SENATE JUDICIARY COMMITTEE Senator Thomas Umberg, Chair 2025-2026 Regular Session

AB 1127 (Gabriel) Version: July 3, 2025

Hearing Date: July 15, 2025

Fiscal: Yes Urgency: No

AM

SUBJECT

Firearms: converter pistols

DIGEST

This bill expands the definition of "reasonable controls" under the Firearm Industry Responsibility Act (FIRA) to also include reasonable procedures, acts, or practices that are designed, implemented, and enforced to prevent the installation and use of a pistol converter, as defined, with a firearm. The bill also prohibits a licensed firearms dealer from selling, offering for sale, exchanging, giving, transferring, or delivering any semiautomatic machinegun-convertible pistol, as defined. The bill also expands the definition of machinegun under the Penal Code to include any machinegun-convertible pistol equipped with a pistol converter, as defined.

EXECUTIVE SUMMARY

AB 1594 (Ting, 2022, Ch. 98, Stats 2022) enacted the Firearm Industry Responsibility Act (FIRA) to require the firearms industry to establish reasonable controls, follow the law, and prevent abnormally dangerous weapons from being sold in this state. Failure to comply with any requirement of FIRA is a violation of the firearm industry standard of conduct, and therefore is cause for bringing a civil action – by the Attorney General, a city attorney, county counsel, or person who has suffered harm because of a firearm industry member's conduct – in a court of competent jurisdiction against the firearm industry member. This bill expands the definition of "reasonable controls" under FIRA to also include reasonable procedures, acts, or practices that are designed, implemented, and enforced to prevent the installation and use of a pistol converter with a firearm. This analysis will focus on the provisions of the bill in this Committee's jurisdiction. Issues related to the Penal Code were analyzed by the Senate Public Safety Committee, which passed the bill on a vote of 4 to 1. The bill is sponsored by Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, and Students Demand Action for Gun Sense in America. The bill is supported by several cities, mayors, advocacy organizations, and several individuals. The bill is opposed by organizations that advocate for the rights of gun owners and one individual.

PROPOSED CHANGES TO THE LAW

Existing federal law:

- 1) Provides, pursuant to the Second Amendment to the United States Constitution, that a well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed. (U.S. Const. Amend. 2.)
- 2) Prohibits a qualified civil liability action from being brought in any Federal or State court. (15 U.S.C. § 7902.) A "qualified civil liability action" means a civil action or proceeding or an administrative proceeding brought by any person against a manufacturer or seller of a qualified product, or a trade association, for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, or penalties, or other relief, resulting from the criminal or unlawful misuse of a qualified product by the person or a third party. (15 U.S.C. § 7903.)

Existing state law:

- 1) Establishes the "Firearm Industry Responsibility Act" (FIRA) which allows for civil actions to be brought against firearm industry members who deal in abnormally dangerous firearm-related products. (Civ. Code § 3273.50 et seq.)
- 2) Defines, for the purposes of FIRA, a "firearm-related product" as a firearm, ammunition, a firearm precursor part, a firearm component, firearm manufacturing machine, and a firearm accessory that meets any of several specified conditions. (Civ. Code §3273.50(d).)
- 3) Requires a firearm industry member to comply with the firearm industry standard of conduct. Makes it a violation of the firearm industry standard of conduct for a firearm industry member to fail to comply with specified provisions, including establishing, implementing, and enforcing reasonable controls. (Civ. Code §3273.51(a) & (b)(1).)
 - a) Reasonable controls means reasonable procedures, acts, or practices that are designed, implemented, and enforced to do the following:
 - i. prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or another or of possessing or using a firearm-related product unlawfully;
 - ii. prevent the loss or theft of a firearm-related product from the firearm industry member; and
 - iii. ensure that the firearm industry member complies with all provisions of California and federal law and does not otherwise promote the

unlawful manufacture, sale, possession, marketing, or use of a firearm-related product.

