

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 3. CERTIFICATES OF ELIGIBILITY and CHAPTER 11. FIREARM
PRECURSOR PARTS
TEXT OF PROPOSED REGULATIONS

Chapter 3. Certificates of Eligibility

Article 2. Definitions

§ 4031. Definition of Key Terms.

- (a) “Applicant” means a person applying to obtain a Certificate of Eligibility.
- (b) “California Ammunition Vendor” or “CAV” ~~means an individual with a valid ammunition vendor license issued pursuant to Penal Code section 30342~~ has the same meaning as “ammunition vendor” as defined in section 4281.
- (c) “California Firearms Dealer” or “CFD” ~~means a person having a valid license to sell firearms issued pursuant to Penal Code section 26700~~ has the same meaning as “firearms dealer” or “dealer” as defined in section 4017.
- (d) “California Firearm Precursor Part Vendor” or “CFPPV” has the same meaning as “California Firearm Precursor Part Vendor” as defined in section 4301.
- ~~(d)~~(e) “Certificate of Eligibility” or “COE” means a certificate which states that the Department has checked its records and the records available to the Department in the National Instant Criminal Background Check System and determined that the applicant is not prohibited from acquiring or possessing firearms pursuant to Penal Code sections 18205, 29800, 29805, 29815 through 29825, and 29900, or Welfare and Institutions Code sections 8100 and 8103, or Title 18, sections 921 and 922 of the United States Code, or Title 27, Part 478.32 of the Code of Federal Regulations at the time the check was performed and which ensures that ~~a person~~anyone who handles, sells, delivers, or has under their custody or control any ammunition, is eligible to do so pursuant to Penal Code section 30347, and that anyone who handles, sells, delivers or has under their custody and control any firearm precursor part, is eligible to do so pursuant to Penal Code section 30447.
- ~~(e)~~(f) “Certificate Holder” means a person who obtains a valid Certificate of Eligibility.
- ~~(f)~~(g) “CFARS” means California Firearms Application Reporting System.

~~(g) “COE” means Certificate of Eligibility.~~

(h) “Department” means the California Department of Justice.

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756 and 12757, Health and Safety Code; Sections, 16140, 16800, 18205, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825, 29900, 30312, 30314, 30342, 30347, 30370, [30412](#), [30414](#), [30442](#), [30470](#) and 31700, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Parts 478.32 and 478.41, Code of Federal Regulations.

Article 3. Certificate of Eligibility

§ 4035. Applicant Information.

(a) Once a CFARS account has been created, the initial application form for a COE is located on CFARS under the link “Certificate of Eligibility (COE).”

(b) Initial COE applicants shall electronically provide the following information to complete the application:

(1) Applicant’s full name; driver license type and number or California identification number; date of birth; residence street address; phone number; gender; ATI number; business type(s); United States citizenship; if not a United States citizen, the country of citizenship and the federal Citizenship and Immigration Services (USCIS) Number or federal I-94 number. The application shall also require additional information requesting responses to questions asking ~~the applicant~~ if the applicant: 1) is a current COE holder; and 2) has submitted COE fingerprint impressions through a live scan provider, as required by section 4032.5 ~~of these regulations~~.

(A) If applicant is applying for a COE as an employee of a California Firearms Dealer (CFD), applicant shall provide the name of the dealer, the dealer address, the dealer store number if applicable, the dealer’s CFD number, and the COE number provided by the employer.

(B) If applicant is applying for a COE as an employee of a California Ammunition Vendor (CAV), applicant shall provide the name of the ammunition vendor, the

ammunition vendor address, the ammunition vendor store number if applicable, the vendor's CAV number, and the COE number provided by the employer.

(C) If applicant is applying for a COE as an employee of both a CFD and a CAV, the applicant shall list only the CFD information as specified in subdivision (b)(1)(A) of this section.

