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**SB-320 Firearms: California Do Not Sell List.** (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

**SENATE BILL**

**NO. 320**

Introduced by Senator Limón  
(Coauthor: Senator Weber Pierson)

February 11, 2025

An act to add Chapter 6 (commencing with Section 30180) to Division 9 of Title 4 of Part 6 of the Penal Code, relating to firearms.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 320, as amended, Limón. Firearms: California Do Not Sell List.

Existing law makes possession of a firearm by certain classes of persons, including a convicted felon, a person convicted of specified misdemeanors, a person that has been found mentally incompetent to stand trial, a person that has been found not guilty of specified crimes by reason of insanity, or a person that has been placed under conservatorship, a crime. Existing law additionally makes it a crime to sell or give possession of a firearm to these classes of persons prohibited from owning a firearm. Existing law generally makes a violation of the Penal Code a misdemeanor.

Existing law requires the Department of Justice, upon submission of firearm purchaser information by a licensed firearm dealer, to examine its records to determine whether a potential firearm purchaser is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

This bill ~~would~~ *would, by November 1, 2027,* require the Department of Justice to develop ~~and launch a system~~ *a process* to allow a person who resides in California to voluntarily add their own name to, and subsequently remove their own name from, the California Do Not Sell List, with the purpose of preventing ~~the sale or transfer of a firearm to the person who adds their name, as specified: a person who has voluntarily registered on the list from passing a firearms eligibility check to purchase or acquire a firearm from a firearms dealer or through a private-party transaction while they are on the list.~~ The bill would allow a person to add their name to the list by submitting specified information to a sheriff or municipal police department, and would require that sheriff or municipal police department to verify the information and send it to the Department of Justice. By imposing additional duties on

local law enforcement, this bill would impose a state-mandated local program. This bill would allow a person, after a specified period of time, to request removal from the list. The bill would ~~make a person's inclusion or removal from the list confidential, except for disclosure to a law enforcement officer acting in the performance of their duties, and would authorize a person whose confidentiality is violated to bring a private civil action for appropriate relief, as specified:~~ *require all information provided pursuant to these provisions be kept confidential, require this information be kept separate and apart from all other records maintained by the department, and require this information to be used only for the purposes described above.* The bill would prohibit requiring a person to ~~voluntarily waive their firearm rights~~ *place themselves on the Do Not Sell List* as a condition of employment or of receiving any benefits or services. By creating a new prohibition, this bill would create a new crime and therefore impose a state-mandated local program.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

**SECTION 1.** Chapter 6 (commencing with Section 30180) is added to Division 9 of Title 4 of Part 6 of the Penal Code, to read:

### CHAPTER 6. Voluntary Do Not Sell List

**30180.** (a) No later than ~~January~~ *November* 1, 2027, the Department of Justice shall develop ~~and launch a system~~ *a process* to allow a person who resides in California to voluntarily add their own name to, and subsequently remove their own name from, the California Do Not Sell ~~List, hereafter the Do Not Sell List.~~ *List.* The purpose of the Do Not Sell List is to prevent ~~the sale or transfer of a firearm to a person through a lawful method. The department shall ensure that the system does all of the following credibly:~~ *a person who has voluntarily registered on the list from passing a firearms eligibility check to purchase or acquire a firearm from a firearms dealer, as defined in Section 26700, or through a private-party transaction, as described in Sections 27545 and 28050, while they are on the list. The process shall meet all of the following requirements:*

~~(1) Verifies the identity of a person who opts to register or requests removal.~~

~~(2)~~

*(1) Prevents unauthorized disclosure of a person registering or requesting removal.*

~~(3)~~

*(2) Informs the potential registrant of the legal effects of registration or removal.*

*(3) Prevents a registrant from passing a firearms eligibility check conducted pursuant to Section 28220 by the department to purchase or acquire a firearm while they are registered on the Do Not Sell List.*

(b) In implementing subdivision (a), the department shall utilize, to the extent feasible, existing state and local resources, systems, databases, and staff.

(c) In implementing the Do Not Sell List, the department shall develop forms for inclusion on, and removal from, the Do Not Sell List. These forms shall be made available for download through the department's website and require, at a minimum, the following information from the person seeking inclusion on, or removal from, the Do Not Sell List:

~~(1) Name.~~

~~(2) Address.~~

(1) Full name and all legal names and aliases ever used.

(2) Residential address.

(3) ~~Date~~ Complete date of birth.

(4) Telephone number or email address.

(5) California driver's license or identification number.

~~(5)~~

(6) The person's signature.