- 4) Authorizes the following to bring an action in a court of competent jurisdiction under FIRA:
 - a) A person who has suffered harm because of a firearm industry member's conduct. (Civ. Code § 3273.52(b).)
 - b) The Attorney General, in the name of the people of the State of California, to enforce the Act's requirements and remedy harm caused by a violation.
 - c) A city attorney, in the name of the people of that city, to enforce to enforce the Act's requirements and remedy harm caused by a violation.
 - d) A county counsel, in the name of the people of that county, to enforce the Act's requirements and remedy harm caused by a violation. (*Id.*, at (c).)
- 5) Authorizes a court, if it determines that a firearm industry member engaged in conduct in violation of the firearm industry standard of conduct to award any or all of the following:
 - a) Injunctive relief sufficient to prevent the firearm industry member and any other defendant from further violating the law.
 - b) Damages.
 - c) Attorney's fees and costs.
 - d) Any other appropriate relief necessary to enforce this title and remedy the harm caused by the conduct. (Civ. Code § 3273.52(d).)
- 6) Provides that any person, firm, or corporation, who within this state possesses or knowingly transports a machinegun, except as authorized, is guilty of a felony, as specified. (Pen. Code § 32625(a).)
 - a) "Machinegun" is defined as any weapon that shoots, is designed to shoot, or can readily be restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger, and specifies that the term also includes the following:
 - i. The frame or receiver of any weapon described immediately above, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if those parts are in the possession or under the control of a person.
 - ii. Any weapon deemed by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as readily convertible to a machinegun under specified provisions of federal law. (Pen. Code, § 16880.)
- 7) Prohibits, generally, the sale, lease or transfer of firearms by any person unless they have been issued a license by the Department of Justice (DOJ), and establishes various exceptions to this prohibition. (Pen. Code §§ 26500 26625.)

- a) Provides that a license to sell firearms is subject to forfeiture for any violation of a number of specified prohibitions and requirements, with limited exceptions. (Pen. Code, § 26800(a).)
- b) Defines "firearm" for most provisions of the Penal Code related to firearms as a device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion. (Pen. Code, § 16520(a).)
- 8) Prohibits the purchase, sale, offer for sale, or transfer of ownership of any firearm precursor part that is not a federally regulated firearm precursor part, except as specified. (Pen. Code §§ 30400 & 30420.)
 - a) Defines "firearm precursor part" as any forging, casting, printing, extrusion, machined body or similar article that has reached a stage in manufacture where it may readily be completed, assembled or converted to be used as the frame or receiver of a functional firearm, or that is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled or converted. (Pen. Code § 16531(a).)
- 9) Establishes what firearms fall into the category of "assault weapons" and generally prohibits the purchase, sale, possession and transfer of such weapons. (Pen. Code, §§ 30500 et seq.)

This bill:

- 1) Expands the definition of "reasonable controls" to include reasonable procedures, acts, or practices that are designed, implemented, and enforced to prevent the installation and use of a pistol converter with a firearm.
- 2) Defines pistol converter to mean any device or instrument that when installed in or attached to the rear of the slide of a semiautomatic pistol, replaces the backplate, and interferes with the trigger mechanism and thereby enables the pistol to shoot automatically more than one shot by a single function of the trigger. A pistol converter includes, but is not limited to, a pistol converter manufactured using a three-dimensional printer.
- 3) Prohibits a licensed firearms dealer from selling, offering for sale, exchanging, giving, transferring, or delivering any semiautomatic machinegun-convertible pistol on and after January 1, 2026, subject to specified fines. Provides certain exceptions for specified entities for lawful use in their official duties.
- 4) Defines "machinegun-convertible pistol" to mean any semiautomatic pistol with a cruciform trigger bar that can be readily converted by hand or with common household tools, as defined in Section 4082 of Title 11 of the California Code of Regulations, into a machinegun by the installation or attachment of a pistol

converter as a replacement for the slide's backplate without any additional engineering, machining, or modification of the pistol's trigger mechanism.

