
THIRD READING

Bill No: AB 1078
Author: Berman (D)
Amended: 8/29/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/8/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 57-19, 6/2/25 - See last page for vote

SUBJECT: Firearms

SOURCE: Department of Justice

DIGEST: This bill makes various changes to California's concealed carry license (CCW) laws, increases the number of firearms an individual may purchase in a 30-day period from one to three, and makes California's lifetime firearm ban for felony convictions inapplicable to specified nonviolent felony convictions that occurred outside California.

ANALYSIS:

Existing law:

- 1) Generally prohibits the possession of firearms in most public areas, with specified exceptions. (Penal Code (Pen. Code), §§ 25300 et seq.)
- 2) Exempts persons with CCW licenses from the laws prohibiting possessing a firearm in a public area. (Pen. Code, § 25655.)

- 3) Provides that knowingly possessing a firearm, imitation firearm, and other specified devices in a public transit facility is a misdemeanor punishable by imprisonment in county jail for up to six months, a fine of up to \$1,000, or both. (Pen. Code, § 171.7, subd. (b).)
- 4) Provides that when a person applies for a new CCW license or license renewal, the sheriff of a county or the chief or other head of a municipal police department of any city or city and county shall issue or renew a license to that person upon proof of all of the following:
 - a) The applicant is not a disqualified person to receive such a license, as defined.
 - b) The applicant is at least 21 years of age, and presents clear evidence of the person's identity and age, as defined.
 - c) The applicant is a resident of the county or a city within the county, or the applicant's principal place of employment or business is in the county or a city within the county and the applicant spends a substantial period of time in that place of employment or business.
 - d) The applicant has completed a course of training, as defined.
 - e) The applicant is the recorded owner, with the Department of Justice (DOJ), of the pistol, revolver, or other firearm for which the license will be issued. (Pen. Code, §§ 26150, subd. (a)(1)-(5); 26155, subd. (a)(1)-(5).)
- 5) Provides that prior to the issuance of a license, renewal of a license, or amendment to a license, each licensing authority with direct access to the designated DOJ system shall determine if the applicant is the recorded owner of the particular pistol, revolver, or other firearm capable of being concealed upon the person reported in the application for a license or the application for the amendment to a license. (Pen. Code, § 26162, subd. (a).)
- 6) Provides that an agency with direct access to the designated DOJ system shall confirm the applicant's information with firearm ownership maintained in the system. An agency without access to the system shall confirm this information with the sheriff of the county in which the agency is located. (Pen. Code, § 26162, subd. (b).)
- 7) States that upon issuance of the notice, the licensing authority shall submit to the DOJ fingerprint images and related information required by the DOJ for

each CCW license applicant, and requires the DOJ to provide a state or federal response to the licensing authority. (Pen. Code, § 26185, subd. (a)(1).)

- 8) Provides that upon receipt of the fingerprints of an applicant for a new license, the DOJ must promptly furnish the licensing authority with information as to whether the person is prohibited by state or federal law from possessing or purchasing a firearm, and requires DOJ to notify the licensing authority if it is unable to ascertain the specified information about the applicant. (Pen. Code, § 26185, subd. (a)(2).)
- 9) Specifies that for each new applicant, the DOJ shall promptly furnish the licensing authority a criminal history report pertaining to the applicant. (Pen. Code, § 26185, subd. (a)(2).)
- 10) Provides that for each applicant for a renewal license, upon issuance of the notice, the licensing authority shall submit to the DOJ the renewal notification, as defined. (Pen. Code, § 26185, subd. (b)(1).)
- 11) States that for each applicant for a renewal license, the DOJ shall determine whether the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm. (Pen. Code, § 26185, subd. (c)(1).)
- 12) States that for each applicant for a renewal license whose renewal notification is submitted to DOJ prior to September 1, 2026, DOJ shall determine whether the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm and notify the licensing agency in a manner to be prescribed through regulations. (Pen. Code, § 26185, subd. (c)(2).)
- 13) Establishes that for each applicant for a renewal license whose renewal notification is submitted to the DOJ on or after September 1, 2026, upon receipt of the applicant's fingerprints, the DOJ shall promptly furnish the licensing authority information as to whether the person is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm. For each applicant for a renewal license, the DOJ must furnish the licensing authority with a criminal history report. (Pen. Code, § 26185, subd. (c)(3).)
- 14) States that if a psychological assessment on the initial application is required by the licensing authority, the license applicant shall be referred to a licensed psychologist acceptable to the licensing authority. The applicant may be charged for the actual cost of the assessment. In no case shall the amount charged to the applicant for the psychological assessment exceed the reasonable costs to the licensing authority. (Pen. Code, § 26190, subd. (e)(1).)

