California Department of Justice DIVISION OF LAW ENFORCEMENT Stephen Woolery, Chief



INFORMATION BULLETIN

Subject:

Guidance to CCW Licensing Authorities for Nonresident Applicants Pursuant to the Preliminary Injunction in Cal. Rifle & Pistol Ass'n v. L.A. Cnty. Sheriff's Dep't

No. Contact for information: 2025-DLE-10

Date:

04/11/2025

Bureau of Firearms (916) 210-2751 CCWInfo@doj.ca.gov

TO: ALL CALIFORNIA CRIMINAL JUSTICE AND LAW ENFORCEMENT AGENCIES

This bulletin advises Law Enforcement Agencies issuing licenses to carry concealed weapons (CCWs) that starting **April 22, 2025**, non-California residents who provide proof of membership in one of four enumerated organizations will be eligible to apply for CCW licenses. This is the result of a preliminary injunction issued by the United States District Court for the Central District of California on January 22, 2025 in *California Rifle & Pistol Association, Inc., et al. v. Los Angeles County Sheriff's Department, et al.*, No. 2:23-cv-10169-SPG (the "Order"). A copy of the Order, which does not go into effect until April 22, is attached to this correspondence.

Under the Order, residents of U.S. states and territories other than California will be eligible to apply for a California CCW license under Penal Code sections 26150 through 26235 **only if** they are both:

- (1) members of
 - (a) the California Rifle & Pistol Association, Incorporated,
 - (b) Gun Owners of America, Inc.,
 - (c) Gun Owners of California, Inc., or
 - (d) The Second Amendment Foundation;

AND

(2) not otherwise prohibited from possessing firearms under federal or California law.

For the purposes of this bulletin, residents of states and U.S. territories outside of California who are members of one of the four organizations previously described will be referred to as "Nonresident Applicants."

This bulletin provides guidance to California Law Enforcement Agencies issuing CCW licenses ("licensing authorities") regarding the CCW license application process for Nonresident Applicants. It is important to note that other than as expressly stated in the Order, the statutory criteria and processes for applying for a California CCW shall apply to Nonresident Applicants in the same manner as California resident applicants.

This bulletin is not legal advice. Rather, it is based on the attached Order and the relevant statutes and regulations as of the date of this bulletin. This bulletin supplements, not supplants, the Order and the relevant statutes and regulations. Licensing authority CCW Coordinators should consult with their legal counsel when formulating policies and practices, and in addressing any questions, regarding the issues covered in this bulletin.

Scope of Nonresident Applicants Who Can Apply for CCWs in California

Residents of U.S. states and territories who provide proof of membership in the California Rifle & Pistol Association, Incorporated; Gun Owners of America, Inc.; Gun Owners of California, Inc.; or The Second Amendment Foundation who are not otherwise prohibited from possessing firearms under federal or California law are entitled to apply for a CCW license with a licensing authority in California.

Nonresident Applicants must provide proof of membership in one of the four organizations previously described to the licensing authority upon applying.

Types of CCWs Which Nonresident Applicants Can Apply for

Nonresident Applicants can apply for a CCW license as provided for under Penal Code sections 26150 through 26235. However, Nonresident Applicants are not eligible for licenses described in Penal Code sections 26150, subdivision (b)(2) or 26155, subdivision (b)(2) (loaded, open carry in a county with less than 200,000 residents) and 26170 (reserve/auxiliary peace officer licenses).

Therefore, Nonresident Applicants may apply only for the following CCW license types: Standard (Penal Code, §§ 26150, subd. (b)(1), 26155, subd. (b)(1)), Custodial (Penal Code, § 26220, subd. (d)), or Judicial (Penal Code, § 26220, subd. (c)). Each license type will be valid for the period of time and subject to the geographical restrictions (if any) corresponding with that type of license as outlined in Penal Code section 26220. The Order does not impose any unique limitations to a Standard, Custodial, or Judicial license type because of an applicant's status as a Nonresident Applicant.

Which Licensing Authority Nonresident Applicants Must Apply to

Penal Code section 26150, subdivision (a)(3) and section 26155, subdivision (a)(3) will not apply to Nonresident Applicants. Rather, Nonresident Applicants must apply with the sheriff (per Penal Code section 26150) or chief of police (per Penal Code section 26155) of a California jurisdiction in which they intend to spend time within the subsequent 12 months and attest to that intention under oath (see the next section for how this attestation can be made).

