

Date of Hearing: April 14, 2026

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ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1810 (Berman) – As Amended March 16, 2026

SUMMARY: Requires the Department of Justice (DOJ) to delist a licensed firearms dealer who fails to comply with the requirements to be on the list and to conduct a yearly inspection of the 10 firearm dealer locations with the highest percentage of total sales of firearms that were used in a crime, or suspected to have been used in a crime, as specified. Specifically, **this bill:**

- 1) States that DOJ shall remove from their centralized list of approved firearms dealers a person who fails to comply with specified requirements for licensure.
- 2) States that DOJ shall remove from their centralized list of approved firearms dealers a person who fails to remedy violations discovered as a result of an inspection, within 90 days of the inspection, as provided.
- 3) Establishes that a person removed from the centralized list, as defined, shall be subject to a fine and shall be ineligible to be placed on the centralized list for a period of two years from the date of removal.
- 4) Makes ineligible for two years a person who has been removed from the centralized list to own or operate a business selling firearms or ammunition, or be employed by a firearms dealer or ammunition vendor.
- 5) Provides that dealers shall provide a certificate of eligibility for all employees, who are required to have a certificate of eligibility, upon request of any peace officer, authorized law enforcement employee, or DOJ employee designated by the Attorney General, upon the presentation of proper identification during the course of an inspection.
- 6) Requires DOJ to conduct an inspection of the 10 firearm dealer locations with the highest percentage of total sales of firearms that were recovered by law enforcement and found to be illegally possessed, used in a crime, or suspected to have been used in a crime, as described.
- 7) States that a firearm dealer location shall only be inspected, as specified, if it is reported to be the source of no fewer than 20 firearms that were illegally possessed, used in a crime, or suspected to have been used in a crime.
- 8) Requires firearms dealer inspections to occur within 12 months after the release of a specified report. DOJ may forego an otherwise required inspection if the location has been inspected within six months prior to the release of the report.

- 9) States that a dealer found to have committed a violation of the defined requirements shall remedy the violation within 90 days of the inspection and submit proof of that remedy to DOJ.
- 10) Establishes that a fee adjustment, used to cover the cost of maintaining the centralized dealer list, shall not exceed 15 percent over the previous year and shall not exceed the amount necessary to cover costs.
- 11) Requires DOJ to assess a “reasonable” annual fee to maintain the centralized dealer list, including that the fee adjustment shall not exceed 15 percent over the previous year and shall not exceed the amount necessary to cover costs.
- 12) Makes other conforming changes.

EXISTING LAW:

- 1) Except as otherwise provided in paragraphs (1) and (3) of subdivision (b), States that DOJ shall keep a centralized list of all persons licensed to sell firearms. (Pen. Code, § 26715, subd. (a).)
- 2) Authorizes DOJ to remove from the centralized dealers list any person who knowingly or with gross negligence violates a specified provision. (Pen. Code, § 26715, subd. (b)(1).)
- 3) Requires DOJ to remove from the centralized list any person whose federal firearms license has expired or has been revoked. (Pen. Code, § 26715, subd. (b)(2).)
- 4) Requires DOJ to remove from the centralized list any person or entity who has failed to provide certification of compliance, as defined. (Pen. Code, § 26715, subd. (b)(3).)
- 5) States that upon removal of a dealer from this list, notification shall be provided to local law enforcement and licensing authorities in the jurisdiction where the dealer’s business is located. (Pen. Code, § 26715, subd. (b)(4).)
- 6) Provides that information from the list shall be limited to that information necessary to corroborate an individual’s current license status, as specified. (Pen. Code, § 26715, subd. (d).)
- 7) Authorizes DOJ to conduct inspections of dealers at least every three years to ensure compliance with the listing requirements and any other applicable state law. (Pen. Code, § 26720, subd. (a).)
- 8) States that DOJ shall conduct inspections of all dealers, except as specified, at least once every three years, to ensure compliance with the listing requirements and any other applicable state law. (Pen. Code, § 26720, subd. (a)(1).)
- 9) Provides that inspections of dealers shall include an audit of dealer records that includes a sampling of at least 25 percent, but not more than 50 percent, of each record type. (Pen. Code, § 26720, subd. (a)(2).)