- a) A machinegun-convertible pistol does not include a hammer-fired semiautomatic pistol or striker-fired semiautomatic pistol lacking a cruciform trigger bar, which instead has a trigger bar that is shielded from interference by a pistol converter.
- b) A polymer notch or other piece of polymer molded into the rear of the pistol frame does not prevent ready conversion into a machinegun and will not prevent a pistol from qualifying under this definition.
- 5) Expands the definition of "machinegun" to include any machinegun-convertible pistol equipped with a pistol converter, as defined in Section 17015.
- 6) Provides that if any section, subsection, sentence, or clause of this act is for any reason declared unconstitutional, invalid, or unenforceable by any court of competent jurisdiction, such decision shall not affect the constitutionality, validity, or enforceability of the remaining portions of this act or any part thereof. The Legislature hereby declares that it would have adopted this act notwithstanding the unconstitutionality, invalidity, or unenforceability of any one or more of its sections, subsections, sentences, or clauses.

COMMENTS

1. Stated need for the bill

The author writes:

AB 1127 will protect communities from mass shootings and gun violence. As parents and lawmakers, we refuse to stand idly by while our schools and communities are being threatened by illegal machine guns. This commonsense legislation will ensure that the gun industry is held accountable and that we are doing everything possible to protect our communities from mass shootings.

2. The epidemic of gun violence

Gun violence in the United States has surged in recent years. Most shooting deaths involve handguns, however there has been a dramatic rise in the use of assault weapons in gun massacres with six or more deaths, owing to their ability to inflict greater damage at a quicker rate. Research shows that laws restricting assault weapons reduce deaths; estimates find mass-shooting fatalities were 70 percent less likely during the

¹ Emily Shapiro, *The type of gun used in most US homicides is not an AR-15* (October 26, 2021) ABC News, https://abcnews.go.com/US/type-gun-us-homicides-ar-15/story?id=78689504.

period when the federal ban was in effect.² Another rising scourge is the prevalence of "ghost guns." In 2020, California accounted for 65 percent of all ghost guns seized by the Bureau of Alcohol, Tobacco, Firearms and Explosives.³ The weapons have been linked to 24 killings and dozens of other crimes in 2020 in Los Angeles alone. The problem of gun violence in our society is not going away. The United States saw a record number of mass shootings in 2023, with the Gun Violence Archive reporting 659 mass shootings, and 503 in 2024.⁴ As of July 3 of this year, the Gun Violence Archive reports 212 mass shooting in 2025.⁵

3. FIRA and constitutional challenges

a. FIRA

FIRA was established to require the firearms industry to establish reasonable controls, follow the law, and prevent abnormally dangerous weapons from being sold in this state. "Reasonable controls" are reasonable procedures, acts, or practices that are designed, implemented, and enforced to do several things. First, they must prevent the loss or theft of firearm-related products. They must also ensure the member complies with applicable state and federal law, including refraining from promotion of the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product. Finally, these controls must prevent the sale or distribution of a firearm-related product to various persons, including a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or another or of possessing or using a firearm-related product unlawfully. This latter requirement places an affirmative obligation on firearm industry members to act on circumstances that give them a strong basis to think the product will be used in these problematic ways.

The bill creates a rebuttable presumption, in a civil action alleging a violation of FIRA, that the firearm industry member failed to implement reasonable controls if both of the following conditions are satisfied:

• the firearm industry member's action or failure to act created a reasonably foreseeable risk that the harm alleged by the claimant would occur; and

³ Justin Ray, 'An instrument of death': The problem of ghost guns in California (November 15, 2021) Los Angeles Times, https://www.latimes.com/california/newsletter/2021-11-15/ghost-guns-california-essential-california.

⁴ *Gun Violence Archive*, available at https://www.gunviolencearchive.org/.

⁵ Ibid.

• the firearm industry member could have established, implemented, and enforced reasonable controls to prevent or substantially mitigate the risk that the harm would occur.

