
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 1220 **Hearing Date:** April 7, 2026
Author: Hurtado
Version: February 19, 2026
Urgency: No **Fiscal:** Yes
Consultant: AB

Subject: *Firearms: prohibited persons*

HISTORY

Source: California Police Chiefs Association

Prior Legislation: AB 1263 (Gipson), Ch. 636, Stats. of 2025
SB 902 (Roth), Ch. 545, Stats. of 2024
SB 368 (Portantino), Ch. 251, Stats. of 2023
AB 2239 (Maienschein), Ch. 143, Stats. of 2022
SB 723 (Jones), Ch. 306, Stats. of 2020
SB 701 (Jones), vetoed, 2019
AB 1121 (Bauer-Kahan), held in Assembly Appropriations, 2019
AB 3129 (Rubio), Ch. 883, Stats. of 2018
AB 785 (Jones-Sawyer), Ch. 784, Stats. of 2017
AB 1084 (Melendez), failed in Assembly Public Safety, 2013
SB 580 (Jackson), held in Assembly Appropriations, 2013
SB 140 (Leno), Ch. 2, Stats. of 2013

Support: Unknown

Opposition: California Rifle and Pistol Association

PURPOSE

The purpose of this bill is to impose a 10-year prohibition on the purchase or possession of firearms for individuals convicted of buying, receiving, selling, or possessing a firearm that has had specified identifying marks or engravings illegally modified or removed.

Existing law provides that any person who has been convicted of a felony under the laws of the United States, the State of California, or any other state, government, or country, or of an offense involving the violent use of a firearm or who is addicted to the use of any narcotic drug, and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a felony. (Pen. Code, § 29800, subd. (a)(1).)

Existing law provides that any person who has two or more specified convictions related to making criminal threats and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a felony. (Pen. Code, § 29800, subd. (a)(2).)

Existing law provides that any person who has an outstanding warrant for any offense listed in this subdivision and who has knowledge of the outstanding warrant, and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a felony. (Pen. Code, § 29800, subd. (a)(3).)

Existing law provides that persons convicted of specified serious or violent misdemeanors are prohibited from possession of firearms for a period of 10 years and that a violation of that prohibition is punishable as a misdemeanor with imprisonment up to one year or as a state prison felony. (Pen. Code, § 29805, subd. (a).)

Existing law includes within the list of misdemeanors triggering a 10-year firearm prohibition the crimes of stalking, sexual battery, assault with a deadly weapon, battery with serious bodily injury, brandishing a firearm of deadly weapon, assault with force likely to produce great bodily injury, battery on a peace officer, corporal injury to spouse, cohabitant or fellow parent, child abuse, elder abuse, unsafe storage of a firearm, threats of bodily injury or death, as well as specified crimes related to undetectable firearms, unserialized firearms, computer numerical control (CNC) milling machines, 3d printers used to manufacture firearms, assault weapons, .50 BMG rifles, multiburst trigger activators, and other firearms, among other misdemeanors. (Pen. Code, § 29805, subds. (a), (h).)

Existing law provides that persons with the knowledge that they have an outstanding warrant for any of the specified serious or violent misdemeanors that result in a 10-year prohibition are guilty of a crime if they possess a firearm while the warrant is outstanding. Provides that a violation is punishable as a misdemeanor, with imprisonment up to one year, or as a state prison felony. (Pen. Code, §§ 29805, subd. (a), 29851.)

Existing law requires any person subject to a firearm prohibition based on a conviction of a felony or specified misdemeanor to relinquish any firearms they own, possess or have under their control or custody within 48 hours if the defendant is out of custody or within 14 days if the defendant is in custody. (Pen. Code, § 29810, subd. (a).)

Existing law contains an exception to the 10-year firearm ban based on a conviction of specified misdemeanors for individuals who took the firearm from someone committing a crime against them and delivered it to law enforcement. (Pen. Code, § 29850.)

Existing law authorizes specified peace officers who have been convicted of a specified misdemeanor subject to a 10-year firearm prohibition to petition for relief. Requires the court, in deciding the petition, to consider the petitioner's continued employment, the interest of justice, any relevant evidence, whether the petitioner is otherwise not prohibited, and the totality of the circumstances. (Pen. Code, § 29855.)

Existing law permits any person convicted of a specified misdemeanor, before that misdemeanor was added to the list of misdemeanors triggering a 10-year prohibition, to petition for relief. Requires the court, in deciding the petition, to ensure the petitioner is not otherwise prohibited, and may consider the interest of justice, any relevant evidence, and the totality of the circumstances. (Pen. Code, § 29860.)

Existing law requires the Attorney General to establish and maintain an online database to be known as the Prohibited Armed Persons File; the purpose of which is to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1996, as indicated by a

record in the Consolidated Firearms Information System, and who, subsequent to the date of that ownership or possession of a firearm, fall within a class of persons who are prohibited from owning or possessing a firearm. (Pen. Code, § 30000 (a).)