How Nonresident Applicants Can Apply

Nonresident Applicants must use the Standard Initial and Renewal Application for License to Carry a Weapon Capable of Being Concealed form (BOF 4012) or online application portals utilized by the licensing authorities that incorporate the BOF 4012. When completing the application, Nonresident Applicants may substitute their information in lieu of California specific information. For example, for the portion of the form that asks for a "CA Driver License No.," Nonresident Applicants would instead provide the driver's license number or identification number issued to them by their state of residence.

Under the Order, Nonresident Applicants must also provide proof of membership in one of the four organizations previously described and attest under oath that they intend to spend time within the subsequent 12 months within the jurisdiction to which they are applying. To meet these requirements,

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licensing authorities may use the Nonresident Standard Initial and Renewal Application for License to Carry a Weapon Capable of Being Concealed Supplemental form (BOF 4013). In the BOF 4013, the Nonresident Applicant must provide the driver's license number or identification number issued to them by their state of residence, indicate which of the four organizations they are a member, provide proof of such membership, and attest under oath that they intend to spend time within the subsequent 12 months within the jurisdiction to which they are applying. Instead of the BOF 4013, licensing authorities may use another form developed by their agency so long as the form, like the BOF 4013, requests proof of membership and includes an attestation under oath as described at the beginning of this paragraph.

Identification for Nonresident Applicants

In connection with Penal Code section 26150, subdivision (a)(2) or section 26155, subdivision (a)(2), a Nonresident Applicant may present a valid driver's license or valid identification card issued by the Nonresident Applicant's state of residence, in lieu of a valid California driver's license or identification card.

If the Nonresident Applicant's driver's license or identification card does not set forth the applicant's current address, the applicant can—consistent with the policy for state resident applicants—submit other reliable documentation, including current utility bills, current out-of-state CCW license with a correct address, or other reasonable indicia of ongoing residency matching the address provided on the application.

Training Course and Live-Fire Shooting Exercises

Nonresident Applicants must complete a training course that meets the criteria set forth in Penal Code section 26165, subdivision (a)(1)-(3) and (5)-(6), and subdivision (b).

If the licensing authority where the Nonresident Applicant applies has not approved of any online training courses, a Nonresident Applicant may complete an online training course approved by any other licensing authority instead.

For the live-fire shooting exercises required by Penal Code section 26165, subdivision (a)(6), Nonresident Applicants must complete a live-fire shooting exercise for each handgun they intend to carry in California. A Nonresident Applicant shall inform the licensing authority where the applicant applies of the live-fire course the applicant intends to complete, and the licensing authority shall either approve such course or suggest an alternative acceptable course within 75 miles of the applicant's residence.

<u>Disqualified Person Determination Under Penal Code Section 26202</u>

All California statutes and provisions of law set forth in Penal Code section 26202, subdivision (a) shall be construed to include comparable statutes and provisions of law of the Nonresident Applicant's state of residence.

A Nonresident Applicant can complete the interview required by Penal Code section 26202, subdivision (b)(1) virtually in lieu of in person, so long as the applicant appears by video and audio.

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Psychological Exam

If a licensing authority has opted to require a psychological examination before issuing a CCW license, the licensing authority shall either conduct such examination virtually for a Nonresident Applicant, so long as the applicant appears by video and audio, or approve an examination provider located within 75 miles of the applicant's residence.

<u>Identifying Firearms for Which CCW License Will be Issued; Nonresident Applicant's Responsibility to Carry</u> Firearms Lawful in California

Penal Code section 26150, subdivision (a)(5), section 26155, subdivision (a)(5), and section 26162 will not apply to Nonresident Applicants. Rather, Nonresident Applicants must identify on the application by make, model, caliber, and serial number the handguns capable of being concealed upon the person that they intend to carry in California, and such handguns must be listed on the license to be validly carried in California.

Identification of a handgun that cannot lawfully be carried in California shall be cause for denial of a license as to that handgun. California licensing authorities may choose to request photos of the firearms to ensure that they may be lawfully carried in California (e.g., not an assault weapon under Penal Code sections 30510, 30515).

It shall be the responsibility of Nonresident Applicants, if approved and issued a CCW license, to confirm that any handgun they carry in California, in its current configuration, is legal to possess in California. It shall also be the responsibility of Nonresident Applicants to be aware of locations where it is not legal to carry a firearm in California. (See, e.g., Penal Code, § 26230; DLE Information Bulletin 2025-DLE-06, https://oag.ca.gov/system/files/media/2025-dle-06.pdf.)

