
THIRD READING

Bill No: AB 2339
Author: Gipson (D)
Amended: 4/23/26 in Assembly
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/16/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 76-1, 5/26/26 - See last page for vote

SUBJECT: Firearms: prohibited persons

SOURCE: Department of Justice

DIGEST: This bill requires designated treatment facilities to collect and report specified identifying information to the Department of Justice (DOJ) regarding persons admitted to the facility on an involuntary psychiatric hold; imposes restrictions on the sharing of that information; requires juvenile courts to notify the DOJ when specified cases are dismissed; provides that a person released from intensive treatment for specified reasons shall remain subject to a pre-existing firearm prohibition; requires specified institutions to furnish the DOJ with identifying information regarding individuals subject to firearm, explosive, and destructive device prohibitions, and makes unauthorized disclosure of this information a misdemeanor.

ANALYSIS:

Existing law:

- 1) Provides that a juvenile court judge may dismiss a petition to adjudge a minor a ward of the court if the court finds that the interests of justice and the welfare of the person who is the subject of the petition require that dismissal, or if it finds

that they are not in need of treatment or rehabilitation. (Welfare and Institutions Code [Welf. & Inst. Code], § 782, subd. (a)(1).)

- 2) Provides that a juvenile who was convicted of or alleged to have committed specified offenses and is subsequently adjudged a ward of the juvenile court shall not own, or have in possession or under custody or control, a firearm until the person is 30 years of age or older, a violation of which is punishable as a misdemeanor. (Penal [Pen.] Code, § 29820, subds. (a), (b).)
- 3) Requires the juvenile court, on forms prescribed by the DOJ, to notify the DOJ of persons subject to the above prohibition, as specified. (Pen. Code, § 29820, subd. (c).)
- 4) Provides that if a person who has been alleged or found to be a ward of the juvenile court satisfactorily completes one of several specified probation terms, the court shall order the juvenile wardship petition dismissed, and shall order sealed all records pertaining to the dismissed petition, as specified. (Welf. & Inst. Code, § 786, subd. (a).)
- 5) Provides that in the situation above, the court shall direct the appropriate agency or official to seal its records and specify a date by which the sealed records shall be destroyed. If a record contains a sustained petition rendering the person ineligible to own or possess a firearm until 30 years of age, then the date the sealed records shall be destroyed is the date upon which the person turns 33 years of age. (Ibid.)
- 6) Provides that a record that has been ordered sealed by the court pursuant to the above provision may be accessed, inspected, or utilized only under specified circumstances, including by the DOJ for the purpose of determining if the person is suitable to purchase, own, or possess a firearm, consistent with the provision prohibiting an adjudged ward of the court from possessing firearms until age 30. (Welf. & Inst. Code, § 786, subd. (g)(1)(J).)
- 7) Establishes the Lanterman-Petris-Short Act, which provides for the involuntary detention for treatment and evaluation of people who are gravely disabled, as defined, or are a danger to self or others. (Welf. & Inst. Code, §§ 5000 et seq.)
- 8) Provides that if a person is gravely disabled, as defined, as a result of mental illness, or a danger to self or others, then a peace officer, staff of a designated treatment facility or crisis team, or other professional person designated by the county, may, upon probable cause, take that person into custody for a period of up to 72 hours for assessment, evaluation, crisis intervention, or placement in a

designated treatment facility (known as a “5150 hold”). (Welf. & Inst. Code, § 5150.)

