
THIRD READING

Bill No: AB 1743
Author: Wicks (D), et al.
Amended: 8/13/26 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 6/16/26
AYES: Arreguín, Caballero, Cortese, Pérez, Wiener
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/13/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 59-18, 5/26/26 - See last page for vote

SUBJECT: Firearms

SOURCE: Brady Campaign
Brady California

DIGEST: This bill clarifies that identification and tracing information related to crime guns, as defined, shall be made available, upon request, to any town, city, or county in California, any state government agency, the University of California, the California State University, or any private nonprofit university in California for academic and policy research purposes.

ANALYSIS:

Existing law:

- 1) Prohibits, generally, the sale, lease or transfer of firearms unless the person has been issued a license by the Department of Justice (DOJ) and establishes various exceptions to this prohibition. (Penal [Pen.] Code, §§ 26500-26625.)

- 2) Requires DOJ to keep a centralized list of all persons licensed to sell, lease or transfer firearms at retail. (Pen. Code, § 26715 subd. (a).)
- 3) Specifies the circumstances under which the DOJ may, or in some cases, shall, remove licensees from the centralized list. (Pen. Code, § 26715 subd. (b).)
- 4) Specifies that information compiled from the centralized list of licensees shall be made available, upon request, only for specified purposes, and shall be limited to information necessary to corroborate an individual's current license status, as specified. (Pen. Code, § 26715 subd. (c), (d).)
- 5) Requires the DOJ to make information maintained in the California Restraining and Protective Order System or any other data relating to prohibitions on firearm ownership, available to researchers affiliated with the California Firearm Violence Research Center at UC Davis (FVRC) upon proper request and following approval by the center's governing institutional review board when required, and at the department's discretion, to any other nonprofit bona fide research institution, as specified. (Pen. Code, § 14231.5.)
- 6) Requires the DOJ to keep and properly file a complete record of specified information reported to it regarding concealed carry permits, specified firearm transfers and sales, serialization of firearms and ownership records, and other firearm-related actions (Pen. Code, § 11106, subd. (a).)
- 7) Requires the Attorney General to permanently keep and properly file and maintain all information reported to the DOJ pursuant to specified firearm provisions and maintain a registry thereof. (Pen. Code, § 11106, subd. (b).)
- 8) Provides that all information collected shall be maintained by the DOJ and shall be available to researchers affiliated with the FVRC for academic and policy research purposes upon proper request and following approval by the center's governing institutional review board. Material identifying individuals shall only be provided for research or statistical activities and shall not be transferred, revealed, or used for purposes other than research or statistical activities, and reports or publications derived therefrom shall not identify specific individuals. (Pen. Code, § 11106, subd. (d).)
- 9) Requires law enforcement agencies to enter into the DOJ Automated Firearms System (AFS) each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, surrendered or relinquished, as specified. (Pen. Code, §§ 11108.2, 25260.)

- 10) States that information about a firearm entered into the AFS for firearms shall remain in the system until the reported firearm has been found, recovered, is no longer under observation, or the record is determined to have been entered in error. (Pen. Code, § 11108.2, subd. (b).)
- 11) Specifies that nothing in specified provisions related to criminal offender record information shall be construed to authorize access of any person or public agency to such information unless such access is otherwise authorized by law. (Pen. Code, § 13201.)
- 12) Provides that every public agency or bona fide research institution concerned with the prevention or control of crime, the quality of criminal justice, or the custody or correction of offenders may be provided with criminal offender record information, including criminal court records, as required for the performance of its duties, including the conduct of research. The FVRC and researchers affiliated with the center shall be provided with criminal offender record information as required for its research, and material identifying individuals shall only be provided for research and statistical activities and shall not be transferred, revealed, or used for purposes other than research or statistical activities. (Pen. Code, § 13202.)
- 13) Provides that certain information collected by the DOJ related to licensed ammunition vendors shall be available to researchers affiliated with the FVRC following approval by the institution's governing institutional review board, when required, and that at the department's discretion, the data may be provided to any other nonprofit bona fide research institution, as specified. (Pen. Code, § 30352, subd. (b)(2).)
- 14) Provides that law enforcement agencies subject to the above requirement shall, and other specified agencies may, report to the DOJ in a manner determined by the Attorney General in consultation with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) all available information necessary to identify and trace the history of all recovered firearms that are illegally possessed, have been used in a crime, or are suspected of having been used in a crime (hereinafter, "crime guns"), within 7 calendar days of obtaining the information (Pen. Code, § 11108.3, subd. (a).)
- 15) Provides that the Attorney General shall ensure to the maximum extent practical that both of the following apply regarding the implementation of the above and below provisions pertaining to crime guns:

