

CONCURRENCE IN SENATE AMENDMENTS

AB 1743 (Wicks)

As Amended August 13, 2026

Majority vote

SUMMARY

Clarifies that identification and tracing information for illegal firearms recovered during criminal investigations be made available, upon request, to any town, city, or county in California, any state government agency, the California University, the California State University, or any private postsecondary institution, formed as a nonprofit corporation in the state and are accredited by an accrediting agency that is recognized by the United States Department of Education or the Council for Higher Education Accreditation, for academic and policy research purposes.

Senate Amendments

- 1) Modify information sharing authorization to state that information relied on by the Department of Justice (DOJ) for its analysis of patterns and trends relating to recovered firearms that have been illegally possessed, used in crime, or suspected to have been used in crime shall be available, upon request, to designated entities.
- 2) Add educational institutions that are formed as a nonprofit corporation in the state and are accredited by an accrediting agency that is recognized by the United States Department of Education or the Council for Higher Education Accreditation under the conditions set forth by the Attorney General to the qualifying institutions that may request defined information collected by the DOJ.
- 3) Clarify that information collected by DOJ shall be available to defined agencies under the conditions set forth by the Attorney General.
- 4) Make technical changes.

COMMENTS

As Passed by the Assembly, this bill: Clarified that identification and tracing information for illegal firearms recovered during criminal investigations be made available, upon request, to any town, city, or county in California, any state government agency, the California University, the California State University, or any private nonprofit university in California for academic and policy research purposes.

Major Provisions:

- 1) Stated that information collected shall be maintained by the Department of Justice (DOJ) for a period of not less than 10 years, and shall be available 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, under guidelines and format options set forth by the Attorney General, for academic and policy research purposes.

- 2) Required the Attorney General (AG) to make the information available, upon request, to any town, city, county in California, state government agency, the University of California, the California State University, or a private nonprofit university in California, in a format set by the AG.

According to the Author

"The State has invested significant resources into a robust database of information about guns that have caused harm in our communities. That data is powerful, and allowing our trusted partners in local government and higher education to request it will give them one more tool to end gun violence."

Arguments in Support

According to *Brady United to End Gun Violence*, "In furtherance of our goal to reduce firearm violence across the state, Brady and Brady California are proud to sponsor AB 1743."

"What is Firearm Trace Data: "

"Every gun recovered on California streets starts somewhere, and the overwhelming majority have their origins in the legal marketplace. Understanding how guns — particularly those that have been diverted from legal commerce to the underground market — make their way to crime scenes is essential to crafting evidence-based and life-saving solutions to the American gun violence epidemic. Firearm trace data, which identifies the flow of that firearm from its legal construction or importation by a manufacturer/importer, wholesaler, or distributor, to a federally licensed firearms dealer, and finally to the firearm's original purchaser, is key."

"Are the guns coming from in state? Are they coming from a specific county? Are they coming from nearby or far away? Are they coming from a specific dealer? Firearm Trace data, which is information about where firearms are purchased, is key to understanding where crime guns are coming from. This data is a vital investigative tool, providing the historical sales record of a gun, tracked from its manufacturing to its first retail sale. It can help find the original purchaser, link suspects to crimes, identify traffickers, and uncover patterns in crime gun sources, revealing how guns move from legal commerce into illegal hands. "

"In short, firearm trace data is an essential tool for identifying and holding accountable the minority of irresponsible gun dealers and manufacturers who cater to the illegal gun trafficking market. It is only with this knowledge that they can take action to prevent further tragedy."

"California's Firearm Trace Data System:"

"The Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) annual crime gun tracing report from 2023 identified that approximately 54% of all California crime guns originate from within the state, however ATF's reports do not identify the individual dealers. The vast majority of gun dealers in this country and in California sell guns responsibly and make every effort to comply with federal, state, and local law. However, a small minority of gun dealers supply the criminal market. Prior to 2003, ATF conducted a nationwide analysis on crime gun tracing and made that analysis public. In fact, early ATF reports show that about 5% of gun dealers are responsible for about 90% of recovered crime guns. In 2003, the Tiahrt Amendment was added to the 2003 federal appropriations bill and because of ATF's interpretation of the amendment, policymakers and the general public no longer have any visibility into how crime guns flood into their communities or which irresponsible gun dealers supply them."