- 10) Establishes that a dealer whose place of business is located in a jurisdiction that has adopted an inspection program to ensure compliance with firearms law is exempt from the portion of the fee that relates to the cost of inspections. DOJ may inspect a dealer who is exempt from mandatory inspections to ensure compliance with all relevant laws and regulations. (Pen. Code, § 26720, subd. (c).)
- 11) Permits DOJ to assess an annual fee not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the dealer list, including the cost of inspections. (Pen. Code, § 26720, subd. (b).)
- 12) Authorizes DOJ to assess an annual fee not to exceed one hundred fifteen dollars (\$115), to cover the reasonable cost of maintaining the list of exempted federal firearms licensees, conducting inspections, and for the cost of maintaining the firearm shipment verification number system. (Pen. Code, § 28460, subd. (a).)
- 13) Specifies individuals who shall not be charged a fee. (Pen. Code, § 28460, subd. (d).)
- 14) States that DOJ may increase the fee at a rate not to exceed the increase in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations. (Pen. Code, § 28460, subd. (b).)
- 15) Provides that DOJ shall recover the full costs of administering the program by collecting fees from license applicants. Recoverable costs shall include, but not be limited to, the costs of inspections and maintaining a centralized list of licensed firearm manufacturers. (Pen. Code, § 29055, subd. (b).)
- 16) States that the fee for licensed manufacturers who produce fewer than 500 firearms in a calendar year within this state shall not exceed two hundred fifty dollars (\$250) per year or the actual costs of inspections and maintaining a centralized list of firearm manufacturers and any other duties of DOJ, whichever is less. (Pen. Code, § 28460, subd. (c).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, “Where the federal government falls short, California is ready to step up and take the lead, especially when it comes to preventing gun violence. California’s firearm laws lead the nation, and when firearm dealers break these laws, they must take the proper steps to remedy violations, or risk losing their authorization. AB 1810 will ensure the firearm industry in California is following our gun safety laws and clarify the California Department of Justice’s authority to shut down irresponsible dealers who are endangering the lives of Californians by breaking the law. In addition, AB 1810 addresses the crime gun epidemic by requiring the California Department of Justice to annually inspect the top 10 dealer locations where the highest percentage of firearms that were illegally possessed or used in a crime are being sold.”
- 2) **Effect of the Bill:** AB 1810 generally would authorize delisting firearms dealers that fail to comply with myriad requirements under the bill, and other state law or regulation, including failures to remedy identified violations during an inspection.

Ensuring firearms dealers continue complying with laws intended to reduce the number of guns used in crime is an important public safety consideration. A recent report noted that certain dealers can become a common point of sale for disproportionate numbers of firearms used in crime or suspected to have been used in crime.¹ One seller of multiple firearms found associated with crime was cited for multiple document control violations of federal regulations and unlawfully possessing banned firearms.² The report suggests that companies with a history of noncompliance with federal firearms laws increase the likelihood that firearms from that dealer's inventory will be found during a criminal investigation.³ "When ATF inspected the 1% of gun dealers that supplied almost 60% of crime guns nationwide, it found that 75% of these dealers had violated federal law, including significant recordkeeping violations and participation in sales to potential gun traffickers and prohibited persons.⁴ In comparison, when ATF inspected a random sample of dealers, the number that were found to be noncompliant dropped to 37%."⁵

There are some concerns with elements of this report. The ATF study cited in the report was published in November 2000, which makes the data somewhat stale.⁶ Other parts of the report, however, create a somewhat clearer picture for how better screening of firearms vendors can positively impact public safety. The report details the results from a New York City lawsuit against regional firearms dealers that had an unusually high number of guns sold recovered at crime scenes.⁷ After implementation of better compliance procedures, a follow up study found an 84% decrease in the likelihood of those same dealers' guns being found at crime scenes.⁸ There appears to be some link between more compliant firearms dealers being connected with a lower likelihood of that dealer's firearms being found at a crime scene or during a criminal investigation.⁹