- a) The information provided to the federal ATF enables that agency to trace the ownership of the defined firearm; and,
 - b) Law enforcement agencies can report all relevant information without being unduly burdened by this reporting function. (Pen. Code, § 11108.3, subd. (c).)
- 16) Provides that information collected pursuant to the above provisions related to crime guns shall be maintained by the DOJ for a period of not less than 10 years, and shall be available, under guidelines set forth by the Attorney General, for academic and policy research purposes. (Pen. Code, § 11108.3, subd. (d).)
- 17) Requires the DOJ to, on an ongoing basis, analyze the information collected pursuant to the above provisions for patterns and trends relating to recovered crime guns, including the leading sources and origins of those firearms. (Pen. Code, § 11108.3, subd. (e).)

This bill:

- 1) Provides that information relied on by DOJ for its analysis regarding crime gun trends and patterns shall be available, upon request, to the University of California, the California State University, or any private postsecondary educational institution in California, as specified, for academic and research purposes, or to any town, city, county, or state government agency in California, under the conditions and pursuant to format options set forth by the Attorney General.

Comments

In 2021, the Legislature passed AB 1191 (McCarty, Chapter 683, Statutes of 2021), which required the DOJ to analyze patterns and trends relating to crime guns, including the sources and origins of those firearms, and report its findings to the Legislature. In its latest report, published in July 2025, DOJ found that in 2024, just over one-third of crime guns recovered had a prior sale or transaction record confirmed in AFS, and over a quarter could be traced to a specific dealer in California. It is worth noting that while this data is significant, its inverse – that the vast majority of crime guns reported to the DOJ have no record of sale in AFS – is equally troubling. These include firearms that were acquired to illegal sales, imported illegally, manufactured in California as unserialized “ghost guns,” or not subject to transaction reports.

In 2016, the Legislature created the Firearm Violence Research Center (FVRC) at the University of California, Davis, and provided in statute that the work of the center address the nature of firearm violence, including individual and societal determinants of risk for involvement, the individual, community, and societal consequences of firearm violence, and prevention and treatment of firearm violence at the individual level. The statute establishing the FVRC also declared the intent of the Legislature that the center be provided with access to data kept by state agencies that is necessary for its research, including from the DOJ, but specified that material identifying individuals shall only be provided for research or statistical activities and not be transferred, revealed or used for purposes other than these. Since the center's establishment, its access to state-level data has expanded to include criminal offender record information, armed prohibited persons data, data related to ammunition transfers and vendors, and an array of information related to firearms, including AFS data.

As mentioned above, AB 1191 required the DOJ, on an ongoing basis, to analyze crime gun information for patterns and trends related to such firearms. This provision also requires the DOJ to maintain this information for a period of at least 10 years, and make the information available, under guidelines set forth by the Attorney General, for academic and policy research purposes. This bill builds on that requirement and specifies that the DOJ make information relied upon for its crime gun analysis available, upon request, to the University of California, the California State University, or any private postsecondary educational institution in California for academic or research purposes, as well as to any town, city, county, or state government agency in California. The bill also specifies that the sharing of this data is subject to conditions and format options set forth by the Attorney General. Given DOJ's past efforts to limit data sharing with the FVRC, the author and committee should consider limiting its discretion to impose conditions on the sharing of this information, provided it is clear that the sharing is done strictly for academic and policy research purposes.

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

According to the Senate Appropriations Committee:

Significant costs annually to the DOJ Firearms Records Unit within the Division of Law Enforcement to process firearm data requests, provide subject matter expertise, and perform research, formatting and validating of data for accuracy.

Significant costs annually to the DOJ Office of General Counsel for legal, information security and research services (General Fund).

SUPPORT: (Verified 8/13/26)

Brady California (co-source)

Brady United Against Gun Violence (co-source)

City of Emeryville

City of Oakland

Consumer Protection Policy Center/USD School of Law

Everytown for Gun Safety Action Fund

Giffords

Moms Demand Action for Gun Sense in America

Students Demand Action for Gun Sense in America

OPPOSITION: (Verified 8/13/26)

California Rifle and Pistol Association, INC.

National Rifle Association - Institute for Legislative Action

ASSEMBLY FLOOR: 59-18, 5/26/26

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

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

NO VOTE RECORDED: Chen, Muratsuchi, Celeste Rodriguez

Prepared by: Alex Barnett / PUB. S. /
8/17/26 10:42:48

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