
THIRD READING

Bill No: AB 1263
Author: Gipson (D), et al.
Amended: 3/24/25 in Assembly
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/1/25

AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener

NOES: Seyarto

SENATE JUDICIARY COMMITTEE: 11-1, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NOES: Niello

NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 63-10, 6/3/25 - See last page for vote

SUBJECT: Firearms: ghost guns

SOURCE: California Department of Justice

DIGEST: This bill imposes additional obligations and duties on firearm industry members under the Firearm Industry Responsibility Act (FIRA) with regard to firearm accessories and firearm manufacturing devices, establishes new civil and criminal penalties related to the unlawful manufacture of a firearm, and adds several violations to the list of crimes for which a conviction results in a 10-year ban on the purchase or possession of firearms.

ANALYSIS:

Existing law:

- 1) Establishes the “Firearm Industry Responsibility Act” (hereinafter, “FIRA”) which allows for civil actions to be brought against firearm industry members who deal in abnormally dangerous firearm-related products. (Civil Code (Civ. Code), § 3273.50 et seq.)
- 2) Defines the following terms for the purposes of FIRA:
 - a) “Firearm accessory” means an attachment or device designed or adapted to be inserted into, affixed onto, or used in conjunction with a firearm that is designed, intended, or functions to alter or enhance the firing capabilities of a firearm, the lethality of the firearm, or a shooter’s ability to hold and use a firearm.
 - b) “Firearm industry member” shall mean a person, firm, corporation, company, partnership, society, joint stock company, or any other entity or association engaged in the manufacture, distribution, importation, marketing, wholesale sale, or retail sale of firearm-related products.
 - c) “Firearm manufacturing machine” means a three-dimensional printer, as defined, or computer numerical control (CNC) milling machine that is marketed or sold as, or reasonably designed or intended to be used to manufacture or produce a firearm.
 - d) “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.
 - 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. (Civ. Code, § 3273.50, subds. (c), (f), (g), (h).)

- 3) Provides that a firearm industry member must comply with the firearm industry standard of conduct; and makes it a violation of the firearm industry standard of conduct for a firearm industry member to fail to comply with any requirement below:
 - a) A firearm industry member shall do both of the following:
 - i. Establish, implement, and enforce reasonable controls.
 - ii. Take reasonable precautions to ensure that the firearm industry member does not sell, distribute, or provide a firearm-related product to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls.
 - b) A firearm industry member shall not manufacture, market, import, offer for wholesale, or offer for retail sale a firearm-related product that is likely to create an unreasonable risk of harm to public health and safety, as provided.
 - c) A firearm industry member shall not engage in any conduct related to the sale or marketing of firearm-related products, as specified. (Civ. Code, § 3273.51, subds. (a)-(d).)
- 4) Provides that a civil action may be brought against a person who knowingly does either of the following:
 - a) Distributes or causes to be distributed, by any means including the internet, any digital firearm manufacturing code to any other person in this state who is not a federally licensed firearms manufacturer, member of the Armed Forces of the United States or the National Guard, while on duty and acting within the scope and course of employment, or any law enforcement agency or forensic laboratory.
 - b) Commits an act that violates prohibitions related to manufacturing firearms using a CNC milling machine or 3D printer, regardless of whether the act results in a conviction. (Civ. Code. § 3273.61, subd. (a).)
- 5) States that a person who commits a defined act shall be strictly liable for any personal injury or property damage inflicted by the use of a firearm that is manufactured or produced using the digital firearm manufacturing code that

they distributed or caused to be distributed or that is manufactured by means of a CNC milling machine, a three-dimensional printer, or a similar machine. (Civ. Code. § 3273.61, subd. (b).)