There could be concern with AB 1810, particularly related to the potentially larger swath of compliance failures that could delist a dealer and keep that dealer out of business for two years. Failures to comply that are noted from inspections can encompass a broad range of conduct, where some failures could be extremely serious and in need of immediate correction, while others may be relatively minor. Permitting delisting for two years for failure to remedy an inspection violation within 90 days in some cases could be unnecessarily punitive. Because firearms businesses potentially present unique public safety concerns, there is an argument that enforcement of regulatory compliance is uniquely essential. Sometimes 90 days is not very long to address certain compliance violations, especially when remedying the violation may require sourcing goods or services that are hard to access, in high demand, or requires an unusual degree of specialization. It is likely, however, that for most violations 90 days is a sufficient time period to remedy violations.

¹ *A California Case Study: Government Agencies Should Screen Firearms Vendors* (2025) Brady United Against Gun Violence <<https://s3.amazonaws.com/brady-static/Procurement-CA-v5.pdf>> [as of Apr. 9, 2026].

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

It is unclear whether AB 1810, through enhanced compliance requirements for dealers, will contribute to a reduction in firearms use in crime.

- 3) **The *Bruen* Analysis:** AB 1810 largely does not impact individuals' Second Amendment rights under *Bruen*, though certain provisions could generate constitutional scrutiny. To be subject to Second Amendment scrutiny, a law must first infringe on plain text Second Amendment conduct. (*New York State Rifle & Pistol Association, Inc. v. Bruen* (2022) 597 U.S. 1, 17.) Justifying a law or regulation that purports to place restrictions on protected Second Amendment conduct requires the government to demonstrate the law is "consistent with the nation's historical tradition of firearms regulation." (*Id.* at p. 24.) A firearms regulation is constitutional if the government establishes the proposed law is "relevantly similar" to historical laws, regulations, and traditions. (*Id.* at p. 29.)

AB 1810 ultimately may not infringe on plain text Second Amendment conduct. The Court has provided meaningful room to continue regulating the commercial sale of arms since *Heller*. (See, e.g., *District of Columbia v. Heller* (2008) 554 U.S. 626-27, *McDonald v. City of Chicago* (2010) 561 U.S. 742, 787.) This bill seems to be primarily aimed at regulating commercial conduct. AB 1810 does subject individual entrepreneurs to punishments like delisting, which makes them unable to continue doing business in California. The bill would even prohibit a delisted dealer from working in a facility that sells firearms or ammunition. There does not appear to be clear precedent, however, that treats an individual's Second Amendment right to possess or own firearms with the same protection as selling or employed selling firearms or ammunition. Even if we assume, as many courts have done in cases involving a Second Amendment challenge, that an individual has a plain text Second Amendment right to sell firearms and that right is impacted by AB 1810, it seems unlikely such a law would be struck down under *Bruen*.

The United States Supreme Court, pursuant to the Privileges and Immunities Clause, has identified as a fundamental right of a person "to ply their trade, practice their occupation, or pursue a common calling," but this right exists in the context of one state discriminating against nonresidents who may want to work in the state creating legal preferences for its residents. (U.S. Const., art. IV, § 2; see also *Hicklin v. Orbeck* (1978) 437 U.S. 518, 524.) AB 1810 does not appear to be discriminating against nonresidents who want substantially similar opportunities for employment in California. Rather, this bill appears to establish restrictions on in-state dealers, which would apply equally to an out-of-state dealer who wants to do business in California.

- 4) **Argument in Support:** According to one of bill's sponsors, *Giffords*, "The bill seeks to ensure firearms dealers are held accountable by increasing scrutiny of dealers with the highest percentage of sales that end up being used in crimes and explicitly authorizing the Department of Justice to temporarily remove from its centralized list of approved dealers those who fail to remedy violations of California's laws.

