

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 2. CENTRALIZED LIST OF FIREARMS DEALERS
TEXT OF PROPOSED REGULATIONS

The original text published in the California Code of Regulations has no underline. Changes are illustrated by single blue underline for proposed additions and ~~single red strikethrough~~ for proposed deletions.

Article 1. Title, Scope, and Definitions

§ 4017. Definition of Key Terms.

... (Omitting subsection (a))

... (Omitting subsection (b))

... (Omitting subsection (c))

... (Omitting subsection (d))

... (Omitting subsection (e))

... (Omitting subsection (f))

~~(g) “Removal from the Centralized List” means the removal of a dealer from the Centralized List who knowingly or with gross negligence violates the provisions of Penal Code section 16575 including any applicable DOJ regulations. The term does not include expiration from the Centralized List for dealer failure to maintain and submit to the DOJ, current federal, state and local licenses or permits required pursuant to Penal Code section 26700, nor for dealer failure to renew the annual placement on the Centralized List.~~

Note: Authority cited: Sections 26715 and 26720, Penal Code. Reference: Sections 16585, 26700, 26715, 26720, 28100, 28150, 28155, 28160, 28165, 28170, 28175, 28180, 28205, 28210, 28215, 28220 and 31700, Penal Code; and Sections 478.124, 478.124a and 478.125, Code of Federal Regulations.

Article 2. Centralized List Applications, Fees, and Placement Terms

§ 4018. Applicant Information.

(a) Applications for ~~annual~~initial placement on the Centralized List shall be filed on a form prescribed by DOJ BOP-4080 (Rev. 12/2019), which will require the following information signed, dated, and certified under penalty of perjury: applicant's name; dealership name; dealership physical address; dealership mailing address; dealership telephone number; dealership telephone facsimile number (if any); days and hours of operation; local licensing authority; local law enforcement agency; local inspection authority (if any); DOJ Certificate of Eligibility (COE) number and expiration date; Federal Firearms License (FFL) number and expiration date; local firearms license number and expiration date; California Department of Tax and Fee Administration (CDTFA) Seller's Permit number; and, ~~the State Board of Equalization Seller's Permit number~~ a valid certificate of registration issued pursuant to Section 36036 of the Revenue and Taxation Code. The application shall include copies of the current FFL, COE, local firearms license, CDTFA Seller's Permit, and ~~State Board of Equalization Seller's Permit~~ valid certificate of registration.

(b) Following initial placement on the Centralized List, continued placement must be renewed by licensees annually under the following procedures:

(1) DOJ will mail, to each licensee, an annual renewal fee transmittal and certification notice and an annual renewal fee transmittal and certification on forms prescribed by DOJ.

(2) Licensees shall complete the annual renewal fee transmittal and certification and file it together with applicable renewal fees, as set forth in section 4019, with DOJ. The annual renewal fee transmittal and certification shall require the following information signed, dated and certified under penalty of perjury: a description of any changes in information indicated on the initial or previous renewal application, including copies of any updated license(s), a certification that the business premises are monitored by a digital video and audio surveillance system pursuant to Penal Code section 26806 and that the system is in proper working order, and a certification of possessing a valid certificate of registration issued pursuant to Section 36036 of the Revenue and Taxation Code.

(3) Upon receipt of a completed annual renewal fee transmittal and certification and renewal fees, DOJ will review the application and either notify the licensee that placement on the Centralized List has been renewed or return the application indicating any deficiencies. The licensee may correct any deficiencies identified in an application return letter and resubmit the annual renewal fee transmittal and certification.

(4) The deadline for licensees to submit a completed annual renewal fee transmittal and certification with renewal fees and correct any application deficiencies, and for DOJ to review and approve the renewal application and notify licensees of continued placement, is January 31.

(5) Failure to obtain notification of DOJ approval of continued placement by January 31 will result in removal from the Centralized List, loss of access to the Dealer Record of Sale (DROS) Entry System (DES), and inability to submit new DROS transactions.

(6) A licensee removed from the Centralized List for failing to timely obtain notification of DOJ approval of continued placement by January 31 of a calendar year, may restore their placement on the list by submitting a completed annual renewal fee transmittal and certification and applicable fee(s) by December 31 of that calendar year. After December 31, the licensee must submit the initial application and initial fees to obtain placement on the list.

Note: Authority cited: Sections 26705, 26715, 26806, Penal Code. Reference: Sections 26705, 26715, 26806, Penal Code.

§ 4021. Term of Centralized List Placement

(a) The term of a Centralized List placement shall ~~be from January 1 through~~ end December 31 of every year. For initial placements, the term starts upon actual placement on the Centralized List. For renewal placements, the term starts January 1.

~~(b) The term of a Centralized List placement shall expire for any of the following reasons:~~

~~(1) failure to submit an application for continued placement pursuant to sections 4018, and 4019 of these regulations; or~~

~~(2) failure to maintain and submit copies of renewals of current federal, state, and local licenses or permits within 30 days after their respective expirations.~~

(b) Failure to maintain and submit copies of renewals of current federal, state, and local licenses, permits, or certifications no more than 30 days after their respective expirations will result in removal from the Centralized List. Licensees may restore their placement on the list by submitting a renewal application as described in section 4018(b)(6).

Note: Authority cited: Sections 26715 and 26720, Penal Code. Reference: Sections 26715 and 26720, Penal Code.