- 6) States that the Attorney General, county counsel, or city attorney may bring an action in any court of competent jurisdiction to establish that a person has violated this section and may seek a civil penalty not to exceed \$25,000 for each violation, as well as injunctive relief. (Civ. Code. § 3273.61, subd. (c).)
- 7) Provides that a prevailing plaintiff shall be entitled to recover reasonable attorney's fees and costs. (Civ. Code. § 3273.61, subd. (d).)
- 8) Defines "digital firearm manufacturing code," for the purposes of this cause of action as any digital instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a CNC milling machine, a three-dimensional printer, or a similar machine, to manufacture or produce a firearm, including a completed frame or receiver or a firearm precursor part. (Civ. Code, § 3273.60, subd. (a).)
- 9) Sets forth a process for the licensing of firearms manufacturers by the Department of Justice. (Penal Code (Pen. Code), §§ 29050, et. seq.)
- 10) Prohibits the manufacture of more than 3 firearms within the state in a calendar year unless the person is licensed to manufacture firearms pursuant to California law. (Pen. Code, § 29010.)
- 11) Provides that no person, other than a state-licensed firearms manufacturer, shall use a CNC machine or 3-D printer to manufacture a firearm, and that it is unlawful to sell, offer to sell, transfer, possess, purchase, or receive a CNC milling machine or 3-D printer that has the sole or primary function of manufacturing firearms, as specified. (Pen. Code, § 29185, subs. (a)-(c).)
- 12) Provides that persons convicted of specified serious or violent misdemeanors are prohibited from possession of firearms for a period of 10 years and that a violation of that prohibition is punishable as a misdemeanor with imprisonment up to one year or as a state prison felony. (Pen. Code, § 29805, subd. (a).)
- 13) Includes within the list of misdemeanors triggering a 10 year firearm prohibition the crimes of stalking, sexual battery, assault with a deadly weapon, battery with serious bodily injury, brandishing a firearm of deadly weapon, assault with force likely to produce great bodily injury, battery on a

peace officer, corporal injury to spouse, cohabitant or fellow parent, child abuse, elder abuse, unsafe storage of a firearm, and threats of bodily injury or death, among other misdemeanors. (Pen. Code, § 29805, subd. (a).)

- 14) Requires any person subject to a firearm prohibition based on a conviction of a felony or specified misdemeanor to relinquish any firearms they own, possess or have under their control or custody within 48 hours if the defendant is out of custody or within 14 days if the defendant is in custody. (Pen. Code, § 29810, subd. (a).)
- 15) Prohibits specified conduct related to undetectable firearms, unserialized firearms, computer numerical control milling machines and three-dimensional printers used to manufacture firearms, assault weapons, .50 BMG rifles, multiburst trigger activators, short-barreled rifles, short-barreled shotguns, and zip guns. (Pen. Code, §§ 24610, 27530, 29185, 30605, 30610, 32900, 33215, 33600.)

This bill:

- 1) Modifies the definition of “firearm accessory” for the purposes of FIRA to mean an attachment or device designed or adapted to be inserted into, affixed onto, or used in conjunction with a firearm that is designed, intended, or functions to increase a firearm’s rate of fire or to increase the speed at which a person may reload a firearm or replace the magazine, or any other attachment or device, as specified, that may render a firearm an assault weapon when inserted into, affixed onto, or used in conjunction with a firearm.
- 2) Specifies that the term “firearm accessory” also includes any other device, tool, kit, part, or parts set that is clearly designed and intended for use in manufacturing firearms.
- 3) Modifies the definition of “firearm manufacturing machine” for the purposes of FIRA to mean a three-dimensional printer, a CNC milling machine, or a similar machine, that is marketed or sold as or is reasonably designed or intended to be used to manufacture or produce firearms, firearm components, or firearm accessories.
- 4) Provides that prior to completing the sale or delivery in California or to a California resident of a firearm accessory, firearm manufacturing machine, or a firearm barrel unattached to a firearm, a firearm industry member shall comply with all of the following requirements:

- a) Provide a prospective purchaser with a clear and conspicuous notice of specified information.
 - b) Receive an acknowledgment from the prospective purchaser attesting that the prospective purchaser received and understands the notice.
 - c) Require the prospective purchaser to provide proof of age and identity verifying that the prospective purchaser is at least 18 years of age.
- 5) Specifies that the notice above shall clearly inform the purchaser that it is generally a crime in California to engage in specified conduct without a valid license to manufacture firearms.
- 6) Requires firearm industry members to do all of the following for shipment and delivery of a firearm barrel, firearm accessory, or firearm manufacturing machine:
- a) Ensure all packages are conspicuously labeled with the words: “Signature and proof of identification of person aged 18 years or older required for delivery.”
 - b) Ensure the shipping instructions list an address that matches the purchaser’s identification.
 - c) Require the purchaser, upon delivery, to present a courier with proof of identification and the purchaser’s signature in order to receive the item.
- 7) Creates several exemptions to the sale and delivery requirements for firearm accessories, firearm barrels, and firearm manufacturing machines outlined above, including for licensed firearm dealers, licensed ammunition vendors, members of the armed forces or law enforcement, a forensic laboratory, or a wholesaler.
- 8) Expands the definition of “digital firearm manufacturing code” to apply not only to the manufacture of a firearm, including a completed frame or receiver or precursor part, but also to the manufacture of a large capacity magazine, a large capacity magazine conversion kit, a machinegun, a multiburst trigger activator, a silencer, a firearm accessory or a firearm barrel.
- 9) Extends strict liability for any personal injury or property damage inflicted by the use of a firearm to any firearm or other device that was unlawfully manufactured or produced as a result of the person’s violation resulting in liability, including a firearm or device manufactured or produced in whole or

in part using the digital firearm manufacturing code or by means of the CNC machine, 3-D printer or similar machine as a result of the underlying violation.