Once the presumption is established, the burden shifts to the member to prove by a preponderance of the evidence that they established, implemented, and enforced reasonable controls. The standard also requires firearm industry members to take reasonable precautions to ensure that they do not sell, distribute, or provide a firearm-related product to a downstream distributor or retailer of such products who fails to establish, implement, and enforce the reasonable controls described above. This again places obligations on members to take affirmative steps to prevent misconduct that could occur after the firearm products leave their hands. Violations of the firearm industry standard of conduct can be enforced by the Attorney General, any city attorney or county counsel, and by a person who has suffered harm as a result of the violation. A court is authorized to award injunctive relief, "damages," attorney's fees and costs, and any other appropriate relief necessary to enforce the law and remedy the harm caused by the conduct.

FIRA also provided that the firearm industry standard of conduct prohibits a firearm industry member from manufacturing, marketing, importing, offering for wholesale sale, or offering for retail sale a firearm-related product that is *abnormally dangerous* and likely to create an unreasonable risk of harm to public health and safety. AB 1594 provided that a firearm-related product is not to be considered abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety based on a firearm's inherent capacity to cause injury or lethal harm. However, it established a presumption that a firearm-related product meets this threshold if any of several conditions are met. The first is the product's features "render the product most suitable for assaultive purposes instead of lawful self-defense, hunting, or other legitimate sport and recreational activities." This essentially established a civil assault-weapons ban.

b. Pending challenge to FIRA

FIRA was quickly challenged in the courts and the case is still pending. (*National Shooting Sports Foundation v. Bonta* (2024) 718 F.Supp.3d 1244.) The plaintiff in the case challenged FIRA on the basis that it violates the First and Second Amendments, the dormant Commerce Clause, and other constitutional protections and sought a preliminary injunction. (*Id.* at 1249.) The district court issued a preliminary injunction to the provisions related to an abnormally dangerous product stating that the plaintiff seemed likely to win the case on a Dormant Commerce Clause claim, but allowed the provisions related to reasonable controls and unfair business practices to remain operative due to plaintiffs' lack of standing to challenge those provisions. (*Id.* at 1257.) In regards to the Dormant Commerce Clause claim, the district court found that the abnormally dangerous provisions of FIRA banned or directly affected "commercial transactions that take place entirely outside the state's borders," which "plainly

contravenes the [D]ormant Commerce Clause." (*Id.* at 1256.) The issues regarding the plaintiff's assertions of First and Second Amendment violations and other constitutional violations will be litigated in the pending case.

c. Constitutional considerations

In 2008, the Supreme Court ruled along ideological lines that a District of Columbia law banning handguns violated the Second Amendment.⁶ The Court held for the first time that the Second Amendment protected an individual right to possess a firearm unconnected with service in a militia and to use that firearm for traditionally lawful purposes, such as self-defense within the home. Two years later, the Supreme Court reaffirmed, again along ideological lines, that the Second Amendment protected the right to keep and bear arms for the purpose of self-defense and further held that the Second Amendment was fully applicable to the states.⁷ While it is clear that states have authority to regulate firearms, any robust regulation, such as FIRA or this bill, will be susceptible to and almost certainly challenged. In one relevant example, a federal appeals court struck down California's laws limiting sales of semiautomatic rifles to persons under 21 years of age.⁸

The Supreme Court revisited its Second Amendment jurisprudence in the case *New York State Rifle & Pistol Association v. Bruen.* In that case, the Court determined that the two-step analysis it had previously outlined in Heller was "one step too many." (*N.Y. State Rifle & Pistol Ass'n v. Bruen,* 142 U.S. 2111 (2022).) Instead, the Court created a new standard: if the Second Amendment's plain text covers the individual's conduct, it is presumptively protected, and the government must demonstrate that the regulation is consistent with the nation's historical tradition of firearm regulation. (*N.Y. State Rifle & Pistol Ass'n,* 142 U.S. at 2126.)

