
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 1912 **Hearing Date:** June 30, 2026
Author: Hadwick
Version: March 25, 2026
Urgency: No **Fiscal:** No
Consultant: AB

Subject: *Deer: archery season: concealed firearms*

HISTORY

Source: California Bowmen Hunters; State Archery Association; California Deer Association

Prior Legislation: SB 2 (Portantino), Ch. 249, Stats. of 2023

Support: California Rifle and Pistol Association; Congressional Sportsmen's Foundation; Safari Club International California Coalition; Shasta County Board of Supervisors

Opposition: None known

Assembly Floor Vote: 68 - 0

PURPOSE

The purpose of this bill is to repeal an existing prohibition against a person carrying a concealed firearm on their person while engaging in or attempting to take a deer with a bow and arrow.

Existing law provides that a well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. (U.S. Const., Amend. II.)

Existing law generally prohibits the possession of firearms in most public areas, with specified exceptions. (Pen. Code, §§ 25300 et seq.)

Existing law exempts persons with concealed carry licenses (CCWs) from the laws prohibiting possessing a firearm in a public area. (Pen. Code, § 25655.)

Existing law provides that when a California resident applies for a new CCW license or license renewal, the sheriff of a county or the chief or other head of a municipal police department of any city or city and county shall issue or renew a license to that person upon proof of all of the following:

- The applicant is not a disqualified person to receive such a license, as defined.

- The applicant is at least 21 years of age, and presents clear evidence of the person's identity and age, as defined.
- The applicant is a resident of the county or a city within the county, or the applicant's principal place of employment or business is in the county or a city within the county and the applicant spends a substantial period of time in that place of employment or business.
- The applicant has completed a course of training, as defined.
- The applicant is the recorded owner, with the Department of Justice (DOJ), of the pistol, revolver, or other firearm for which the license will be issued. (Pen. Code, §§ 26150, subd. (a)(1)-(5); 26155, subd. (a)(1)-(5).)

Existing law provides that a person granted a CCW license shall not carry a firearm on or into several specified areas, including a bus, train, or other form of transportation paid for in whole or in part with public funds, and a building, real property, or parking area under the control of a transportation authority supported in whole or in part with public funds. (Pen. Code, § 26230, subd. (a)(1)-(29), (a)(8).)

Existing law makes it a crime to openly carry an unloaded handgun upon the person outside a vehicle while in or on any of the following:

- A public place or public street in an incorporated city or city and county.
- A public street in a prohibited area of an unincorporated area of a county or city and county.
- A public place in a prohibited area of a county or city and county. (Pen. Code, § 26350, subd. (a)(1).)

Existing law specifies that the above prohibition does not apply to, or affect, the open carrying of an unloaded handgun by a licensed hunter while engaged in hunting or while transporting that handgun when going to or returning from that hunting expedition. (Pen. Code, § 26366.)

Existing law provides that every person who willfully or negligently, while hunting upon the enclosed lands of another, kills, maims, or wounds an animal, the property of another, is guilty of a misdemeanor. (Pen. Code, § 384h.)

Existing law makes it a crime to carry a loaded firearm on the person or in a vehicle while in any public place in a city, or any prohibited place in an unincorporated area of a county. (Pen. Code, § 25850, subd. (a).)

Existing law provides that the above prohibition does not prevent any person from any person from carrying a loaded firearm in an area within an incorporated city while engaged in hunting, provided that the hunting at that place and time is not prohibited by the city council. (Pen. Code, § 26040.)

Existing law provides that a person is guilty of carrying a concealed firearm when they do any of the following:

- Carries concealed within any vehicle that is under the person's control or direction any pistol, revolver, or other firearm capable of being concealed upon the person.
- Carries concealed upon the person any pistol, revolver, or other firearm capable of being concealed upon the person.
- Causes to be carried concealed within any vehicle in which the person is an occupant any pistol, revolver, or other firearm capable of being concealed upon the person. (Pen. Code, § 25400.)