(D) If applicant is applying for a COE as an employee of a California Firearm Precursor Part Vendor (CFPPV), applicant shall provide the name of the Firearm Precursor Part Vendor, the vendor's address, the vendor's store number if applicable, the vendor's CFPPV number, and the COE number provided by the employer.

(E) If applicant is applying for a COE as an employee of both a CFD and a CFPPV, the applicant shall list only the CFD information as specified in subdivision (b)(1)(A) of this section.

(2) [regulation text continued unchanged]

(c) Applicant shall submit fingerprints for a COE to the Department for a firearms eligibility background check as specified in section 4032.5 ~~of these regulations~~ before submitting the electronic application.

(d) Applicant shall submit the appropriate COE fees as specified in subdivision (b)(1) of section 4038 ~~of these regulations~~ to the live scan operator before submitting the electronic application.

Note: Authority cited: Sections 11105 and 26710, Penal Code. Reference: Sections 12101, 12756 and 12757, Health and Safety Code; Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27545, 27670, 27966, 28450, 29050, 29120, 29800, 29805, 29815, 29820, 29825, 29900, 30312, 30314, 30342, 30347, 30370, 30412, 30414, 30442, 30447 and 31700, Penal Code; Sections 8100 and 8103, Welfare and Institutions Code; Title 18, Sections 921 and 922, United States Code; and Title 27, Part 478.32, Code of Federal Regulations.

§ 4036. Modifications to Applicant Information.

(a) [regulation text continued unchanged]

(b) Any modifications to the employment status of a certificate holder of a CFD, ~~or~~ CAV or CFPPV shall be reported via CFARS by both the employee and the ~~CFD/CAV~~CFD, CAV and/or CFPPV.

(1) A certificate holder shall make changes to the certificate holder's employment status via CFARS.

(A) To report employment, a certificate holder shall select "Report Employment" and shall enter the employer's ~~CFD/CAV~~CFD, CAV and/or CFPPV number, business name, and business address.

(B) To terminate employment, a certificate holder shall select "Report Termination of Employment," shall select the employment location, and shall agree to the following Department notification:

(i) This is to notify the DOJ that effective today, I am no longer associated with the aforementioned firearms dealership/ammunition vendor/firearm precursor part vendor. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(2) A CFD, ~~and/or~~ CAV and/or CFPPV shall make changes to the employment status of an employee by logging into the employer CFARS account and utilizing the links under the "Manage Employees" tab.

(A) To add an employee, a ~~CFD/CAV~~CFD, CAV and/or CFPPV shall select "Report Employment" and shall enter the employee's full name, COE number, identification number, and employment location.

(B) To terminate an employee, a ~~CFD/CAV~~CFD, CAV and/or CFPPV shall select "Report Termination of Employment," shall select the employment location and employee, and shall agree to the following Department notification:

(i) This is to notify the DOJ that as of the date stated on this form, this COE holder/employee is no longer associated with the aforementioned firearms dealership/ammunition vendor/firearm precursor part vendor. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am the licensee of the aforementioned firearms dealership/ammunition vendor/firearm precursor part vendor, and possess the authority to submit this form.

Note: Authority cited: Section 26710, Penal Code. Reference: Sections 12101, 12756 and 12757, Health and Safety Code; and Sections 16410, 16800, 26525, 26585, 26700, 26705, 26710, 26915, 26970, 27200, 27535, 27670, 27966, 28450, 29050, 29120, 30312, 30314, 30342, 30347, 30370, 30412, 30414, 30442, 30447 and 31700, Penal Code.

Chapter 11. Firearm Precursor Parts

Article 1. General

§ 4301. Definition of Key Terms.

(a) “California Ammunition Vendor” or “CAV” has the same meaning as “ammunition vendor” as defined in section 4281.

(b) “Certificate of Eligibility” or “COE” has the same meaning as in section 4031.

(c) “Department” means the California Department of Justice.