"While California overall has the strongest gun safety laws in the nation, it nonetheless still faces a big problem with gun trafficking. Recently, researchers at the University of California at Davis conducted a study ("the UC Davis study") of the records for over 380,000 crime guns recovered by law enforcement.¹ They documented a dramatic increase over the decade from 2010 to 2021 in both firearm purchasing and recoveries of crime guns. According to

these researchers, the number of crime guns recovered in the state per capita has grown by close to 70% over the last decade.

“According to the UC Davis study, the number of firearms recovered shortly after purchase—a significant indicator that a gun has been trafficked—has also grown significantly. In particular, the percentage of handguns recovered in a violent crime within one year of purchase has tripled, and the median “time-to-crime” (time between the gun’s last purchase and its recovery) for handguns recovered in violent crime dropped from 15 years to 4 years. The reduction in time to crime has continued. Between 2021 and 2023, over half of the firearms recovered in crimes traced back to a dealer were recovered in less than three years.² These statistics show that, despite the state’s overall strong gun laws, gun trafficking is still a significant problem that endangers California communities.

“AB 1810’s Main Provisions

“DOJ Authority to Remove Dealers From Centralized List:: Effective oversight of the gun industry is a cornerstone of preventing gun violence—including regulating gun dealers and holding the industry accountable for irresponsible practices.¹² AB 1810 clarifies that the California Department of Justice has the authority to temporarily remove dealers who violate state firearms dealer licensing laws or fail to remedy violations discovered through DOJ inspections within 90 days. The explicit authority to remove dealers gives the Department of Justice a critical enforcement tool that will help ensure that dealers who violate California’s laws, and do nothing to correct problems, cannot operate in our state for 2 years. This allows California to squarely step into the void left by the ATF’s repeated failure to revoke licenses, despite recommendations from its own agents to do so.

“Importantly, the vast majority of dealers follow the law and when they have violations, they correct them. From 2020 to 2024, Department of Justice field representatives inspecting California licensed dealers recorded 41,602 violations. As of Department of Justice crime gun report released in July of 2025, at least 35,382 (85%) of those violations were resolved.¹³ The policy goal is to push the small percentage of dealers who do not take corrective action toward compliance.

“Repeat Inspections for Dealers with Higher Rates Sales that are used in Crimes: Inspections of gun dealers are crucial to ensuring compliance with the law. The bill would require the DOJ to inspect the 10 firearm dealer locations with the highest percentage of sales that end up as crime guns annually. By requiring the DOJ to inspect the dealers who supply the highest percentages of crime guns, this bill will ensure that the DOJ is effectively using the resources it has available for gun store inspections.

“In its landmark report on crime guns in 2023, the Department of Justice found that although 344 licensed gun dealers were associated with only one crime gun, 82 dealers were associated with roughly half of all crime guns (38,230 firearms). The highest number of crime guns associated with one dealer was 1,652.¹⁴ That trend continued in the DOJ’s most recent report on crime guns, with 87 dealers accounting for roughly half of crime guns.¹⁵ The UC Davis study agrees. It found that 10% of federal firearms licensees (FFLs) account for 95% of crime guns, and 15% of FFLs account for 98% of crime guns.

“Moreover, from 2020 to 2024, the DOJ conducted 870 inspections of 802 firearms dealers

and ammunitions venders. The DOJ found that during the one-year prior to their inspection of the 802 dealers, 612 had zero crime gun association.¹⁶ In addition, of the 736 inspected dealers by the DOJ's Bureau of Firearms, only 66 had recorded violations due to missing/unaccounted firearms.

“When crime guns are recovered and traced back to an identified dealer, is concentrated among a select group of dealers. In a tight budget environment, it makes sense to focus resource use on inspecting dealers who are the source of the greatest number of traced firearms. These inspections will ensure that dealers comply with the law and improve their business practices to reduce the number of firearms used in crimes.”