Existing law specifies that the above prohibition does not apply to licensed hunters or fishermen carrying pistols, revolvers, or other firearms capable of being concealed upon the person while engaged in hunting or fishing, or transporting those firearms unloaded when going to or returning from the hunting or fishing expedition. (Pen. Code, § 25640.)

Existing law requires a hunting license, issued by the Department of Fish and Game, for the taking of birds and mammals. (Fish & G. Code, §§ 3031-3040.)

Existing law provides that in every area in which deer may lawfully be taken during the general open season there is an archery season for the taking of deer with bow and arrow, and requires a minimum of 3 days for the archery-only season before general open hunting may commence. (Fish & G. Code, § 4370, subd. (a).)

Existing law provides that a person taking or attempting to take deer during such archery season shall neither carry, nor have under his or her immediate control, any firearm of any kind. (*Ibid.*)

Existing law provides that, notwithstanding the above, a peace officer, whether active or honorably retired, may carry a firearm capable of being concealed on his or her person while engaged in the taking of deer with bow and arrow, but shall not take or attempt to take deer with the firearm. (Fish & G., § 4370, subd. (b).)

This bill strikes the two preceding provisions, thereby permitting an individual taking or attempting to take deer to carry a firearm during archery season.

COMMENTS

1. Need for This Bill

According to the author:

California's archery deer hunters often venture deep into remote wilderness where help may be hours away. While other hunters and anglers are allowed to carry firearms for personal protection, deer archery hunters are prohibited under current law. Assembly Bill 1912 simply allows these hunters to carry a firearm for self-defense while maintaining the integrity of the archery season by continuing to require that deer be taken with a bow. This commonsense reform ensures that hunters can protect themselves from dangerous wildlife and criminal activity while recreating in California's backcountry.

2. Bruen and California's Updated CCW Framework

In June of 2022, the United States Supreme Court issued its landmark ruling in *New York State Rifle and Pistol Association v. Bruen*, (2022) 597 U.S. 1 (hereinafter, "*Bruen*"), in which it invalidated a New York State law requiring applicants for a concealed carry license to show "proper cause," or a special need distinguishable from the general public, as well as good moral character, when applying for license. In a 6-3 decision along ideological lines, the Court ruled that the New York law's "proper cause" requirement was an unconstitutional violation of the Second Amendment, and that the "Second and Fourteenth Amendments protect an individual's right to carry a handgun for self-defense outside the home," effectively establishing a constitutional right to publicly carry a firearm under the Second Amendment.¹

Moreover, the *Bruen* decision abrogated the existing two-part test established by the Court's 2008 decision in *District of Columbia v. Heller* (2008) 554 U.S. 570, and established a new test for determining whether a law or regulation comports with the Second Amendment. Step one of that new test involves asking whether the Second Amendment's plain text covers the individual conduct at issue.² Next, in defense of a law regulating firearms, the government must show more than that the regulation promotes an important governmental interest – rather, the law must be "consistent with this Nation's historical tradition of firearm regulation."³ Under the *Bruen* decision, "how and why the regulations burden a law-abiding citizen's right to armed self-defense" matters, and further, "whether modern and historical regulations impose a comparable burden on the right of armed self-defense and whether that burden is comparably justified are 'central' considerations when engaging in an analogical inquiry."⁴ Nevertheless, the Court made clear that regulations consistent with historical precedent, such as those that prohibit weapons in "sensitive places," would likely pass constitutional muster.⁵

In reaching its decision in *Bruen*, the Court recognized that California was among the limited number of states that had an analogue to New York's "proper cause" standard in their concealed carry laws, suggesting that California's law was similarly unconstitutional. Namely, California's CCW law provided that licensing authorities (primarily law enforcement agencies) had discretion to deny CCW applications when a determination was made that the applicant was not "of good moral character" or when "good cause" did not exist for the issuance of the license. These types of "may-issue" licensure regimes granting broad discretion to the licensing authority were exactly what the Court invalidated in *Bruen*.