- 15) States that a CCW shall not be issued if the DOJ determines that the person is prohibited by state or federal law from possessing, receiving, owning or purchasing a firearm. (Pen. Code, § 26195, subd. (a).)
- 16) States that a CCW shall be revoked by the local licensing authority if at any time either the local licensing authority determines or is notified by the DOJ of any of several specified conditions. (Pen. Code, § 26195, subd. (c)(1)(A)-(D).)
- 17) Provides that if the local licensing authority revokes the license, the DOJ shall be notified of the revocation. The licensee shall also be immediately notified of the revocation in writing. (Pen. Code, § 26195, subd. (c)(3).)
- 18) Provides that, unless a court makes a contrary determination, an applicant shall be deemed to be a disqualified person and cannot receive or renew a license if, among other things, the applicant is reasonably likely to be dangerous, has been convicted of specified crimes, has engaged in the reckless use of a firearm, or is currently abusing any controlled substance, as specified. (Pen. Code, § 26202, subd. (a)(1)-(10).)
- 19) States that in determining whether an applicant is a disqualified person and cannot receive or renew a license, the licensing authority shall conduct an investigation that includes, among other things, an in-person interview unless otherwise stated, interviews with three character witnesses, and a review of information provided by DOJ. (Pen. Code, § 26202, subd. (b)(1)-(6).)
- 20) States that if a new license or license renewal is denied or revoked based on a determination that the applicant is a disqualified person for such a license, the licensing authority shall provide the applicant with the notice of this determination stating the reason for the determination. (Pen. Code, § 26206, subd. (a).)
- 21) Provides that an applicant shall have 30 days after the receipt of the notice of denial to request a hearing to review the denial or revocation from the superior court of their county of residence. (Pen. Code, § 26206, subd. (c)(1)-(2).)
- 22) Provides that a person granted a CCW license shall not carry a firearm on or into several specified areas, including a bus, train, or other form of transportation paid for in whole or in part with public funds, and a building, real property, or parking area under the control of a transportation authority supported in whole or in part with public funds. (Pen. Code, § 26230, subd. (a)(1)-(29), (a)(8).)

- 23) Prohibits a person from making an application to purchase more than one firearm within any 30-day period, except as specified. (Pen. Code, § 27535, subds. (a)-(b).)
- 24) Provides that a firearm dealer shall not deliver a firearm to a person under specified circumstances and unless specified conditions are met, including whenever the dealer is notified by the DOJ that within the preceding 30-day period, the purchase has made another application to purchase a handgun, semiautomatic centerfire rifle, completed frame or receiver, or firearm precursor part, and that the previous application to purchase did not involve any of the entities or circumstances exempt from the one-gun-a-month rule. (Pen. Code, § 27540.)
- 25) Provides that any person who has been convicted of a felony under the laws of the United States, the State of California, or any other state, government, or country, or of an offense involving the violent use of a firearm or who is addicted to the use of any narcotic drug, and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a felony. (Pen. Code, § 29800, subd. (a)(1).)
- 26) Provides that any person who has two or more specified convictions related to making criminal threats and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a felony. (Pen. Code, § 29800, subd. (a)(2).)
- 27) Provides that the felon-in-possession firearm prohibition shall not apply to a conviction or warrant for a felony under the laws of the United States unless conviction of a like offense under California law can result in imposition of felony punishment. (Pen. Code, § 29800, subd. (c)(1).)

This bill:

- 1) Specifies that the prohibition against carrying a firearm in a public transit facility does not apply to a person transporting an unloaded firearm locked in a lock box that is compliant with requirements regarding such lock boxes.
- 2) Specifies that the enumerated requirements for a CCW listed in Penal Code Sections 26150 and 26155 only apply to California residents.
- 3) Provides that when a non-California resident applies for a new CCW license or license renewal, the sheriff of a county or the chief of a municipal police department shall issue or renew a license to that non-California resident subject to the following conditions:

