

SENATE THIRD READING
SB 1220 (Hurtado)
As Amended August 19, 2026
Majority vote

SUMMARY

Provides that any person who is convicted of knowingly possessing, purchasing, receiving, selling or offering for sale an unserialized firearm shall not own, purchase, receive or have in their possession any firearm for a period of 10 years, and a violation is punishable as a misdemeanor by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$1,000, or by both that fine and imprisonment.

Major Provisions

- 1) Double joints this bill with AB 1753 (Stefani) in order to avoid chaptering issues.
- 2) Adds severability clause.

COMMENTS

According to the Author

"SB 1220 closes a narrow but important gap in California's firearm prohibition laws.

"California currently imposes a 10-year firearm prohibition on individuals convicted of specified misdemeanor offenses involving violence, threats of violence, and firearm-related misconduct. In recent years, the Legislature has expanded that list to include numerous offenses involving ghost guns and unlawful firearm manufacturing.

"Yet a conviction for knowingly buying, receiving, selling, offering for sale, or possessing a firearm with altered or removed identifying markings is not currently included on that list.

"Firearms with obliterated serial numbers are inherently difficult to trace and are frequently associated with unlawful firearm activity. Individuals convicted of knowingly possessing or trafficking such weapons should be treated consistently with individuals convicted of comparable firearm-related offenses already subject to California's 10-year firearm prohibition.

"This bill targets unlawful conduct, improves accountability, and helps law enforcement address the growing threat posed by ghost guns and unserialized firearms while preserving lawful firearm ownership."

Arguments in Support

According to the *California Police Chiefs Association*, "SB 1220 makes targeted and necessary updates to Penal Code Section 29805, which governs individuals prohibited from possessing firearms due to prior criminal conduct. By refining and expanding these prohibitions, the bill helps ensure that individuals who have demonstrated behavior posing a risk to public safety are appropriately restricted from accessing firearms.

"From a law enforcement perspective, firearm prohibition laws are a critical tool in preventing violence before it occurs. Officers across California routinely encounter situations involving individuals with prior convictions who remain in possession of firearms despite existing restrictions. Strengthening and clarifying these prohibitions enhances enforceability, improves compliance, and reduces the likelihood that firearms fall into the hands of individuals who present an elevated risk to the community.

"SB 1220 also supports consistency and clarity in the law, which is essential for both enforcement and public understanding. Clear statutory standards allow officers, prosecutors, and courts to apply the law effectively, while also ensuring that prohibited individuals are aware of their legal obligations.

"Ultimately, this measure represents a proactive step toward improving public safety by addressing known risk factors associated with firearm-related violence. By reinforcing existing safeguards and closing potential gaps in the law, SB 1220 will help protect communities and support law enforcement efforts statewide."

Arguments in Opposition

According to the *California Rifle and Pistol Association*, "SB 1220 amends Penal Code Section 29805 to expand the list of misdemeanors that trigger a 10-year prohibition on owning, purchasing, receiving, or possessing firearms. Specifically, it adds violations of subdivision (a) of Section 23920 (altering, removing, or obliterating a firearm's serial number or identifying marks) to the list of disqualifying offenses for convictions on or after January 1, 2027.

"While CRPA supports keeping firearms out of the hands of truly dangerous individuals, this bill further expands California's already broad prohibited persons regime in a way that risks sweeping in low-level, non-violent, or technical violations without adequate due process protections.

"Key Concerns:

"Overbreadth and Due Process Issues: Serial number violations can arise from technical or good-faith situations involving lawfully owned firearms. Imposing a 10-year blanket prohibition on Second Amendment rights for such misdemeanors goes beyond what is necessary for public safety and raises constitutional concerns under the U.S. Supreme Court's Bruen framework.

"Disproportionate Impact: The bill adds another layer of lifetime-style restrictions on law-abiding citizens who may have made a one-time mistake, while doing little to address repeat violent offenders who are already prohibited under existing law.

"Cumulative Effect of Gun Control Laws: California already maintains one of the strictest prohibited persons frameworks in the nation. Continually expanding the list of disqualifying misdemeanors creates a complex web of restrictions that disproportionately burdens responsible firearm owners and erodes core constitutional rights."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, "Costs of an unknown amount, likely in excess of this committee's threshold, to the Department of Justice (DOJ) to investigate and enforce the new prohibition through the Armed and Prohibited Persons System (APPS) (General

Fund, Dealers Record of Sale Special Account). By adding another qualifying offense, the bill will add individuals to the APPS database and increase the associated review, investigation, and firearm-seizure workload. As of January 1, 2026, the APPS database contained 27,199 armed and prohibited persons, including 10,893 active cases and 16,306 pending cases; the bill would contribute an incremental, currently unquantifiable number of additional cases beginning in 2027. The DOJ was unable to provide an estimate of costs at the time of this analysis."

VOTES

SENATE FLOOR: 30-8-2

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland

ABS, ABST OR NV: Dahle, Valladares

ASM PUBLIC SAFETY: 8-0-1

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Nguyen, Ramos, Sharp-Collins

ABS, ABST OR NV: Lackey

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Ta, Tangipa

ABS, ABST OR NV: Dixon

UPDATED

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