In addition to the barriers faced by courts' interpretation of the Second Amendment, the federal Protection of Lawful Commerce in Arms Act (PLCAA), signed into law in 2005 by President Bush, prohibits a qualified civil liability action from being brought in any federal or state court. (15 U.S.C. § 7902.) A "qualified civil liability action" means a civil action or proceeding or an administrative proceeding brought by any person against a manufacturer or seller of a qualified product, or a trade association, for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, or penalties, or other relief resulting from the criminal or unlawful misuse of a qualified product by the person or a third party. (15 U.S.C. § 7903.) These statutes stand to preempt state laws that impose liability on manufacturers, sellers, and trade associations for the misuse of firearms by third parties. There are; however, exceptions to the PLCAA's preemptive effect, including one that explicitly provides it does not

⁶ District of Columbia v. Heller, 554 U.S. 570 (2008).

⁷ McDonald v. City of Chi., 561 U.S. 742 (2010).

⁸ Jones v. Bonta, No. 20-56174, 2022 U.S. App. LEXIS 12657, at *41-43 (9th Cir. May 11, 2022).

preempt "an action in which a manufacturer or seller of a qualified product knowingly violated a State or Federal statute applicable to the sale or marketing of the product, and the violation was a proximate cause of the harm for which relief is sought." (15 U.S.C. § 7903.) Attorney General Bonta, one of the sponsors of AB 1594, argued that FIRA takes advantage of the room provided to states under the PLCAA.

4. This bill expands reasonable controls to include preventing the installation of a pistol converter

This bill expands the definition of "reasonable controls" under FIRA to also include reasonable procedures, acts, or practices that are designed, implemented, and enforced to prevent the installation and use of a pistol converter with a firearm. "Pistol converter" is defined as any device or instrument that when installed in or attached to the rear of the slide of a semiautomatic pistol, replaces the backplate, and interferes with the trigger mechanism and thereby enables the pistol to shoot automatically more than one shot by a single function of the trigger. A pistol converter includes, but is not limited to, a pistol converter manufactured using a three-dimensional printer, as defined. Therefore, if a firearm industry member failed to prevent the installation or use of a pistol converter in a firearm, they would be in violation of the firearm industry standard of conduct, which would subject them to civil liability under FIRA. (Civil Code Section 3273.52 (a).) As noted above, it is likely that this bill is susceptible to challenge. As evidenced by the current case challenging FINRA, the likelihood of this happening is high.

5. Statements in support

The Attorney General, Rob Bonta, writes in support, stating:

[...] Fully automatic machine guns are exceptionally lethal weapons capable of firing hundreds of rounds per minute and have been generally illegal under federal and state law for decades. Unfortunately, some semi-automatic firearms feature a dangerous design flaw that allows for conversion to a fully automatic weapon with the use of a plastic converter, commonly known as a "Glock switch." These converters are cheap and easy to make at home with a 3D printer, and are small enough to be easily trafficked. The ease of conversion has made these particular types of pistols popular with criminals. Once modified to full-automatic, these pistols can fire up to 1,200 rounds per minute with a single pull of a trigger.

AB 1127 will prohibit new sales of those models of semi-automatic pistols that have specific design features that make them uniquely susceptible to conversion into automatic machine guns. The bill will require the manufacturers of these pistols to incorporate design features that effectively

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prevent installation of machine gun conversion devices, and which cannot be defeated or removed using common household tools.

California has one of the lowest rates of firearms deaths in the nation and that is due to our strong commonsense gun safety laws. These laws are effective and save lives. Prohibiting this dangerous design flaw is an integral step in keeping automatic weapons off our streets. [...]

The Brady Campaign writes in support, stating:

[...] AB 1127 [...] will protect Californians from DIY machine guns by prohibiting the future sale of any pistol that can quickly and easily be converted into a machine gun by attaching a so-called Glock switch — forcing the companies who design their pistols to easily accept these devices to stop selling them to civilians unless and until they fix the problem.

DIY machine guns are a growing threat to public safety. Fully automatic machine guns have been illegal under federal and state law for decades, but they can be made at home by attaching a tiny piece of metal or plastic commonly known as a "Glock switch" to a convertible pistol.

Shootings committed with these modified, fully automatic handguns can be significantly more deadly, since they allow shooters to spray bullets with a single pull of the trigger, endangering bystanders. In 2022 — right here in Sacramento — a Glock pistol converted into a machine gun was used during a gun battle that killed six and injured twelve. Officers recovered over 110 shell casings at the scene.