- a) The applicant is not a disqualified person to receive the license, in accordance with California law and all comparable statutes and provisions of law of the nonresident applicant's state of residence.
 - b) The applicant is at least 21 years of age and presents "clear evidence of their identity, age, and state of residence," which means either a valid driver's license from their state of residence or a valid out-of-state ID card issued by the Department of Motor Vehicles.
 - c) The applicant attests under oath that the jurisdictions which they have applied is the primary location in California in which they intend to travel or spend time.
 - d) The applicant has completed a course of training that meets specified criteria for each firearm for which the applicant is applying to be licensed to carry in California, as specified.
 - e) The applicant has completed live-fire shooting exercises for each firearm, as specified.
 - f) The applicant has identified on the application the make, model, caliber and serial number for each firearm; identification of a firearm that cannot be lawfully carried or possessed in California shall be cause for denial of a license.
- 4) Strikes the requirements that the DOJ, for each CCW applicant for a new or renewal license, must promptly furnish the licensing authority a criminal history report pertaining to the applicant.
- 5) Specifies that no renewal license shall be issued by any licensing authority unless the DOJ confirms the applicant's eligibility to possess, receive, own, or purchase a firearm, as specified.
- 6) Specifies that for a non-resident CCW applicant, the licensing authority may either allow the applicant to complete a virtual psychological assessment, where the applicant appears by video or audio, or approve an examination provider located within 75 miles of the applicant's residence.
- 7) Provides that a CCW shall not be issued and an existing CCW shall be revoked if an applicant knowingly provides any inaccurate or incomplete information in connection with an application for a license or license renewal or an application to amend a license.

- 8) Provides that a CCW holder shall inform the local licensing authority that issued the license of any restraining order or arrest, charge, or conviction of a crime, as specified.
- 9) Provides that if at any time the DOJ determines that a licensee is prohibited by state or federal laws from possessing, receiving, owning, or purchasing a firearm, the DOJ shall immediately, but no longer than 15 days after the determination, notify the local licensing authority of the determination.
- 10) Provides that unless a court makes a contrary determination, as specified, an applicant shall also be deemed to be a disqualified person if the applicant satisfies any one or more of the following:
 - a) They have been convicted of any federal law or law of any other state that includes comparable elements of contempt of court under California law.
 - b) They have been subject to a restraining order or protective order under any federal law or law of any other state that includes comparable elements of specified restraining and protective orders in California law, unless the order expired or was vacated or canceled more than five years prior to the licensing authority receiving the application, or the order expired or was vacated or cancelled and the applicant did not receive notice and an opportunity to be heard before the order was issued.
 - c) They were subject to a restraining order or protective order under California law, unless the order expired or was vacated or otherwise cancelled and the applicant did not receive notice and an opportunity to be heard before the order was issued.
 - d) They have been convicted of a federal offense or offense under the laws of another state, the elements are comparable to specified California offenses, including serious and violent felonies, crimes requiring sex offender registration, crimes resulting in a 10-year ban on the purchase or possession of firearms, and crimes involving criminal threats.
 - e) They are an unlawful user of, or addicted to, any controlled substance, as described in specified federal laws and regulations.
 - f) For the purposes of these disqualifying provisions, the term “abusing” means excessive use or consumption reflecting that the applicant has lost the power of self-control with reference to the controlled substance or alcohol.

- 11) Provides that, for a non-resident applicant, the investigation conducted by the licensing authority to determine whether an applicant is a disqualified person must include an in-person interview of the applicant or a virtual interview of the applicant, where the applicant appears by video and audio, at the applicant's election.
- 12) Specifies that an investigation conducted by the licensing authority for any applicant must include a review of specified information indicating whether the applicant is reasonably likely to be a danger to self, others, or the community at large, or that the applicant is otherwise a disqualified person because they have been the subject of a restraining order.
- 13) Specifies that the initial determination made by the licensing authority that the person is not a disqualified person shall include a final determination as to whether the applicant is or is not a disqualified person due to being an unlawful user of, or addicted to, any controlled substance.
- 14) Provides that upon determining that the applicant is a disqualified person due to being an unlawful user of, or addicted to, any controlled substance, as described in specified provisions of federal law, the licensing authority shall, within five, days, submit to the National Instant Criminal Background Check System, specified information regarding the applicant, as provided.
- 15) Provides that non-resident applicants must request a hearing to review the denial or revocation of a CCW from the county in which the application was submitted.
- 16) Provides that for the purposes of CCW revocations or denials based on a determination that the applicant is a disqualified person, the term "criminal history report" is defined as specified information provided by the DOJ as well as firearms eligibility notices or any other information subsequently provided to the licensing authority regarding the applicant.
- 17) Provides that if a CCW licensee fails to submit an application for renewal within 90 days of the expiration of their license, the licensing authority shall immediately request that the DOJ terminate state or federal subsequent notification, as specified.
- 18) Specifies that a person granted a CCW may carry a firearm on a bus, train, or other form of transportation paid for in whole or in part with public funds, and a building, real property, or parking area under the control of a transportation

authority as long as the firearm is unloaded and locked in a lock box which is approved by the DOJ as a firearm safety device, as specified.