"Thankfully, the California Department of Justice's (Cal DOJ) Automated Firearms System (AFS) contains a database with information on all crime guns recovered in California. Because of California's unique firearms databases and systems, California has its own crime gun tracing program, independent and outside the restrictions set by ATF and the Tiahrt Amendment, allowing California to take meaningful and immediate action in reducing the effects of crime guns in its communities."

"Why this Bill is Needed:"

"The firearm trace data is housed within Cal DOJ, and it can be shared with localities as part of an investigation in real time, which is incredibly important. Additionally, pursuant to existing law statute firearm trace data is published in an annual report. However, despite the availability of the information and ability to share in those circumstances, the ability for Cal DOJ to share cumulative trace data with cities or counties, even if requested by a city or county counsel is not as clear or streamlined in California code. This information is incredibly important not only for solving violent crimes and understanding patterns of where crime guns are coming from but is becoming increasingly more relevant as localities consider litigation against gun industry members for irresponsible and dangerous business practices."

"AB 1743 is simple; it makes clear and streamlined in statute that Cal DOJ can share this key data with localities upon request. California has invested in a system that ensures it has access to this vital data and information, and it is important that all levels of government in the state can utilize it to keep their constituents safe and to prevent gun violence."

Arguments in Opposition

According to the *California Rifle and Pistol Association*, "On behalf of the California Rifle & Pistol Association, Inc. (CRPA), representing millions of law-abiding gun owners statewide, CRPA is dedicated to defending the rights of law-abiding firearms owners, promoting firearms safety and education, and fostering the shooting sports. On behalf of our members and supporters, we respectfully oppose AB 1743. CRPA promotes recreational shooting sports and provides safety, education, and skills training to enable all persons a safer recreational experience and the ability to defend themselves and others. CRPA has promoted firearms safety for 150 years."

"AB 1743 seeks to expand access to sensitive firearms tracing data maintained in the Department of Justice's Automated Firearms System (AFS) to a broader array of entities, including towns, cities, counties, state agencies, the University of California, California State University, and community colleges, for "academic and policy research purposes." It further mandates that the Attorney General provides this data in a format "conducive to the requester's needs." While presented as a measure to facilitate research, this bill poses significant risks to the privacy and safety of California's law-abiding gun owners and could be weaponized to advance anti-gun agendas."

"CRPA has long advocated for the protection of gun owners' personal information, as evidenced by our strong response to the 2022 DOJ data breach that exposed confidential details of hundreds of thousands of concealed carry permit holders. That incident, which CRPA condemned and demanded immediate remediation for, highlighted the dangers of mishandling firearms-related data, including risks of identity theft, harassment, and targeted burglaries. Expanding access to AFS data— which includes detailed histories of recovered, stolen, or crime-related firearms— without robust safeguards exacerbates these vulnerabilities. The bill's vague "guidelines set forth

by the Attorney General" offer insufficient protection against potential leaks or misuse, especially given past failures in data security."

"Moreover, this expanded access could enable biased "research" aimed at justifying further infringements on Second Amendment rights. Academic and policy studies funded or conducted by entities with anti-gun predispositions have historically been used to push for restrictive legislation, chilling lawful firearms ownership. CRPA opposes measures that facilitate such outcomes, as they undermine the privacy rights of individuals exercising their constitutional freedoms. Existing law already requires data retention for 10 years and allows limited access under controlled guidelines; AB 1743's broadening of eligibility and format requirements is unnecessary and burdensome, potentially straining DOJ resources and increasing error risks."

FISCAL COMMENTS

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)."

VOTES:

ASM PUBLIC SAFETY: 7-1-1

YES: Schultz, Mark González, Haney, Harabedian, Nguyen, Ramos, Sharp-Collins

NO: Lackey

ABS, ABST OR NV: Alanis

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Ta, Tangipa

ABS, ABST OR NV: Dixon

ASSEMBLY FLOOR: 59-18-3

YES: 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

NO: Alanis, Castillo, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

ABS, ABST OR NV: Chen, Muratsuchi, Celeste Rodriguez

SENATE FLOOR: 28-10-2

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Padilla, Reyes

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