Existing law provides that, except as provided, any person who, with knowledge of any change, alteration, removal or obliteration of a specified identifying mark on a firearm, buys, receives, disposes of, sells, offers for sale, or has in possession any pistol, revolver, or other firearm that has had the name of the maker or model, or the manufacturer's number or other mark of identification, including any distinguishing number or mark assigned by the Department of Justice (DOJ), changed, altered, removed, or obliterated (hereinafter, an "unserialized firearm") is guilty of a misdemeanor. (Pen. Code, § 23920, subd. (a).)

Existing law specifies that the above prohibition does not apply to any of the following:

- The acquisition or possession of an unserialized firearm by any member of the military forces of California or the United States, while on duty and acting within the scope and course of employment.
- The acquisition or possession of an unserialized firearm by any peace officer while on duty and acting within the scope and course of employment.
- The acquisition or possession of an unserialized firearm by any employee of a forensic laboratory, while on duty and acting within the scope and course of employment.
- A person possessing and transporting the unserialized firearm to a law enforcement agency for disposition by that agency, as specified. (Pen. Code, § 23925, subd. (a).)

This bill provides that any person who is convicted of knowingly possessing, purchasing, receiving, selling or offering for sale an unserialized firearm in violation of Penal Code Section 23920 subdivision (a) shall not own, purchase, receive or have in their possession any firearm for a period of 10 years, a violation of which is punishable as an aggravated misdemeanor.

COMMENTS

1. Need for This Bill

According to the author:

Experts are calling ghost guns the fastest-growing gun safety problem in America. The number of ghost guns recovered from crime scenes by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), has risen by more than 1,000% since 2017. Senate Bill 1220 builds on prior State legislative efforts to address possession of ghost guns. Making and distribution of so-called ghost guns which can consist of guns that were never serialized or whose serial numbers have been obliterated in violation of law.

SB 1220 would prohibit a person, who is convicted on or after January 1, 2027, of the above prohibition, from owning, purchasing, receiving, or having in their possession or under their custody or control any firearm within 10 years of the

conviction. By expanding the scope of an existing crime SB 1220 seeks to curb this growing threat.

2. Firearm Prohibitions for Criminal Convictions

Existing state and federal law contains a myriad of prohibitions on the possession and attempted purchase of firearms by certain individuals. Under both state and federal law, all felony convictions lead to a lifetime prohibition.¹ California law goes further and imposes a 10-year prohibition on the possession and purchase of firearms for individuals convicted of numerous misdemeanor offenses that involve either violence or threat of violence as well as certain firearm-related crimes.² Since the 10-year firearm prohibition for certain misdemeanor convictions was enacted in 1991, several bills over the past several decades have sought to add offenses to the “10-year list,” which now includes over 60 misdemeanor offenses. Last year, AB 1263 (Gipson), Chapter 636, Statutes of 2025, added over a dozen distinct firearm-related offenses to the 10-year list, among which were the illegal transfer of an unserialized firearm, the illegal manufacture of a gun with a 3D printer or computer numerical control (CNC) milling machine, and knowingly or willfully causing a person to engage in the unlawful manufacture of firearms.³

Existing law, subject to specified exceptions, makes it a misdemeanor for any person to, with knowledge of any change, alteration, removal or obliteration of certain identifying marks on firearms,⁴ to buy, receive, dispose of, sell, offer for sale or possess any firearm that has had such identifying mark removed or altered.⁵ This crime is generally referred to as the knowing possession of an unserialized firearm, and this bill adds a conviction for this this crime to the 10-year firearm prohibition list described above.

3. Armed and Prohibited Persons (APPS) – Background and Backlog

In 2001, SB 950 (Brulte), Chapter 944, Statutes of 2001, created the APPS in response to several high-profile murder cases involving people prohibited from owning firearms. After APPS was eventually implemented in 2006, the number of individuals found to be prohibited from possessing – and in possession – of a firearm increased dramatically, and in the years since has increased at a steady and considerable rate. In 2008, there were 10,266 individuals on the APPS list, and in 2021, the list comprised 23,598 individuals.⁶

In 2013, SB 140 (Leno), Chapter 2, Statutes of 2013, appropriated \$24 million from the Dealers Record of Sale (DROS) Special Account to the DOJ to fund enforcement of illegal gun possession by prohibited persons. SB 140 included the following finding and declaration:

The list of armed prohibited persons in California grows by about 15 to 20 people per day. There are currently more than 19,000 armed prohibited persons in

¹ 18 U.S.C. § 922(g); Penal Code § 29800

² Pen. Code, § 29805.

³ See Pen. Code, § 29805, subd. (h.)