(d) “Federal Firearms License” means a license issued pursuant to Section 922, Title 18 of the United States Code, for the purpose of importing, manufacturing, or dealing in firearms, or importing or manufacturing of ammunition.

(e) “California Firearms Dealer” or “CFD” has the same meaning as “firearms dealer” or “dealer,” as defined in section 4017.

(f) “California Firearm Precursor Part Vendor” or “CFPPV” means a person or entity having a valid license to sell firearm precursor parts, issued pursuant to Penal Code section 30485.

Note: Authority cited: Sections 30485, Penal Code. Reference: Sections 16151, 16532, 26710, 30485, Penal Code.

§ 4302. Written Guidance and Pictorial Diagrams for the Identification of Firearm Precursor Parts.

[This content of this section is unchanged]

Article 2. California Firearm Precursor Part Vendors

§ 4310. Firearm Precursor Part Vendor License Initial Applications.

(a) Applicants for an initial firearm precursor part vendor license must complete and submit Application for Firearm Precursor Part Vendor License (Non-Firearms Dealer or Ammunition Vendor), Form BOF 1106 (Orig. 04/2022), which is hereby incorporated by reference. The application must be submitted with the fee specified in section 4311 and a copy of the following:

- (1) Any regulatory or business license required by local government.
- (2) Valid seller's permit issued by the California Department of Tax and Fee Administration.
- (3) Federal Firearms License if the applicant is federally licensed.
- (4) Certificate of Eligibility pursuant to Penal Code section 26710.

(b) An initial firearm precursor part vendor license shall expire on the following July 1, or the next business day.

(c) California Firearms Dealers and California Ammunition Vendors are automatically deemed licensed California Firearm Precursor Part Vendors and are not required to submit an application for a firearm precursor part vendor license.

Note: Authority cited: Sections 16532, 30485 and 30495, Penal Code. Reference: Sections 16532, 26700, 30385 and 30395, Penal Code.

§ 4311. Firearm Precursor Part Vendor License Renewals, Annual Fee, and Continuing Requirements.

(a) Applicants for renewal of a firearm precursor part vendor license must complete and submit Department of Justice Firearm Precursor Part Vendor License Renewal Fee Transmittal, form BOF/PPV 0012 (Orig. 07/2022), which is hereby incorporated by reference, with the fee specified in this section, on or before July 1, or the next business day, of every year.

(b) [reserved]

(c) The fee for a firearm precursor part vendor license (initial or renewal) is \$101 per location if the vendor is not a firearms dealer or an ammunition vendor.

(d) California Firearm Precursor Part Vendors must submit to the Department of Justice copies of renewals of the permit and licenses specified in section 4310, subdivisions (a)(1), (a)(2), and (a)(3), no later than 30 days after the permit or license expires. Failure to do so will invalidate the

firearm precursor part vendor license until a copy of the renewal is received by the Department of Justice.

(e) California Firearm Precursor Part Vendors must maintain an active Certificate of Eligibility. Failure to do so will invalidate the firearm precursor part vendor license until the Certificate of Eligibility has been renewed pursuant to section 4037.

(f) Firearm precursor part vendor licensure will be automatically renewed for vendors who maintain active status on the Centralized List of Firearms Dealers or maintain an active ammunition vendor license.

Note: Authority cited: Sections 16532, 30485, 30490 and 30495, Penal Code. Reference: Sections 16532, 30485, 30490 and 30495, Penal Code.

§ 4312. Display of Firearm Precursor Parts.

Pursuant to Penal Code section 30450, firearm precursor parts shall not be displayed for sale or transfer in a manner that allows that firearm precursor part to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor. A firearm precursor part displayed in a shopping area open to the public is not considered “accessible” provided it is in a locked container (e.g. display case, cabinet, cage).

Note: Authority cited: Sections 30447, 30450 and 30485, Penal Code. Reference: Sections 30447 and 30450, Penal Code.