

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 1316 (Addis) – As Introduced February 21, 2025

SUBJECT: Hunting licenses: information on firearms

SUMMARY: Requires the Department of Fish and Wildlife (CDFW) to provide information about firearm safety to every person who purchases a hunting license. Specifically, **this bill**:

- 1) Requires, beginning on July 1, 2027, CDFW to provide every person who purchases a hunting license with, at minimum, the following information:
 - a) The safe storage of firearms;
 - b) California's child access prevention laws;
 - c) Liability for parents and guardians who should have known their child could access a firearm at home;
 - d) Basic California firearm laws; and
 - e) How to legally transfer or relinquish a firearm.
- 2) Allows CDFW, in cooperation with the Department of Justice (DOJ) to promulgate regulations regarding the requirements in #1.

EXISTING LAW:

- 1) Requires individuals to acquire a hunting license for the privilege to take birds and mammals [Fish and Game Code (FGC) §§ 3031 *et. seq.*].
- 2) Declares that individuals who engage in hunting should possess an adequate understanding of hunter safety practices, principles of conservation, and positive sporting behavior (FGC § 3049).
- 3) Prohibits the issuance of a hunting license unless that individual provides evidence to CDFW that they completed a hunter education course, among other things (FGC § 1053.5 and § 3050).
- 4) Requires CDFW to provide a course for hunter education and the requirements of that course and instructor (FGC § 3051).
- 5) States the intent of the Legislature that persons who obtain firearms have a basic familiarity with those firearms, including, but not limited to, the safe handling and storage of those firearms. Requires that a person shall not possess a firearm without a valid firearm safety certificate (FSC) (Penal Code § 31610 and § 31615).
- 6) Exempts a person, 18 years or older, from the FSC requirement in #5, if that person has a valid hunting license, except as to hand guns [Penal Code § 31700 (c)].

- 7) Establishes the crime of “criminal storage of a firearm” in the first, second, or third degree, generally involving culpable storage of a firearm with a likelihood that a child is able to gain access to the firearm (Penal Code § 25100.)
- 8) Requires DOJ to prepare a pamphlet that summarizes California firearms laws as they pertain to persons other than law enforcement officers or members of the armed services (Penal Code § 34205).
- 9) Establishes the Dealers’ Record of Sale (DROS) Special Account within the General Fund, which shall be available, upon appropriation by the Legislature, for expenditure by DOJ to offset the reasonable costs of firearms-related regulatory and enforcement activities related to the sale, purchase, manufacturing, lawful or unlawful possession, loan, or transfer of firearms (Penal Code § 28233).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, “California has long been recognized as a leader in gun violence prevention with some of the strongest laws in the nation. Still, these laws can only save lives if gun owners know about them. In fact, research shows that relatively modest increases in safe storage practices could reduce youth firearm fatalities by up to 32%.

[This bill] will help prevent senseless tragedies by providing crucial information about the safe storage of firearms, child access prevention laws, and other basic firearms laws to anyone purchasing a hunting license. Providing this important information to hunters, a group of people who are likely to own firearms, is commonsense step to increase awareness of and compliance with the state’s lifesaving gun safety laws.”

- 2) **Background.** According to Pew Research, three-in-ten American adults say they currently own a gun, with people living in rural areas more likely to own a gun (46%) than those in suburban or urban areas (28% and 19%, respectively). This research also indicates that 38% of gun owners say that hunting is their primary reason for owning a gun, while around 30% say sport shooting, including target, trap and skeet shooting is a major reason they own a gun. Roughly four-in-ten gun owners – including 30% of those with children under 18 at home – say there is a gun that is both loaded and easily accessible to them all of the time when they are at home.

Hunter safety. California’s first hunter education law was enacted in 1954. Before receiving a hunting license an individual must have evidence that they have completed a hunter safety course. CDFW offers two course options: (1) a traditional course that consists of a minimum of ten hours of classroom, homework, and field instruction or (2) a hybrid format that includes an online course that is followed by a four-hour class with a Hunter Education Instructor. In these courses, a hunter will learn about firearms safety and handling, sportsmanship and ethics, wildlife management and conservation, archery, black powder, wildlife identification, game care, first aid, and survival. A hunter safety certificate is typically valid for the lifetime of a hunter.