⁴ These marks include the name of the maker or model, the manufacturer’s number or other mark of identification, including any distinguishing number or mark assigned by the DOJ.

⁵ Pen. Code, § 23920, subd. (a).

⁶ “Armed and Prohibited Persons Systems Report 2021: Annual Report to the Legislature, SB 94 Legislative Report, Calendar Year 2021.” Available at <<https://oag.ca.gov/system/files/attachments/press-docs/APPS%20Report%202021.pdf>>

California. Collectively, these individuals are believed to be in possession of over 34,000 handguns and 1,590 assault weapons. Neither the Department of Justice nor local law enforcement has sufficient resources to confiscate the enormous backlog of weapons, nor can they keep up with the daily influx of newly prohibited persons.

The 19,000+ cases on the APPS list at the time SB 140 was passed is referred to as the “APPS backlog.” SB 140 required the DOJ to address the backlog and issue an annual report to the legislature for five years in order to provide updates on DOJ’s progress in reducing the backlog. In 2019, at the expiration of that 5-year reporting requirement, SB 94 (Committee on Budget), Chapter 25, Statutes of 2019, provided updated requirements regarding the mandated reporting of APPS database statistics. SB 94 defined “backlog,” for the purposes of the APPS as “the number of cases for which the Department of Justice” did not initiate an investigation within six months of the case being added to the APPS database or for which it has not completed investigatory work within six months of initiating an investigation on the case.”

The most recent APPS report to the Legislature pursuant to SB 94 covers calendar year 2025. According to the report, in 2025, DOJ removed 10,746 prohibited persons from the APPS database, and added 12,035 prohibited persons. As of January 1, 2026, the APPS database contained 27,199 armed and prohibited persons, and included 10,893 active cases and 16,306 pending cases.⁷ Compare this to the prior year’s report, which indicated that the system had 10,044 active cases and 15,867 pending cases. According to the DOJ, “A combination of factors resulted in a large increase in the number of individuals who were identified as subject to state or federal firearm prohibitions in 2025,” including “legislation creating new misdemeanor prohibitions, increases in the number of individuals with firearm records known to DOJ, increases in the number of prohibiting events such as convictions and restraining orders, local record auditing efforts to identify and report previously unreported prohibiting events, as well as certain state and federal process changes related to individuals subject to outstanding felony arrest warrants and criminal protective orders.”⁸ It should be noted that the data covered by this report likely does not include APPS additions resulting from AB 1263 (Gipson), Chapter 636, Statutes of 2025, which only took effect January 1, 2026. By adding yet another crime to the 10-year firearm prohibition list, this bill will invariably add new individuals to the APPS database, requiring additional reviews, investigations and seizure operations by DOJ.

4. Argument in Opposition

According to the California Rifle and Pistol Association:

California already maintains one of the nation’s most expansive lists of firearm prohibitions, including lengthy bans for many misdemeanors and lifetime bans for felonies and certain domestic violence offenses. SB 1220 further expands this list by automatically stripping Second Amendment rights for 10 years based on a non-violent property offense involving serial number markings—without any

⁷ “Armed and Prohibited Persons Systems Report 2025: Annual Report to the Legislature, SB 94 Legislative Report, Calendar Year 2025.” Available at <<https://oag.ca.gov/system/files/media/2025-apps-report.pdf>>. Active cases are those for which the DOJ has not yet begun investigations or is in the process of investigating, while pending cases are those for which the DOJ has exhausted all leads or determined that the person is not within their jurisdiction.

⁸ *Ibid* at p.5.

requirement of actual violence, threat to public safety, or use of the firearm in a crime.

The U.S. Supreme Court's decision in *New York State Rifle & Pistol Association v. Bruen* (2022) requires that firearm regulations be consistent with this nation's historical tradition of firearm regulation. Historically, temporary disarmament was rare and typically tied to serious violent conduct or judicial findings of dangerousness—not mere possession of a firearm with altered markings. SB 1220 lacks such historical analogues and risks rendering an entire category of law-abiding citizens (after serving any sentence) presumptively disarmed for a decade.

Moreover, the bill adds little to public safety. Existing laws already criminalize possession of firearms with obliterated serial numbers and prohibit felons and other dangerous persons from possessing firearms. Prosecutors can and do charge these offenses aggressively. Converting this misdemeanor into an automatic 10-year prohibition simply creates another redundant layer of punishment that disproportionately burdens individuals who pose no ongoing threat while doing nothing to address actual criminal firearm misuse.

CRPA supports strong enforcement against illegal firearm trafficking and violent crime. However, SB 1220 continues California's pattern of incrementally expanding prohibited-person categories without meaningful evidence that such measures reduce crime or enhance safety beyond existing tools. It imposes severe, long-term collateral consequences on non-violent conduct and further erodes the rights of Californians who have paid their debt to society.

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