- 19) Prohibits a person from making an application to purchase one or more firearms that would result in the purchase of more than three firearms cumulatively within any 30-day period.
- 20) Prohibits a firearm dealer from delivering a firearm whenever the dealer is notified by the DOJ that the purchaser has made an application to purchase one or more firearms that would result in the purchase of more than three firearms cumulatively within the 30-day period preceding the date of the applications.
- 21) Requires firearms dealers to modify the notice posted on the licensed premises regarding the number of permissible firearm purchases that may be made per month, per the following: “No person shall make an application to purchase one or more firearms that would result in the purchase of more than three firearms cumulatively within any 3- day period and no delivery shall be made to any person who has made an application to purchase one or more firearms that would result in the purchase of more than three firearms cumulatively within the 30-day period preceding the date of the application, inclusive.”
- 22) Specifies that its provisions regarding the number of permissible firearm purchases in a 30-day period are contingent upon an appellate ruling reversing the district court order and judgement in *Nguyen v. Bonta, S.D. Cal. No. 3:20-cv-02470*.
- 23) Specifies that the California law resulting in imposition of felony punishment must include comparable elements of the federal offense for a conviction or warrant for a felony under the laws of the United States to trigger the felon-in-possession prohibition.
- 24) Provides that the felon-in-possession prohibition does not apply to a conviction for a nonviolent felony under the laws of any other state if both of the following criteria are satisfied:
 - a) The conviction has been vacated, set aside, expunged, or otherwise dismissed under the laws of the state where the defendant was convicted.
 - b) If the conviction resulted in a firearms prohibition under the laws of the state where the defendant was convicted, the vacatur, set aside, expungement, or dismissal of the conviction restored firearms rights under the laws of that state.

- 25) Provides that the felon-in-possession prohibition also does not apply to a conviction for a nonviolent felony under the laws of any other state if both of the following criteria are satisfied:
- a) The person received a full and unconditional pardon by the Governor of the other state for the felony conviction and the pardon restores civil rights that include firearms rights.
 - b) The person was never convicted of a felony involving the use of a dangerous weapon, as provided.
- 26) Defines “nonviolent felony,” for the purposes of the felon-in-possession prohibition to mean an offense under the laws of another state that does not include a material element of California laws delineating serious and violent felonies, offenses involving the violent use of a firearm, and other violent offenses, as specified.
- 27) Specifies that an attempt, conspiracy or solicitation to commit an offense, or aiding and abetting an offense, under the laws of any other state that includes comparable elements constituting a serious or violent felony, an offense involving the violent use of a firearm, and other violent offenses, is not a “non-violent felony.”
- 28) Makes various technical and conforming changes.

Comments

For a more extensive explanation and discussion of this bill’s provisions, see the analysis prepared by the Committee on Public Safety.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- The Department of Justice (DOJ) estimates a fiscal impact of approximately \$190 thousand or less (General Fund). DOJ notes that implementation of this bill will be dependent upon the appropriation of funds. DOJ will be unable to absorb the costs to comply with or implement the requirements of the bill within existing budgeted resources. [...] DOJ also notes that its California Justice Information Services (CJIS) Division would necessitate system modification and enhancement to existing systems.

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to the courts to hear cases arising from this bill.
- Costs of an unknown but potentially significant amount to local law enforcement agencies (local funds, General Fund) that issue CCW licenses, typically county sheriffs' offices and city police departments. This bill will increase workload of local law enforcement agencies, particularly in areas with a high proportion of non-residents seeking CCW licenses.

SUPPORT: (Verified 8/29/25)

Department of Justice (source)
 California Moms Demand Action
 Everytown for Gun Safety Action Fund
 Giffords Law Center to Prevent Gun Violence
 Students Demand Action for Gun Sense in America

OPPOSITION: (Verified 8/29/25)

California Rifle and Pistol Association
 Gun Owners of California, Inc.

ASSEMBLY FLOOR: 57-19, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Arambula, Bains, Soria

Prepared by: Alex Barnett / PUB. S. /
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**** **END** ****

