



## SB 1253 (Gonzalez) Closing Gun Safety Loopholes

### SUMMARY

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Senate Bill (SB) 1253 will require individuals who possess a firearm, and those who move to California with firearms, to maintain a valid and unexpired Firearm Safety Certificate.

### EXISTING LAW

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SB 683 (Block, Chapter 761, Statutes of 2013) requires any person who purchases or receives a firearm to possess a Firearm Safety Certificate (FSC), and makes a violation of this requirement punishable as a misdemeanor.

Assembly Bill 809 (Feuer, Chapter 745, Statutes of 2011) requires any person who moves into California with a firearm to be considered a "Personal Firearm Importer" and requires them to report their firearm ownership to the California Department of Justice's (DOJ) Bureau of Firearms within 60 days of arriving in the state.

### BACKGROUND/PROBLEM

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Current law requires a person to obtain a FSC before they can purchase or receive any firearm, except under certain specified conditions. To obtain a FSC an applicant must score at least 75% correct on the FSC test covering firearm safety and laws, and must pass a safe handling demonstration performed under the supervision of a DOJ Certified Instructor.<sup>1</sup>

The DOJ is required to develop and periodically update a study guide and written FSC test, and is authorized to

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<sup>1</sup> <https://oag.ca.gov/firearms/fscfaq#2>

charge a fee of \$25 for a FSC, which is valid for period of 5 years.<sup>2</sup>

However, certain safety loopholes exist under current law. Consequently, a person who moves to California with firearms, and a person who acquired firearms prior to the current FSC requirement are not required to take an FSC test and those who have previously passed the FSC test are not required to recertify.

A lack of knowledge and regular upkeep on safe firearm handling practices can, and has led to, unintended and preventable tragedies. According to the DOJ Office of Gun Violence Prevention's 2023 Data Report, there were 69,136 gunshot wound incidents in California from 2016-2021 that resulted in death or that required urgent medical attention.<sup>3</sup> Of these 69,000 gunshot wounds, almost a third (31%) were from unintended and accidental shootings.

Beginning in 2020, firearms surpassed vehicle accidents as the number one cause of death for children in the United States. Additionally, most accidental firearm injuries among children occur within the home, with two-thirds of the shooters having been playing with or showing the firearm to others when it was discharged and shot a child.<sup>4</sup>

### SOLUTION

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SB 1253 will close existing unsafe loopholes in California's firearm safety laws by requiring Californians who possess a firearm, and those who move into California from

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<sup>2</sup> <https://oag.ca.gov/firearms/fsc>

<sup>3</sup> <https://oag.ca.gov/system/files/media/OGVP-Data-Report-2022.pdf>

<sup>4</sup> <https://www.cdc.gov/mmwr/volumes/72/wr/mm7250a1.htm>

another state, to maintain a valid and unexpired Firearm Safety Certificate.

The bill also provides firearm owners a year to come into compliance with this requirement, requires the DOH to notify individuals when their FSC is set to expire, and provides individuals with a 60-day grace period to renew their FSC after expiration.

A requirement for all registered firearm owners to take the FSC course, as well as re-certify when it expires, will lead to a more informed firearm ownership population and help reduce unintended gun deaths and injuries in California.

#### **SUPPORT**

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Consumer Protection Policy Center at USD School of Law  
(Sponsor)

#### **CONTACT**

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