It is recommended that licensing authorities accordingly notify Nonresident Applicants of relevant California laws. Nothing in the Order is intended to make the issuance of a CCW license a defense to a violation of California firearm laws unrelated to the issues discussed in the Order.

Nonresident Applicants may seek to amend the list of firearms identified on their licenses in the same manner as California residents.

Fingerprints for Nonresident Applicant

In addition to the means set forth in California Code of Regulations, title 11, section 4420, Nonresident Applicants may submit their fingerprints on an FBI Form FD-258 fingerprint card to satisfy the requirements of Penal Code section 26185. If Nonresident Applicants opt to use the FBI Form FD-258, then they should do so as follows to help ensure timely processing of their fingerprints:

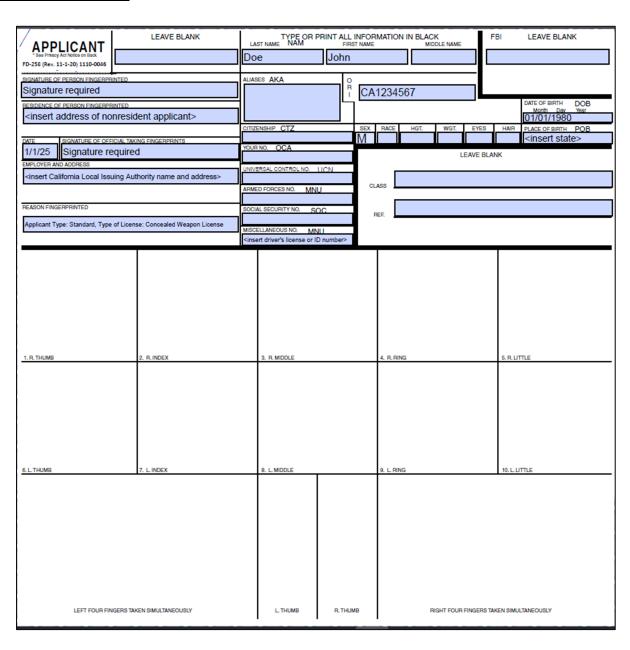
 Nonresident Applicants should seek out fingerprinting services in their area such as local law enforcement agencies or local live scan providers in the applicant's state of residence as many of them may provide hard card fingerprinting. Each state may have different fingerprint providers. It is recommended the applicant seek out their state fingerprinting authority for a list of providers that provide hard card services.

- Nonresident Applicant's local law enforcement agency will supply the FBI Form FD-258 fingerprint card. The card must be on cardstock to avoid processing issues.
- The Nonresident Applicant will complete each required field on the FBI Form FD-258 by typing or legibly printing using blue or black ink. If the fields are not legible or not complete, the California licensing authority may reject the form.
- The required fields for FBI Form FD-258 are: Name, Originating Agency Identifier (ORI), Agency Name and Address, Date of Birth, Place of Birth, Sex, Miscellaneous No. (must provide Driver's License or Identification Number), Signature of Person Fingerprinted, Signature of Official Taking Fingerprints, date fingerprinted, reason fingerprinted (list CCW Applicant Type: Standard, Custodial, or Judicial and the type of license: Concealed Weapon License), and proper completion of fingerprint impression boxes.
- Nonresident Applicants will enter the ORI of the California licensing authority to which they intend
 to apply—not the local law enforcement agency taking their fingerprints. Nonresident Applicants
 should contact the California licensing authority for its ORI, Agency Name and Address to ensure
 background results are sent the appropriate agency.
- Once complete, Nonresident Applicants must mail the completed FBI Form FD-258 to the California licensing authority to which they intend to apply for its review. Pursuant to Penal Code section 26190, Nonresident Applicants must include the fees for the direct costs of furnishing the information and report required by Section 26185.
- Once received, the California licensing authority should review the FBI Form FD-258 to ensure that it is legible and complete to prevent processing delays.
- o If not obtained in another manner, the California licensing authority should maintain a scan of the right thumbprint on the FBI Form FD-258 and ensure that it is of sufficient resolution to comply with California Code of Regulations, title 11, section 4402.
- An FBI Form FD-258 determined to be accurate and complete by the California licensing authority must be sent along with the appropriate fees or Applicant Transmittal Form (JUS 204) to:

