

THIRD READING

Bill No: SB 1220
Author: Hurtado (D)
Introduced: 2/19/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 4/7/26

AYES: Arreguín, Caballero, Cortese, Pérez, Wiener

NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 7-0, 4/20/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/14/26

AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

SUBJECT: Firearms: prohibited persons

SOURCE: California Police Chiefs Association

DIGEST: This bill imposes 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.

ANALYSIS:

Existing law:

- 1) 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. (Penal Code (PEN) § 29800, subd. (a)(1).)

- 2) 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 § 29800, subd. (a)(2).)
- 3) 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 § 29800, subd. (a)(3).)
- 4) 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 § 29805, subd. (a).)
- 5) 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 § 29805, subs. (a), (h).)
- 6) 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 §§ 29805, subd. (a), 29851.)
- 7) 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 § 29810, subd. (a).)
- 8) 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 § 29850.)
 - 9) 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 § 29855.)
 - 10) 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 § 29860.)
 - 11) 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 § 30000 (a).)
 - 12) 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 § 23920, subd. (a).)

- 13) Specifies that the above prohibition does not apply to any of the following:
- a) 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.
 - b) The acquisition or possession of an unserialized firearm by any peace officer while on duty and acting within the scope and course of employment.
 - c) 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.
 - d) A person possessing and transporting the unserialized firearm to a law enforcement agency for disposition by that agency, as specified. (PEN § 23925, subd. (a).)

This bill:

- 1) Provides that any person who is convicted of knowingly possessing, purchasing, receiving, selling or offering for sale an unserialized firearm in violation of PEN § 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

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. 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. 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.

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, to buy, receive, dispose of, sell, offer for sale or possess any firearm that has had such identifying mark removed or altered. This crime is generally referred to as the knowing possession of an unserialized firearm, and this bill adds a conviction for this crime to the 10-year firearm prohibition list described above.

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

According to the Senate Appropriations Committee:

Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate violations. The fiscal impact of this bill to the courts will depend on many unknowns, including the numbers of people charged with an offense and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. This is a conservative estimate, based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations. [...] Unknown, potentially significant to major costs (General Fund) to the California Department of Corrections and Rehabilitation to incarcerate people for violations of this bill. The estimated 2026–27 average annual cost to incarcerate one person in state prison is \$138,000 based on an average daily population of 87,760 inmates.

SUPPORT: (Verified 5/14/26)

California Police Chiefs Association (Source)

OPPOSITION: (Verified 5/14/26)

California Rifle and Pistol Association

Prepared by: Alex Barnett / PUB. S. /
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