

CALIFORNIA DEPARTMENT OF JUSTICE

**TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 15. GUN SHOWS**

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

There have been no changes to the information described in the Initial Statement of Reasons.

CORRECTIONS AND NON-SUBSTANTIAL EDITS

A “non-substantial change is one that clarifies without materially altering the requirements, rights, responsibilities, conditions or prescriptions contained in the original text.” (Cal. Code Regs., tit. 1, § 40.) The following minor additional issues were noted since publication of the Notice of Proposed Rulemaking and Initial Statement of Reasons:

Notice of Proposed Rulemaking.

Section 4513 is not being adopted in this rulemaking and was inadvertently included in the Notice.

§ 4500. Definitions.

Changes without regulatory effect. In the introduction “The following definitions apply to this chapter” was added. This addition does not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text. In subdivision (a), a non-substantive grammatical correction “section” is changed to “sections.” In subdivision (f), a non-substantive grammatical correction “Title” is changed to “title.” In subdivision (l), a non-substantive grammatical correction (a comma) was added after “subdivision (b).”

§ 4510. Applications for Gun Show Producer License.

Changes without regulatory effect. In subdivision (a)(1), a non-substantive grammatical correction “possess” is changed to “possesses.” In subdivision (a)(1), “of this title” is added after “sections 4032 through 4041,” which explains that sections 4032 through 4041 apply to applications for a COE which aligns with existing DOJ practices. In subdivision (a)(5), “a completed” is added before “Annual Calendar of Gun Shows or Events” to explain that the Annual Form must be completed when it is submitted to DOJ by a gun show producer. This addition does not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text. Rather, the new language clarifies that the Annual Form must be completed when it is submitted to DOJ.

§ 4511. Submission of Event and Security Plan.

Changes without regulatory effect. In subdivision (a), “a completed” is added before “Event and Security Plan” to explain that the form must be completed when it is submitted to DOJ by a gun show producer. This addition does not materially alter the requirements, rights, responsibilities,

conditions, or prescriptions contained in the original text. Rather, the new language clarifies that the form must be completed when it is submitted to DOJ.

§ 4512. Submission of List of Prospective Gun Show Vendors.

Changes without regulatory effect. In subdivision (a), “a completed” is added before “List of Prospective Gun Show Vendors Offering Firearms or Ammunition for Sale or Display” to explain that the list must be completed when it is submitted to DOJ by a gun show producer. This addition does not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text. Rather, the new clarifies that the list must be completed when it is submitted to DOJ.

§ 4521. Gun Show Vendor Requirements.

Changes without regulatory effect. In subdivision (a), a non-substantive grammatical correction “ten-day” is changed to “10-day.” In subdivision (g), Penal Code section 31635 is amended to section 31620. This addition does not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text. Subdivision (g) already specifies that all firearms safety certificate testing at the gun show must comply with all applicable laws. Section 31635 of the Penal Code was deleted as it is less likely to apply than section 31620 of the Penal Code.

§ 4521. Notification of Inspection Findings.

Changes without regulatory effect. In subdivision (a), “Notification of Inspection Findings, Form BOF 08-022” is deleted and “notice” is added. This addition does not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text. Rather, the new language confirms DOJ’s existing procedures, which only require that ammunition vendors and gun show producers be notified of inspection findings.

SUMMARY OF COMMENTS AND DEPARTMENT RESPONSES

Written comments received during the 45-day comment period are included in the rulemaking file under Exhibit 9. Summaries of public comments and corresponding responses are organized by topic. The specific comments that are represented in the comment summary statement are listed after each comment summary by the commenter number as identified above followed by a dash and numbered comment when a commenter submitted more than one comment.

Notice of Proposed Rulemaking

1. **Summary:** Commenter sought clarification regarding the inclusion of section 4513 in the Notice of Proposed Rulemaking when it is not included in the Text of Proposed Regulations, and also inquired whether the Department would be withdrawing or amending the rulemaking. (1-1.)

Response: No change to the text has been made in response to this comment. Section 4513 is not being adopted in this rulemaking and was inadvertently included in the Notice.

General

2. **Summary:** “The economic impact, will be that a gun show as we define it now will cease to exist. No one with one or two guns to sell is going to obtain a FFL, and COE, to come to a gun show to sell them.” “The new regulations regarding used hand guns at the show, will limit the guns that a vender [sic] can sell, thereby having man [sic] economic impact on the vender [sic].” (2-1, 2-6.)

Response: No change has been made in response to this comment. Only licensed firearms dealers, ammunition vendors, Exempted Federal Firearms Licensees, manufacturers, and “gun show traders” may participate in gun shows. (Pen. Code, §§ 16620, 26525.) However, a gun show trader must have a valid federal firearms license and a current Certificate of Eligibility (COE), and all firearms sales must be completed through a licensed dealer. (Pen. Code, §§ 16620, 26525.) In addition, gun show traders may sell only “used firearms,” may not sell handguns, may not sell at more than 12 gun shows in any calendar year, may not sell more than 15 used firearms at any single gun show, and may not sell more than 75 used firearms in any calendar year. (Pen. Code, § 26525.) These comments object to the underlying statutes, not to the specific regulations proposed. The Department disagrees that gun shows will cease to exist.

3. **Summary:** “The businesses that rent buildings, the insurance company that insure the shows, motels, restaurants and the advertising co. will all lose out on income generated by the shows.” (2-2.)

Response: No change has been made in response to this comment. The Department disagrees that its regulations will have a negative economic impact on businesses.