California Department of Justice Prescan Unit, K-111 PO Box 903417 Sacramento, CA 94203-4170

- o If the fingerprints are accepted, then the responses described in Penal Code section 26185 will be forwarded to the California licensing authority via Applicant Agency Justice Connection. Any incomplete or illegible FBI Form FD-258 will be returned. The California licensing authority may email Appagencyquestions@doj.ca.gov if a response is not received.
- If the California licensing authority has additional questions regarding the FBI Form FD-258 submittal process, you may contact the Department of Justice's Prescan Unit at prescan@doj.ca.gov.
- An example of a FBI Form FD-258 is below. For information on fingerprints, please visit: https://oag.ca.gov/fingerprints/agencies.

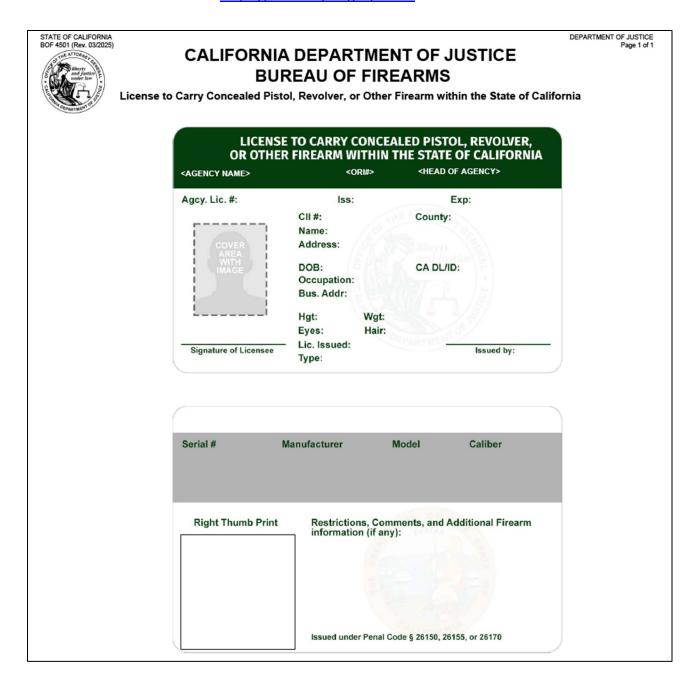
FBI Form FD-258 Example



Nonresident Applicants currently in California should have their fingerprints rolled by *a certified fingerprint roller or qualified law enforcement personnel*. The applicant must complete a BCIA 8016, REQUEST FOR LIVE SCAN SERVICE form and take the completed form to a live scan operator to initiate the background check process. Please refer to the Attorney General's website for live scan locations: <u>Live Scan Locations | State of California - Department of Justice - Office of the Attorney General</u>

Issuance of CCW License and Submission of BOF 4501 to the Department of Justice

California licensing authorities must use the current version of the BOF 4501 to issue CCW licenses to Nonresident Applicants, which must include a picture of the licensee, the licensee's fingerprint, and the other license criteria as required by Penal Code section 26175, subdivision (i). This form can be accessed on the California Law Enforcement Web at https://clew.doj.ca.gov/forms.



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Upon issuance of a Nonresident Applicant's CCW license, the license shall be mailed to the address provided in the application.

Additionally, the requirements of Penal Code section 26225, subdivision (b) and California Code of Regulations, title 11, section 4432 apply to any issuance, amendment, denial, or revocation of a CCW license for a Nonresident Applicant.

Initial and renewal fees shall be the same for Nonresident Applicants as they are for California resident applicants.

On August 20, 2024, this Court issued an Order on Plaintiffs' Motion for Preliminary

1 Injunction (ECF No. 52 ("PI Order")), which granted in part and denied in part Plaintiffs' 2 Motion for a Preliminary Injunction. The Court further ordered that "[w]ithin thirty (30) 3 calendar days of th[e] Order," Plaintiffs must confer with Defendant Robert Bonta 4 5 ("Defendant Bonta") and Defendant Los Angeles County Sheriff's Department and Defendant Sheriff Luna (together, "Los Angeles Defendants") to submit a proposed order 6 entering the preliminary injunction consistent with [the PI Order]." (PI Order at 44). On 7 September 19, 2024, the Plaintiffs, Los Angeles Defendants, and Defendant Bonta filed a 8 Joint Statement regarding the Proposed Preliminary Injunction Order (ECF No. 56 9 ("Notice")), notifying the Court that, while Plaintiffs and the Los Angeles Defendants 10 "reached an agreement" related to the "language in the proposed order relevant to them," 11 Plaintiffs and Defendant Bonta "continue to work toward an agreement on a few remaining 12 terms" in the proposed order. Notice at 2. The Parties requested an extension until 13 14 September 23, 2024, to have more time "to work toward to an agreement" and submit a proposed order to the Court. (Id. at 2). On September 23, 2024, the Plaintiffs submitted a 15 Proposed Order as directed in the Court's PI Order. (ECF No. 57). 16 17 18 19