- 9) Provides that a person who has been detained for 72 hours may be further detained for up to 14 days of intensive treatment if the person continues to pose a danger to self or others, or to be gravely disabled, and the person has been unwilling or unable to accept voluntary treatment. (Welf. & Inst. Code, § 5250.)
- 10) States that specified persons who have been adjudicated by a court of any state to be a danger to others as a result of a mental disorder or mental illness, or who has been adjudicated to be a mentally disordered sex offender, or subject to other defined prohibitions, shall not purchase or receive, or attempt to purchase or receive, or have possession, custody, or control of a firearm, other deadly weapon, or ammunition unless there has been issued to the person a certificate by the court of adjudication upon release from treatment or at a later date stating that the person may possess a firearm, other deadly weapon, or ammunition. (Welf. & Inst. Code, § 8103, subd. (a)(1).)
- 11) Requires that the court notify DOJ of the court order finding the individual to be a firearms prohibited person as soon as possible, but not later than one court day after issuing the order. The court shall also notify the department of a certificate issued as soon as possible, but not later than one court day after issuing the certificate. (Welf. & Inst. Code, § 8103, subd. (a)(2).)
- 12) Specifies that a person shall, in accordance with applicable state law and local procedure, relinquish to law enforcement a firearm, other deadly weapon, or ammunition in their custody or control within 14 days of a court order finding the person to be a prohibited person and submit a receipt to the court to show proof of relinquishment. (Welf. & Inst. Code, § 8103, subd. (a)(3).)
- 13) Establishes that a person who has been taken into custody on a 5150 hold because that person is a danger to themselves or to others and admitted to a designated facility because of that danger shall not own, possess, control, receive, or purchase, or attempt to own, possess, control, receive, or purchase, a firearm, other deadly weapon, or ammunition for a period of five years after the person is released from the facility. (Welf. & Inst. Code, § 8103, subd. (f)(1)(A).)
- 14) States that a person who has been taken into custody, assessed, and admitted, as specified, and who was previously taken into custody, assessed, and admitted, as specified, one or more times within a period of one year preceding the most recent admittance, shall not own, possess, control, receive, or purchase, or

attempt to own, possess, control, receive, or purchase, any firearm for the remainder of their life. (Welf. & Inst. Code, § 8103, subd. (f)(1)(B).)

- 15) States that a person may own, possess, control, receive, or purchase, or attempt to own, possess, control, receive, or purchase a firearm, other deadly weapon, or ammunition if the superior court has found that the people of the State of California have not met their burden. (Welf. & Inst. Code, § 8103, subd. (f)(1)(C).)
- 16) Specifies that for each person subject to involuntary commitment, as specified, the facility shall, within 24 hours of the time of admission, submit a report to DOJ containing information that includes, but is not limited to, the identity of the person and the legal grounds upon which the person was admitted to the facility. (Welf. & Inst. Code, § 8103, subd. (f)(2)(A)(i).)
- 17) Provides that a report submitted pursuant to the above provision shall be confidential, except for purposes of the court proceedings described in this subdivision and for determining the eligibility of the person to own, possess, control, receive, or purchase a firearm, other deadly weapon, or ammunition. (Welf. & Inst. Code, § 8103, subd. (f)(2)(A)(ii).)
- 18) Provides that a person who has been certified for intensive treatment, as defined, shall not own, possess, control, receive, or purchase, or attempt to own, possess, control, receive, or purchase, a firearm, other deadly weapon, or ammunition for a period of five years. (Welf. & Inst. Code, § 8103, subd. (g)(1)(A).)
- 19) Establishes that for each person certified for intensive treatment, the facility shall, within 24 hours of the certification, submit a report to DOJ containing information regarding the person, including, but not limited to, the legal identity of the person and the legal grounds upon which the person was certified. (Welf. & Inst. Code, § 8103, subd. (g)(2)(A).)
- 20) Specifies that a person certified for intensive treatment may petition the superior court of the county of their residence for an order that they may own, possess, control, receive, or purchase a firearm, other deadly weapon, or ammunition. (Welf. & Inst. Code, § 8103, subd. (g)(4).)
- 21) Provides that a notice or report required to be submitted to the DOJ pursuant to any of the above provisions regarding mental illness-related firearm restrictions shall be submitted in an electronic format, as specified. (Welf. & Inst. Code, § 8103, subd. (l).)

- 22) Requires specified facilities and mental health service providers to submit a report to the DOJ including information it deems necessary to identify persons who are subject to firearm prohibitions, and prescribes the purposes for which the information may be used. (Welf. & Inst. Code, § 8105, subds. (a)-(d).)

