessary to cover the costs described in this section.

(b) The fees collected shall be deposited in the Dealers' Record of Sale Special Account.

(c) A person who satisfies all of the following conditions shall not be charged a fee:

(1) The person is not licensed pursuant to Sections 26700 to 26915, inclusive.

(2) The person has been issued a permit pursuant to Section 31005, 32650, or 33300, or pursuant to Article 3 (commencing with Section 18900) of Chapter 1 of Division 5 of Title 2.

(3) The person is placed on the centralized list of exempted federal firearms licensees.

SEC. 5. Section 29055 of the Penal Code is amended to read:

29055. (a) The department shall adopt regulations to administer this chapter and Chapter 1 (commencing with Section 29010).

(b) The department shall recover the full costs of administering the program by collecting reasonable fees from license applicants. Recoverable costs shall include, but not be limited to, the costs of inspections and maintaining a centralized list of licensed firearm manufacturers.

(c) The reasonable fee for licensed manufacturers who produce fewer than 500 firearms in a calendar year within this state shall not exceed the actual costs of inspections and maintaining a centralized list of firearm manufacturers and any other duties of the department required pursuant to this chapter and Chapter 1 (commencing with Section 29010).

SEC. 6. 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.