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The Court, having reviewed the Proposed Order, accordingly ORDERS, as to Defendant Bonta:

Residents of states and US territories besides California, who are: 1.

- members of the California Rifle & Pistol Association, Incorporated, a. Gun Owners of America, Inc., Gun Owners of California, Inc., or The Second Amendment Foundation, and;
- who are not otherwise prohibited from possessing firearms under b. federal or California law,

upon proof of such membership, are entitled under this Order to apply for a California concealed handgun license as provided for under Penal Code sections 26150 through 26235, except that such applicants shall not be eligible for the licenses described in sections 26150(b)(2), 26155(b)(2), and 26170.

- These qualifying nonresident prospective applicants are referred to as "Nonresident Applicants" throughout the remainder of this Order.
- 2. California Penal Code sections 26150(a)(3) and 26155(a)(3) will not apply to Nonresident Applicants. Rather, Nonresident Applicants must apply with the sheriff (per Penal Code section 26150) or chief of police (per Penal Code section 26155) (collectively "Local Issuing Authority(ies)") of a California jurisdiction in which they intend to spend time within the subsequent twelve (12) months and attest to that intention under oath in the application.
- 3. Nonresident Applicants may present a valid driver's license or valid identification card issued by the Nonresident Applicant's state of residence, in lieu of a valid California driver's license or identification card, in connection with California Penal Code sections 26150(a)(2) or 26155(a)(2). Where a Nonresident Applicant's driver's license or identification card does not set forth the applicant's current address, the applicant can, consistent with the policy for state resident applicants, submit other reliable documentation, including current utility bills, a current out-of-state concealed carry weapon ("CCW") license with a correct address, or other reasonable indicia of ongoing residency matching the address provided on the application.
- 4. All California statutes and provisions of law set forth in Penal Code section 26202(a) shall be construed to include comparable statutes and provisions of law of the Nonresident Applicant's home state.
- 5. To satisfy California Penal Code sections 26150(a)(4) or 26155(a)(4), Nonresident Applicants must complete a training course that meets the criteria set forth in section 26165(a)(1)-(3) and (5)-(6), and section (b), as it pertains to the Local Issuing Authority where the Nonresident Applicant applies. If the Local Issuing Authority where the Nonresident Applicant applies has not approved of any online training courses, a Nonresident Applicant may complete an online training course approved by any other Local Issuing

- Authority instead. For the live-fire shooting exercises required by section 26165(a)(6), Nonresident Applicants shall complete live-fire shooting exercises for each handgun they intend to carry in California. A Nonresident Applicant shall inform the Local Issuing Authority where the applicant applies of the live-fire course the applicant intends to complete, and the Local Issuing Authority shall either approve such course or suggest an alternative acceptable course within 75 miles of the applicant's residence.
- 6. California Penal Code sections 26150(a)(5), 26155(a)(5), and 26162 will not apply to Nonresident Applicants. Rather, Nonresident Applicants must identify on the application by make, model, and serial number the handguns capable of being concealed upon the person that they intend to carry in California, and such handguns must be listed on the license to be validly carried in California. Identification of a handgun that cannot lawfully be carried in California shall be cause for denial of a license as to that handgun. Nonresident Applicants may seek to amend the list of firearms identified on their licenses in the same manner as California residents.
- 7. A Nonresident Applicant may choose to complete the interview required by California Penal Code section 26202(b)(1) virtually in lieu of in person, so long as the applicant appears by video and audio.
- 8. In addition to the means set forth in California Code of Regulations, title 11, section 4420, Nonresident Applicants may submit their fingerprints on an FBI form FD-258 fingerprint card to satisfy the requirements of California Penal Code section 26185.
- 9. Upon approval of a Nonresident Applicant's application, the concealed handgun license shall be mailed to the address provided on the application.
- 10. If a Local Issuing Authority has opted to require a psychological examination before issuing a concealed handgun license, the Local Issuing Authority shall either conduct such examination virtually for a Nonresident Applicant, so long