According to the International Hunter Education Association's Hunting Incident Database, over 2014–18, hunters had on average ten firearm accidents annually, when hunting. There were an average of 278,000 hunting licenses sold over those years.

Firearm safety certificate. The law requires most individuals who acquire a firearm to possess certain knowledge regarding the operation of firearms and firearms laws via the FSC requirement. In most cases, a person must obtain a firearm safety certificate before purchasing or receiving any firearm. DOJ is responsible for developing and implementing the FSC program. To obtain a FSC, an individual must correctly answer at least 23 of 30 questions that may cover gun safety rules, firearms and children, firearm operation and safe handling, firearm ownership, and firearm laws. A FSC is valid for five years. Hunters who only possess long guns (i.e., not hand guns) and have a valid hunting license are exempt from the FSC requirement.

Implementation. CDFW's License and Revenue Branch is responsible for the issuance and revenue collection of approximately 400 types of licenses and permits related to recreational hunting and fishing, commercial fishing and special permits. Hunting licenses may be purchased online or in certain stores. Over the last five years, CDFW has granted on average 265,000 hunting license annually. This bill will require CDFW to alter both its online, in-person, and over-the-phone platforms. Of the hunting license sold in 2023, around 44%, 56%, and 0.2% (which is 616 licenses) of licenses were purchased in online, in-person, and over-the-phone, respectively. This bill will require CDFW to modify its online platform, have materials distributed to every CDFW License Sales Office and every applicable retail store, and mail out materials with every license.

- 3) **Policy considerations.** The core mission of CDFW is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. This bill requires CDFW to do something that is outside its core mission and places a new mandate on CDFW that (1) it may not have sufficient resources to fulfill or (2) that may divert resources from other programs. CDFW already has limited resources to fulfill its many mandates within its mission and operates at a continued funding deficit that only covers 40% of its mission according to CDFW's Service-Based Budgeting for FY 2023–24 (a budgeting approach that informs the future budget based on staff time needed to complete these tasks). It may be more appropriate to use non-CDFW funds to cover the costs of the distribution of firearm safety materials. However, as noted in a recent Senate Appropriations Committee analysis for a similar bill, SB 248, the DROS Account—which can be used by DOJ to offset the cost of firearms-related regulator and enforcement actions, including possession—may be unable to absorb additional mandates.
- 4) **Arguments in support.** The Brady Campaign (sponsors) and Consumer Protection Policy Center at the University of San Diego, School of Law write in support of this bill citing the importance of gun safety and the risks of guns to children.
- 5) **Arguments in opposition.** The California Waterfowl Association writes in opposition that this bill as it creates an unfunded mandate on CDFW, which would need to modify its Automated License Data System. Additionally, they question the need for this bill in light of the lengthy hunter safety courses provided through the state.

Grasslands Water District (GWD) writes with an ‘oppose unless amended’ position on this bill. They also note that this bill will require CDFW to use funds from the Fish and Game Preservation Fund, which is already operating in a structural deficit, for purposes that do not align with the fund. GWD indicates that finding a different fund to support this bill would be more appropriate.

- 6) **Related legislation.** SB 248 (Rubio) of the current legislative session, requires DOJ to mail firearm transferees a letter that includes information about firearm ownership. SB 248 has been placed on the Senate Appropriations Committee suspense file.

AB 452 (Friedman), Chapter 199, Statutes of 2022, requires local educational agencies to inform parents, through a notice, of California’s child access prevention laws and other firearm laws

SB 172 (Portantino), Chapter 840, Statutes of 2019, expands the crime of criminal storage of a firearm to include unlawful storage of an unloaded firearm and expands the list of offenses for which the 10-year firearms prohibition applies to include criminal storage of a firearm

AB 231 (Ting), Chapter 730, Statutes of 2013, creates the crime of criminal storage in the third degree, which imposes liability if a person negligently stores or leaves a loaded firearm in a place where he or she knows, or reasonably should know, that a child is likely to access it.

REGISTERED SUPPORT / OPPOSITION:

Support

Brady Campaign (Sponsor)
Consumer Protection Policy Center–University of San Diego, School of Law

Opposition

California Waterfowl Association

Opposition Unless Amended

Grassland Water District

Analysis Prepared by: Stephanie Mitchell / W., P., & W. / (916) 319-2096