- 10) Allows a person who has suffered harm in California as a result of a violation of Civil Code Section 3273.61 may bring an action in a court of competent jurisdiction to establish that a person has violated that provision, and may seek compensatory damages as well as injunctive relief sufficient to prevent the person and any other defendant from further violating the law.
- 11) Establishes a rebuttable presumption that a person has violated prohibitions related to the distribution of a digital firearm manufacturing code if specified conditions are met.
- 12) Creates a new civil cause of action against a person who knowingly, willfully, or recklessly causes another person to engage in the unlawful manufacture of firearms, or who knowingly, willfully, or recklessly aids, abets, promotes, or facilitates the unlawful manufacture of firearms, as provided.
- 13) Makes it unlawful to knowingly or willfully cause another person to engage in the unlawful manufacture of firearms, or to knowingly or willfully aid, abet, promote, or facilitate the unlawful manufacture of firearms.
- 14) Specifies that the “the unlawful manufacture of firearms” includes any of the following:
 - a) The manufacture of a firearm by a minor, or by a person who is prohibited from owning or possessing firearms under California law.
 - b) The manufacture of four or more firearms within the state in the same calendar year by an individual who is not licensed to manufacture firearms pursuant to California law.
 - c) The manufacture of any firearm using a three-dimensional printer or CNC milling machine by an individual who is not licensed to manufacture firearms pursuant to California law.
 - d) The manufacture of a firearm by a person who is not a federally licensed firearms manufacturer, for the purpose of selling or transferring ownership of that firearm to another person who is not a federally licensed firearms manufacturer.
 - e) The manufacture of a firearm for the purpose of selling, loaning, or transferring the firearm to another person, with the intent to complete the

sale, loan, or transfer without a required background check on the transferee initiated by a licensed firearms dealer

- f) The manufacture of any specified prohibited firearms and firearm-related devices.
- 15) Provides that the unlawful manufacture of a firearm is punishable as a misdemeanor.
- 16) Provides that any person who is a convicted of a violation of any of several specified violations related to undetectable firearms, unserialized firearms, computer numerical control milling machines and three-dimensional printers used to manufacture firearms, assault weapons, .50 BMG rifles, multiburst trigger activators, short-barreled rifles, short-barreled shotguns, and zip guns shall not own, purchase, receive, possess, or have under their custody or control any firearm for a period of 10 years, a violation of which is punishable as an aggravated misdemeanor.

Comments

For a more in-depth discussion of this bill's provisions, please see the analysis prepared by the Senate Committee on Public Safety.

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

According to the Senate Appropriations Committee:

- The Department of Justice (DOJ) reports a fiscal impact of \$200,000 or less, General Fund) DOJ notes 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. Assuming the new prohibitions would add 200 new prohibited people per year, Bureau of Firearms (BOF) would request the following resources to meet the mandates of the bill beginning January 1, 2026:
 - One (1) 24-month limited term Associate Governmental Program Analyst in the Legislation Unit (LU) to help draft regulations for the changes to Civ Code 3273.51(e).
 - 90 total billable hours for 2 DAG IV's in the Government Law Section (GLS)

- BOF would require the following overtime (OT):
 - Eight (8) hours of OT FY 25/26 for a Crime Analyst Supervisor in the Quality Assurance Unit (QAU)
 - 70 hours total OT FY 25/26 for Two (2) Field Representatives in the Regulatory Compliance Unit (RCU)
 - 276 hours total OT FY 26/27 and ongoing for a Special Agent in Enforcement
- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate criminal and civil violations.
- Unknown, potentially significant costs (local funds, General Fund) to the counties to incarcerate people for violations of this bill.

SUPPORT: (Verified 8/29/25)

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

OPPOSITION: (Verified 8/29/25)

California Rifle and Pistol Association
 Gun Owners of California
 1 Individual

ASSEMBLY FLOOR: 63-10, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Fariás, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, 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, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, DeMaio, Dixon, Ellis, Gallagher, Hadwick, Macedo, Patterson,
Sanchez, Tangipa

NO VOTE RECORDED: Chen, Flora, Hoover, Lackey, Ta, Wallis

Prepared by: Alex Barnett / PUB. S. /
8/30/25 16:24:36

****** END ******