These DIY machine guns are flooding our streets because Glock and other companies using the same design have manufactured their pistols in a way that makes them uniquely easy to convert into illegal machine guns by attaching a Glock switch. Because these companies choose profits over public safety, anyone with one of these pistols, a Glock switch – which can be 3D-printed or purchased online for \$25 – and a screwdriver can turn their pistol into an illegal and extremely lethal machine gun in just a few minutes. Glock, specifically, has known about this problem for years, but has not taken responsibility for its easily convertible products and instead has refused to take serious action to fix its design. When the firearm industry refuses to take action to prevent tragedies, California lawmakers must act by prohibiting the sale of dangerous machinegun-convertible pistols. [...]

6. Statements in opposition

The Gun Owners of California write in opposition, stating:

[...] By redefining semi-automatic pistols as "convertible" simply because they could hypothetically be modified, AB 1127 sets a dangerous precedent for future gun bans and further erosion of Second Amendment rights.

AB 1127 operates as a veiled ban on Glock handguns and dozens of its clones, one of the most widely used and trusted firearm brands in the world. Glocks are carried by law enforcement, military personnel, and responsible civilians across the country due to their reliability and ease of use. By specifically targeting the potential for modification, this bill disproportionately affects potential Glock purchasers and restricts access to one of the most popular handguns available, further demonstrating that this legislation is not about safety but about incremental firearm prohibition.

California's restrictive handgun roster already prevents the sale of modern Glock models that are designed to be incompatible with so-called "Glock switches," yet AB 1127 further punishes legal firearm purchasers by limiting their choices while criminals will continue to operate without regard for the law. Ironically, California is now scrambling to fix a problem of its own making — blocking access to modern, safer handgun models and then blaming legal gun owners for the consequences. Additionally, this bill fails to acknowledge that nearly all semi-automatic pistols could theoretically be considered a "convertible pistol" making their definition overly broad and unenforceable. [...]

SUPPORT

Everytown for Gun Safety Action Fund (sponsor) Moms Demand Action for Gun Sense in America (sponsor) Students Demand Action for Gun Sense in America (sponsor) Attorney General, Rob Bonta **Brady Campaign** California Moms Demand Action Chapman University Students Demand Action City of Alameda City of Goleta City of Santa Rosa Consumer Protection Policy Center **Equality California** Friends Committee on Legislation of California Giffords Law Center to Prevent Gun Violence Hispanic Federation Mayor Kate Colin, City of San Rafael

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Mayor Martha Guerro, City of West Sacramento Mayor Michael Vargas, City of Perris Mayor Chelsea Byers, West Hollywood Mayor Paula Perotte, City of Goleta Monta Vista Students Demand Action Newtown Action Alliance North County San Diego Students Demand Action Occidental College Students Demand Action The Chamberlain Network **UCLA Students Demand Action** Vet Voice Foundation 40 faith leaders 5 individuals

OPPOSITION

California Rifle and Pistol Association Gun Owners of California National Rifle Association 1 individual

RELATED LEGISLATION

Pending Legislation: AB 1263 (Gipson, 2025), among other things, expands the duties of a firearm industry member under FIRA. AB 1263 is set to be heard in this Committee on the same day as this bill.

Prior Legislation:

AB 1594 (Ting, Ch. 98, Stats. 2022) established FIRA.

AB 1089 (Gipson, Ch. 243, Stats. 2023) regulated three-dimensional printers and CNC milling machines as firearms related products, and required anybody who uses a threedimensional printer or CNC milling machine to manufacture a firearm to be a statelicensed manufacturer.

PRIOR VOTES

Senate Public Safety Committee (Ayes 4, Noes 1) Assembly Floor (Ayes 58, Noes 17) Assembly Appropriations Committee (Ayes 11, Noes 2) Assembly Judiciary Committee (Ayes 9, Noes 2) Assembly Public Safety Committee (Ayes 7, Noes 1)