Thus, in response, the Legislature passed SB 2 (Portantino), Chapter 249, Statutes of 2023 which revised the state's concealed carry laws to no longer require a showing of good cause or good moral character to obtain a CCW and prohibited the carrying of concealed weapons in several specified sensitive locations, including schools, government buildings, public transit, medical facilities, public parks, sporting facilities, places of worship, correctional institutions, and several others.⁶ This new framework grants CCW licensing authorities – primarily sheriff's departments – far less discretion in denying a CCW, and as a result many of them have been plagued by CCW processing delays and application backlogs.

¹ *Id.* at p. 8.

² *Id.* at pp. 22-23.

³ *Id.* at pp. 27-30.

⁴ *Id.* at p. 29.

⁵ *Id.* at pp. 29-30.

⁶ Pen. Code, §§ 26150, 26155, 26230.

3. Hunting Exemption to Existing Firearm Prohibitions and Effect of This Bill

Existing law includes an array of criminal penalties for the unlawful possession of a firearm, many of which are dependent on where and how the firearm is being possessed. For instance, carrying a concealed firearm without a CCW is a wobbler, as is carrying a loaded firearm in public, which requires the perpetrator to be in any public place or on any public street for the penalty to apply.⁷ It is also unlawful to openly carry an unloaded handgun or long gun.⁸ However, for all of these crimes, exemptions exist for individuals engaged in hunting, or traveling to or returning from a hunting expedition. For instance, a representative provision is Penal Code section 25640, which provides that the crime of carrying a concealed firearm does not apply to “licensed hunters or fishermen carrying pistols, revolvers, or other firearms capable of being concealed upon the person while engaged in hunting or fishing, or transporting those firearms unloaded when going to or returning from the hunting or fishing expedition.”⁹

However, as the author points out, a separate provision of existing law, “Fish and Game Code section 4370, established in 1947, prohibits hunters from possessing firearms during the archery deer season. At the time, it was believed that this would preserve the integrity of the deer hunt. However, this prohibition has proven anachronistic,” and the author claims that the law has largely gone unenforced. Accordingly, this bill strikes the provision of section 4370 that prohibits individuals hunting deer during archery-only season from possessing a firearm while engaged in hunting. Such a change to section 4370 would bring that section into greater alignment with the existing hunting exemptions outlined above, as well as with California’s updated approach to issuing licenses for the carrying of a concealed firearm.

4. Argument in Support

According to the California Rifle and Pistol Association:

Current law forces archery hunters to disarm completely in remote wilderness areas, even when facing legitimate threats such as bears, mountain lions, human predators, or medical emergencies far from help. AB 1912 corrects this unnecessary vulnerability by allowing responsible, law-abiding hunters to carry a concealed firearm for self-defense without altering the archery-only nature of the season.

CRPA supports this bill for the following key reasons:

- **Enhances Hunter Safety and Self-Defense:** Archery hunters frequently venture deep into rugged, isolated backcountry terrain. Carrying a concealed firearm provides a critical, responsible layer of protection against unpredictable wildlife encounters, criminal threats, or emergencies, while fully maintaining the bow-and-arrow requirements of the season.
- **Respects Wildlife Management Goals:** The bill does not change archery season dates, bag limits, equipment restrictions, or fair-chase rules. It simply

⁷ Pen. Code, §§ 25400, 25850.

⁸ Pen. Code, §§ 26350, 26400.

⁹ Pen. Code, § 25640.

removes an outdated restriction that left hunters unnecessarily vulnerable, while preserving the integrity of archery-specific deer management.

- **Reduces Arbitrary Burdens on Law-Abiding Hunters:** Many CRPA members are licensed hunters who already hold concealed carry permits or qualify under applicable laws. Forcing them to disarm during archery hunts created an illogical and dangerous restriction that AB 1912 sensibly eliminates.
- **Aligns with Practical Policies in Other States:** Many states already permit concealed carry during archery seasons. AB 1912 brings California in line with common-sense, safety-focused approaches that support hunter welfare without negatively impacting conservation outcomes.

-- END --