

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2339 (Gipson) – As Amended April 23, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill modifies the laws on conduct that subjects a person to firearms dispossession.

Specifically, this bill:

- 1) Requires a juvenile court to notify the Department of Justice (DOJ) if dismissal is granted to a person previously required to be reported to DOJ and prohibited from owning or possessing a firearm until 30 years of age.
- 2) Authorizes DOJ to use sealed juvenile court records to make a firearms suitability determination and provide sealed court records to the juvenile person regarding their suitability determination to own a firearm.
- 3) Requires a designated facility that accepts the transfer for placement of a person detained involuntarily for a 72-hour assessment, evaluation, and crisis intervention to submit a report identifying certain information, including full name, date of birth, and driver's license number to the DOJ, as specified, upon admitting the person for involuntary treatment.
- 4) Provides that the existing requirement that prohibits a person who has been certified for intensive treatment from possessing a firearm for five years remains subject to the five-year firearms prohibition following a certification hearing or writ of habeas corpus hearing, regardless of the outcome.
- 5) Requires all information provided to DOJ be kept confidential, separate, and apart from all other records maintained by DOJ, and permits its use under limited circumstances, as provided.
- 6) Punishes with a misdemeanor a person who knowingly furnishes the reported information for any unspecified purpose.
- 7) Defines "admitted" to mean when a professional person or a designee in charge of the designated facility determines that an individual's condition requires involuntary detention to ensure proper evaluation and the provision of necessary treatment services.

FISCAL EFFECT:

- 1) Costs (General Fund (General Fund) of an unknown but potentially significant amount to the Department of Justice (DOJ), to update its Armed and Prohibited Persons System to reflect

this bill's firearms prohibitions and to enforce the prohibitions. DOJ was unable to provide a cost estimate at the time this analysis was written. Based on costs reported by DOJ for prior bills pertaining to firearms prohibitions, costs may be in the low hundreds of thousands of dollars.

- 2) Cost pressure (Trial Court Trust Fund, General Fund) to the courts to adjudicate violations of the firearms prohibitions expanded by this bill. A violation of a firearm prohibition may be charged as a misdemeanor or felony. A person charged with a misdemeanor or felony is entitled to legal representation provided by the government and a jury trial. Actual court costs will depend on the number of violations, prosecutorial discretion, and the amount of court time needed to adjudicate each case. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately \$117.3 million in 2025-26.
- 3) Costs (local funds, General Fund) of an unknown but potentially significant amount to the counties and the Department of Corrections and Rehabilitation to incarcerate people convicted of a violation of this bill's firearms prohibitions. A misdemeanor violation is punishable by incarceration in county jail, and a felony violation is punishable by incarceration in state prison. Actual incarceration costs will depend on the number of convictions, the length of each sentence, and whether each sentence must be served in county jail or state prison. The Legislative Analyst's Office estimates the average annual cost to incarcerate one person in state prison at \$128,000; CDCR estimates \$135,921. The average annual cost to incarcerate one person in county jail is approximately \$29,000, though costs are higher in larger counties. County incarceration costs are not subject to reimbursement by the state. However, overcrowding in county jails creates cost pressure on the General Fund because the state has historically granted new funding to counties to offset overcrowding resulting from public safety realignment.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year beginning in the 2027-28 fiscal year.

COMMENTS:

- 1) **Purpose.** According to the author:

Under current law, when an individual is placed on a 5150 involuntary hold, mental health facilities must report that information to the California Department of Justice so firearm prohibitions can be enforced. However, the law fails to clearly define reporting requirements or standards for completeness, resulting in inconsistent and often inaccurate records. This is not just an administrative issue—it is a public safety risk. When critical identifying information is missing or incorrect, individuals who are legally prohibited from possessing firearms may not be flagged during a background check...AB 2339 provides a needed solution to close the gaps. It establishes clear, uniform reporting standards so facilities know exactly what is required, including key identifying information and supporting documentation.

- 2) **Background.** Existing law prohibits a person who has been involuntarily committed for psychiatric treatment from owning, possessing, or controlling a firearm or ammunition for five years (or for life, if the person was committed multiple times within a one-year period), and requires designated facilities to report admissions to the Department of Justice (DOJ) within 24 hours. DOJ, the bill's sponsor, reports that its match queue for flagging potentially prohibited persons contains approximately 300,000 records with missing or incomplete identifying information, and that current reporting practices — for example, initials in place of full names, misspellings, or names entered in incorrect order — limit DOJ's ability to flag prohibiting mental health admissions during firearm background checks. This bill standardizes the identifying information that facilities must report, clarifies reporting responsibility in transfer situations, and authorizes DOJ to use sealed juvenile court records for firearm suitability determinations.

The Public Safety analysis notes that the bill's application of the existing five-year firearms prohibition to persons released from intensive treatment following a certification review hearing or writ of habeas corpus may raise Second Amendment concerns under *New York State Rifle & Pistol Association v. Bruen* (2022) 597 U.S. 1. To the extent the bill is challenged on constitutional grounds, defense costs would be borne by DOJ.

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