- 5) **Argument in Opposition:** According to the *California Rifle and Pistol Association*, “This bill amends Penal Code Sections 26715, 26720, 28460, and 29055 to expand the Department of Justice’s authority over the centralized list of licensed firearms dealers. It would require the DOJ to remove dealers from the list not only for failing to maintain required state and federal licenses, but also for failing to remedy unspecified violations discovered during inspections within 90 days. Removed dealers would face fines and a two-year ban on being relisted, owning or operating a firearms business, or even being employed in the firearms industry. The bill further mandates annual inspections of the ten dealer locations with the highest percentage of firearms later recovered in crimes (based on trace data), while adjusting inspection and list-maintenance fees to a vague “reasonable annual fee” with a 15% annual cap.

“While CRPA supports legitimate oversight of firearms dealers to ensure compliance with existing law, AB 1810 grants the DOJ overly broad, discretionary power to shut down or disqualify dealers based on subjective or minor compliance issues. The two-year employment and business ban is an extreme collateral consequence that goes far beyond what is necessary for public safety and risks putting responsible, law-abiding dealers out of business over paperwork errors, record-keeping technicalities, or good-faith disputes during audits. Targeting dealers based on crime-gun trace statistics unfairly penalizes retailers in high-crime areas or those serving lawful customers whose firearms may later be stolen or misused by criminals—without any requirement that the dealer itself engaged in illegal activity.

“California already maintains one of the most heavily regulated firearms industries in the nation, with strict licensing, record-keeping, background check, and inspection requirements. Adding layers of bureaucratic punishment and expanded DOJ discretion will reduce the number of compliant dealers, drive up costs for consumers, and limit access to lawfully owned firearms for self-defense, hunting, and sport shooting. This does little to address actual criminal firearm trafficking while burdening the rights of law-abiding citizens and small businesses.

“CRPA urges the Committee to reject AB 1810. We stand ready to provide additional information or testimony from our members who rely on licensed dealers at the hearing.”

6) **Related Legislation:**

- a) AB 1589 (Chen) would exempt from the prohibition on possessing silencers specified level I reserve peace officers. AB 1589 is pending hearing in the Assembly Appropriations Committee.

- b) AB 1615 (Nguyen) would authorize a peace officer employed by a county probation department and using an unsafe handgun as a service weapon to satisfy the above-described training requirement by completion of the firearm portion of a training course prescribed by POST and who qualifies with the handgun, as specified, at least every 3 months. AB 1615 is pending hearing in the Assembly Appropriations Committee.
- c) SB 1220 (Hurtado) would prohibit a person who is convicted on or after January 1, 2027, of defined laws, from owning, purchasing, receiving, or having in their possession or under their custody or control any firearm within 10 years of the conviction. SB 1220 is pending hearing in the Senate Public Safety Committee.

7) **Prior Legislation:**

- a) SB 15 (Blakespear), of the 2025-2026 Legislative Session, would have required DOJ's sampling of dealer records to include at least 25% of each record type and would also have authorized DOJ to periodically increase the inspection fee, as specified. SB 15 was held in the Senate Appropriations Committee.
- b) AB 1420 (Berman), Chapter 245, Statutes of 2023, authorized the DOJ to conduct inspections and assess a fine for any violation of provisions relating to regulation of those licenses, for violations of specified provisions regulating the sale of secondhand firearms.
- c) SB 1384 (Min), Chapter 995, Statutes of 2022, requires a licensed firearm dealer to have a digital video surveillance system on their business premises, and requires dealers to carry a policy of general liability insurance, as specified.
- d) SB 1354 (Knight), of the 2013-2014 Legislative Session, would have required DOJ to notify each firearms license applicant in writing within 30 calendar days from the date an application is received by DOJ if DOJ deems the application to be incomplete. SB 1354 would have also required a determination by DOJ denying an application to set forth the specific reasons for the department's denial of the application, and provide the applicant with a form for appealing the department's determination. SB 1354 was held in the Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Giffords
Giffords Gun Owners for Safety, California

Opposition

California Rifle and Pistol Association, INC.

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