~~(6)~~

(7) On the form requesting inclusion on the list, to be known as the Do Not Sell List Request Form, an acknowledgment that reads: "By presenting this completed form to a law enforcement agency, I understand that I am requesting that my name be placed on a list that restricts my ability to lawfully purchase *or acquire* a firearm *from a firearms dealer or through a private-party transaction* until such time as I remove myself from that list. I understand that by voluntarily adding my name to this list, any attempt to lawfully purchase *or acquire* a firearm *from a firearms dealer or through a private-party transaction* while I am on this list will be declined. I also understand that, after ~~the number of days~~ *14 days as* described in statute have passed, I may request removal from this list."

(d) Once ~~the Do Not Sell List~~ *the process described in subdivision (a)* is operative, a person who resides in California may request to be added to the Do Not Sell List by submitting the completed form and ~~proof of identification~~ *bona fide evidence of identity, as defined in Section 16300*, to a sheriff's office *of a county* or municipal police ~~department~~ *department of any city or city and county*. The sheriff's office or municipal police department that receives the form shall verify the person's identity before accepting the form, shall verify that the form is complete, and may not accept a form from someone other than the person named on the form. The sheriff's office or municipal police department receiving the form shall transmit the form *and the person's identifying information* to the Department of Justice, in a manner ~~determined and format prescribed~~ *by the department, as soon as possible but* *department* no later than three business days after receiving the form. The department shall, on an ongoing basis, ensure that properly completed forms received from a sheriff's office or municipal police department are uploaded and reflected in the Do Not Sell List. When an individual is added to or removed from the Do Not Sell List, the change in status shall be immediately reflected within state computer-based systems used by law enforcement agencies or others to identify prohibited purchasers of firearms in which the person was entered. The list shall not be used for any purpose other than to determine eligibility to purchase ~~a firearm~~ *or acquire a firearm from a firearms dealer, as defined in Section 26700, or through a private-party transaction, as described in Sections 27545 and 28050, except the department may share aggregate data regarding the number of individuals who have utilized this process.*

(e) (1) No sooner than 14 days after filing the Do Not Sell List Request Form, the person may file a request for removal from the Do Not Sell List in the same manner that the person requested inclusion on the Do Not Sell ~~List~~ *List, as described in subdivision (d).*

(2) No sooner than 21 days after receiving a request for removal from the Do Not Sell List from a sheriff's office or municipal police department, and no later than 30 days after receiving the request, the department shall remove the person from any state computer-based systems used by law enforcement agencies or others to identify prohibited purchasers of firearms in which the person was entered, unless the person is otherwise ineligible to possess a firearm pursuant to any other law.

~~(f)(1)The fact that a person has requested to be added to the Do Not Sell List, is on the Do Not Sell List, has requested to be removed from the Do Not Sell List, or has been removed from the Do Not Sell List is confidential with respect to all matters, including, but not limited to, those involving health care, employment, education, housing, insurance, government benefits, and contracting, except that such information may be disclosed to a law enforcement officer acting in the performance of their duties. Records created or held pursuant to this chapter are not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).~~

~~(2)A violation of confidentiality occurs if a person or entity engaged in any activity described in paragraph (1), other than a health care professional, therapist, or counselor, inquires as to any confidential matter described in paragraph (1), or if any person described in paragraph (1), including, but not limited to, a health care professional, therapist, or counselor, takes any adverse action based on that information.~~

~~(3)The person whose confidentiality is violated by an inquiry or adverse action in violation of this subdivision may bring a private civil action for appropriate relief, including reasonable attorney's fees, for each violation that occurs.~~

*(f) (1) All information provided pursuant to this section shall be kept confidential. This information shall be kept separate and apart from all other records maintained by the Department of Justice, and shall be used only to determine eligibility to purchase or acquire firearms from a firearms dealer, as defined in Section 26700, or through a private-party transaction, as described in Sections 27545 and 28050. A person who knowingly furnishes that information for any other purpose is guilty of a misdemeanor.*

*(2) All the information provided pursuant to this section concerning any person shall be destroyed by the holder of that information within 30 days after removal from the Do Not Sell List by the Department of Justice. Records created or held pursuant to this chapter are not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).*

(g) No person shall be required to ~~voluntarily waive their firearm rights~~ *place themselves on the Do Not Sell List* as a condition of employment or of receiving any benefits or services.

**SEC. 2.** The Legislature finds and declares that Section 1 of this act, which adds Section 30180 to the Penal Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

In order to protect the privacy of individuals on the Do Not Sell List, it is necessary to limit the public's right of access to the list.

**SEC. 3.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, 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.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.