- as the applicant appears by video and audio, or approve an examination provider located within 75 miles of the applicant's residence.
- 11. Other than as expressly stated in this Order, the statutory criteria and processes for applying for a California concealed handgun license shall apply to Nonresident Applicants in the same manner as state resident applicants.
- 12. It shall be the responsibility of Nonresident Applicants, if approved and issued a permit, to confirm that any handgun they carry in California, in its current configuration, is legal to possess in the state. It shall also be the responsibility of Nonresident Applicants to be aware of locations where it is not legal to carry a firearm in California. Nothing in this Order is intended to make the issuance of a concealed handgun license a defense to a violation of California gun laws unrelated to the issues discussed in this Order.
- 13. This Order shall become effective 90 days after its execution. If no separate application form or process has been instituted at that time, Nonresident Applicants may use the standard Concealed Handgun License application form (BOF-4012) or online application portals utilized by the Local Issuing Authority (such as Permitium) and substitute the Nonresident Applicant's information in lieu of California specific information in providing information on the application. For example, for the portion of the form that asks for a "CA Driver License No.," Nonresident Applicants would instead provide the driver's license number or identification number issued to them by their state of residence.
- 14. The California Department of Justice shall distribute a copy of this Order, or otherwise provide notice of its terms, to all Local Issuing Authorities that currently issue or shall issue in the future concealed handgun licenses in California and to all District Attorney offices.

This Court, having reviewed the Proposed Order, further ORDERS, as to the Los Angeles County Defendants:

- 1. Within 30 days of the date of this Order, Defendant Los Angeles County Sheriff's Department ("LASD") will contact Plaintiff Brian Weimer ("Plaintiff Weimer") to set up an initial interview and instruct him to conduct his livescan. As Plaintiff Charles Messel has been issued his concealed handgun license by LASD, injunctive relief as to him is no longer necessary.
- 2. Within 30 days of the completion of Plaintiff Weimer's interview and receipt of his livescan by LASD, whichever is later, LASD will review Plaintiff Weimer's file and, if approved to proceed to firearms training, instruct Plaintiff Weimer to schedule his firearms training.
 - a. The Court recognizes that there can be delays unattributable to LASD with processing of a proper livescan, such as poor print quality, charges on a record in or out of State, or delays with the U.S. Department of Justice. If any incidents delaying review of Plaintiff Weimer's livescan arise, counsel for LASD will promptly notify counsel for Plaintiff Weimer and the parties will work cooperatively to resolve the issue, including stipulating to amend this Order as needed.
- 3. Within 30 days of LASD's receipt of proof from Plaintiff Weimer that he successfully completed his firearms training, LASD will reach a final decision on and either approve or deny Plaintiff Weimer's application.
- 4. Within 30 days of LASD's reaching a final decision on Plaintiff Weimer's application, if Plaintiff Weimer is approved, his license will be issued.
- 5. The deadlines of this Order may be modified by stipulation of the parties for good cause, including any delay that is caused by Plaintiff Weimer not timely

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completing the actions required of him to obtain his license, such as completing the livescan and the training course.

IT IS SO ORDERED.

DATED: January 22, 2025

HON, SHERII YN PEACE GARNETT UNITED STATES DISTRICT JUDGE

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CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS

NONRESIDENT STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A WEAPON CAPABLE OF BEING CONCEALED SUPPLEMENTAL FORM FOR OPTIONAL USE

Section 1 - Personal Information									
Last Name First Name		Middle Name							
Driver License/ID No. (issued by state or territory of residence) State or Territory of Issuance									
Temporary California Re	esidence Address (if known)	City		State	Zip Code				
Select Membership Grou	ıp (indicate below and provide	proof of	such members	ship)					
California Rifle & Pistol Association, Incorporated Gun Owners of America, Inc.									
Gun Owners of California, Inc.			The Second Amendment Foundation						
Section 2 - Declaration									
By signing below, I herek	y attest under oath that:								
I am a resident of a U.S. state or territory, besides California.									
I intend to spend time within the subsequent twelve months in the state of California within the jurisdiction in which I am submitting my application.									
Applicant Signature	 Date								