4. **Summary:** Private party transfers are done legally through a transfer agent at gun shows. A guy with one or two guns will not be able to sell at the show and this will cause guns to be sold “over the backyard fence.” The regulations will increase illegal sales. (2-3, 2-7.)

Response: No change has been made in response to this comment. The Department agrees that transfers and sales must be completed through a licensed firearms dealer or ammunition vendor. (Pen. Code, §§ 26805, 30348.) The Department disagrees that its regulations will increase illegal sales. See Response No. 2.

§ 4512. Submission of List of Prospective Gun Show Vendors

5. **Summary:** Section 4512, subdivision (b) will be difficult to comply with because of last minute appearances and no-shows. (2-4.)

Response: No change has been made in response to this comment. Subdivision (b) requires the gun show producer to provide a floor plan showing the location of each gun show vendor’s table and layout of the gun show when they submit their List of Prospective Gun Show Vendors Offering Firearms or Ammunition for Sale or Display (Form BOF 105). This is necessary for the Department to confirm that all gun show vendors were reported, and to

help the Department prepare to inspect the gun show. If there are changes to vendors at the gun show a gun show producer shall submit a revised List of Prospective Gun Show Vendors Offering Firearms or Ammunition for Sale or Display (Form BOF 105) to the Department seven (7) calendar days before the commencement of a gun show. This gives the Department adequate time to review the newly proposed vendor's eligibility to participate in the gun show and prepare for inspections and enforcement activities. A producer will not be penalized for including a vendor on their List of Prospective Gun Show Vendors Offering Firearms or Ammunition for Sale or Display who does not ultimately attend.

6. **Summary:** Subsection (c). "All legal transfers are done through a licensed transfer dealer at shows." (2-5.)

Response: No change has been made in response to this comment. Subdivision (c) states that the Department will send the gun show producer a letter confirming which prospective gun show vendors are eligible to participate at the gun show, and which prospective gun show vendors are ineligible. The Department agrees that transfers and sales must be completed through a licensed firearms dealer or ammunition vendor. (Pen. Code, §§ 26805, 30348.) See Response No. 2.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose any mandate on local agencies or school districts.

ALTERNATIVES DETERMINATIONS

In accordance with Government Code section 11346.9, subdivision (a)(4), the Department has determined that no alternative it considered, or that it otherwise identified, or was brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department has determined the proposed regulations are the most effective and least burdensome way to regulate gun show producers and vendors. Penal Code section 27200, subdivision (b)(3), requires a gun show producer applicant to provide an annual list of the gun shows or events that the applicant plans to promote, produce, sponsor, operate, or otherwise organize during the year for which the Certificate of Eligibility is issued, including the date, time, and location of the gun shows or events. Before a scheduled event, they must provide an event and security plan and list of prospective vendors. A revised event and security plan must be provided if significant changes are made. The Department will then verify the information provided and generate a letter to send to the producer stating which vendors on the list can or cannot participate at the show.

Four forms were created to ensure the gun show producers report the required information. There are no costs associated with requiring the use of these prescribed forms.

ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES

The Department finds that no reasonable alternatives were presented to, or considered by, the Department that would lessen any adverse impact on small business. Although the Department estimates that all current gun show producers are considered “small businesses,” the proposed regulations are the most effective and least burdensome way to regulate gun show producers.

The proposed regulations prescribe the procedure for applying for a gun show producer license, prescribe the procedure for reporting certain information to the Department, and ensure that all firearms and ammunition sales at gun shows comply with all applicable laws. The regulations will not affect the number of gun show producers or customers purchasing firearms or ammunition at gun shows, nor will they negatively impact the ability of gun show vendors to participate in gun shows.

DOCUMENTS INCORPORATED BY REFERENCE

- Event and Security Plan (Form BOF 104, rev. 07/2025);
- Revised Event and Security Plan (Form BOF 104A, orig. 07/2025);
- List of Prospective Gun Show Vendors Offering Firearms or Ammunition for Sale or Display (Form BOF 105, rev. 07/2025); and
- Annual Calendar of Gun Shows or Events (Form BOF 106, rev. 07/2025).

The above forms are incorporated by reference because it would be cumbersome, unduly expensive, or otherwise impractical to publish the forms in the California Code of Regulations. During the rulemaking proceeding, the forms were made available upon request, and were available for viewing on the Department’s website.

NON-DUPLICATION

Some of the regulations may repeat or rephrase in whole or in part a state or federal statute or regulation. This was necessary to satisfy the clarity standard set forth in Government Code section 11349.1, subdivision (a)(3).

GOOD CAUSE STATEMENT

The Department requests that these regulations become effective upon filing with the Secretary of State. Under existing law, firearm and ammunition transactions at California gun shows shall be conducted in accordance with applicable state and federal laws. (Pen. Code, § 27310, subd. (a); see also §§ 26805, 30348.) The Department wants to provide gun show producers and vendors with a means to easily comply with their existing statutory duties. These regulations provide forms and clear reporting mechanisms to reduce confusion and increase compliance.

These regulations will also ensure consistency and promote efficiency within the Department for the increasing number of inspections at gun shows since the statutory mandate to inspect at least one-half of all gun shows took effect on July 1, 2023. Review by the Department of all

prospective gun show vendors ensures that the vendors possess valid licenses and are thus eligible to sell and/or display firearms or ammunition at the gun show. By ensuring that all gun show laws are followed, these regulations may help to reduce firearm deaths and injuries. The public will not be unduly burdened as it is already subject to the existing statutes that are implemented by these regulations.