This bill:

- 1) Requires a juvenile court to notify the DOJ, in a manner prescribed by the DOJ, if the court orders the dismissal of a petition to adjudge a minor a ward of the court if the person was previously required to be reported to the DOJ, as specified.
- 2) Provides that the DOJ may provide a juvenile record related to firearm prohibitions that has been ordered sealed to the subject of the record if the department determines the person is not or may not be suitable to purchase, own, or possess a firearm based on the record.
- 3) Provides that a designated facility that accepts the transfer for placement of a person detained on a 5150 hold from another designated facility or other facility to which a person is involuntarily detained shall be responsible for submitting the required report to the DOJ upon admitting that person for involuntary treatment.
- 4) Provides that a person who is released from intensive treatment following a certification review hearing or hearing by writ of habeas corpus, as specified, shall remain subject to the 5-year prohibition against owning, possessing, purchasing, controlling or receiving a firearm for persons who have been certified for intensive treatment.
- 5) Requires an intensive treatment facility to provide a person certified for intensive treatment and the DOJ a copy of the most recent "Patient Notification of Firearm Prohibition and Right to Hearing Form."
- 6) Requires the facility to submit to the DOJ, in conjunction with the report containing information regarding the admitted person, a copy of the document substantiating the report or finding prohibiting the person from possessing firearms, ammunition, or other deadly weapons, which includes, but is not limited to, the court order, minute order, or probable cause finding for certification of intensive treatment, as provided.
- 7) Provides that the report submitted to the DOJ under the provisions described above related to persons subject to 5150 holds, intensive treatment and firearm

prohibitions shall include the following identification information for the person who is the subject of the report:

- a) Full name.
 - b) Driver's license number or state identification card number.
 - c) Date of birth.
 - d) Gender.
 - e) Ethnicity.
 - f) If available, social security number.
- 8) Specifies that all notices and reports that are required to be submitted to DOJ shall include a copy of a government-issued identification card, including, but not limited to, a driver's license, state identification card, or military identification card.
- 9) Requires facilities to make every reasonable effort to acquire and submit to the Department of Justice the identification information for persons subject to firearm prohibitions, 5150 holds or who have been certified for intensive treatment. Reasonable effort includes, but is not limited to, the facility requesting the information from the person at admission and during completion of the form, as required, and examining any available patient records the facility maintains. If the facility responsible for acquiring and submitting the identification information acquires any missing or previously unknown identification information, in whole or in part, the facility shall immediately submit the information to the Department of Justice.
- 10) Requires all information reported to DOJ under the provisions described above to be kept confidential, separate, and apart from all other records maintained by DOJ. Upon proper application, as determined by DOJ, the information provided to DOJ may be provided and used only under the following circumstances:
- a) By the department to determine the eligibility of a person to acquire, carry, or possess explosives, or ammunition.
 - b) By a court for the purposes of the specified proceedings.
 - c) By a California, federal, or out-of-state law enforcement agency to determine the eligibility of a person to acquire, carry, or possess firearms,

destructive devices, or explosives who is the subject of a criminal investigation.

- d) By a California law enforcement agency seeking the issuance of a gun violence restraining order.
 - e) By a federal or out-of-state law enforcement agency when the agency provides evidence to DOJ showing that the requested information would be determinative of the person's ability acquire, carry, or possess firearms, destructive devices, explosives, or ammunition under the law of the requesting state or under federal law.
- 11) Makes it a misdemeanor for a person to knowingly furnish the reported information for any unspecified purpose.
- 12) Defines "admitted," for the purposes of all provisions within Welfare and Institutions Code section 8103, as the time 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.

Comments

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.

Mental health facilities are operating without clear, consistent guidance. Providers are left to interpret unclear requirements around when a person is considered admitted, who is responsible for reporting during transfers, and whether updates should be submitted when new information becomes available. This lack of clarity leads to uneven compliance and places an unfair burden on facilities that are trying to follow the law. 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. Ultimately, this bill is about making sure our existing laws work as intended. By improving the quality and reliability of reporting, AB 2339 strengthens public

safety, supports providers with clearer guidance, and maintains appropriate safeguards for privacy and confidentiality.”

See analysis prepared by the Senate Committee on Public Safety for a more detailed discussion of the bill’s provisions.

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

According to the Senate Appropriations Committee:

Potentially significant costs to the Department of Justice (DOJ), to update its Armed and Prohibited Persons System (APPS) to process new information to be reported for prohibited persons and for related enforcement (General Fund).

SUPPORT: (Verified 8/13/26)

Department of Justice (source)
City of Alameda

OPPOSITION: (Verified 8/13/26)

None received

ASSEMBLY FLOOR: 76-1, 5/26/26

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

NOES: Hadwick

NO VOTE RECORDED: Gallagher, Muratsuchi, Celeste Rodriguez

Prepared by: Alex Barnett / PUB. S. /
8/14/26 12:14:10

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