



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
FIREARM LOAN OBLIGATIONS
ACKNOWLEDGMENT**

Subject to certain exceptions, California Penal Code section 27545 requires that the sale, loan, or transfer of a firearm be made through a licensed firearm dealer. Penal Code sections 27882 and 27883 provide specific exceptions to that requirement to allow firearm owners to directly loan and transfer their firearm to another lawful adult for temporary safekeeping, including for suicide or other crisis prevention purposes, if the person receiving the firearm keeps the firearm unloaded and securely stored for the duration of the loan, and complies with other specified requirements.

- Penal Code section 27882 applies to temporary firearm transfers for the purposes of suicide prevention. This section includes fewer limitations and requirements compared to section 27883 and does not require that the firearm owner and loanee sign a standard form, provided that both parties comply with the requirements of that section. The person receiving the firearm pursuant to section 27882 must not use the firearm for any purpose and, except when transporting the firearm to or from its owner, must keep the firearm unloaded and securely stored in their residence for the duration of the loan.
- Penal Code section 27883 applies more broadly to allow for temporary firearm loans for safekeeping for any other lawful purpose, if certain requirements are met, including the requirement that both parties to the loan sign copies of this standard form from the Department of Justice (Department).

This form provides notice of the obligations Penal Code section 27883 imposes on the person loaning a firearm and the person receiving that firearm. To lawfully loan and transfer firearms pursuant to section 27883, both parties to the loan must sign this form indicating that they acknowledge and will comply with the requirements described below.

LOAN OBLIGATIONS PURSUANT TO PENAL CODE SECTION 27883

To be exempt from section 27545, all ten of the following requirements must be met:

- 1. The firearm being loaned is lawfully owned by the person making the loan pursuant to Penal Code section 11106.**

Pursuant to Penal Code section 16520, subdivision (b), the term "firearm" includes the frame or receiver of the weapon, including both a completed frame or receiver, or a firearm precursor part.

The Automated Firearms System (AFS) is a repository of firearm records maintained by the Department, as established by Penal Code section 11106. The AFS is populated by way of firearm purchases or transfers at a California licensed firearm dealer, registration of assault weapons (during specified registration periods), an individual's report of firearm ownership to the Department, Carry Concealed Weapons Permit records, or records entered by law enforcement agencies.



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To establish an AFS record, you may take one of the following actions:

- *Record ownership of a firearm you possess, but were not previously required to report, by submitting a Firearm Ownership Report to the Department. If your last firearm purchase of a long gun was prior to January 1, 2014, there is a possibility you may not have a record in the AFS despite having purchased or transferred your firearm through a firearms dealer. The Department was statutorily prohibited from retaining information regarding sales of rifles or shotguns prior to January 1, 2014. As a result, records of rifles and shotguns in the AFS prior to January 1, 2014, are limited to assault weapon registrations (Pen. Code, § 30500, et seq.), voluntary reports of ownership, and other records entered by the Department and California law enforcement agencies. You may submit the Firearm Ownership Report through the California Firearms Application Reporting System (CFARS) at <https://cfars.doj.ca.gov/login>. For more information regarding this process please visit the Firearms Reporting and Law Enforcement Release Application page at <https://oag.ca.gov/firearms/online-reporting>.*
- *Record ownership through a purchase or transfer of a firearm from a licensed firearm dealer in California.*

- 2. The firearm being loaned is stored in the receiver's place of residence or in an enclosed structure on the receiver's private property, which is not zoned for commercial, retail, or industrial activity.**

Pursuant to Penal Code section 17060 subdivision (b), "residence" means any structure intended or used for human habitation, including, but not limited to, houses, condominiums, rooms, motels, hotels, and time-shares, but does not include recreational vehicles or other vehicles where human habitation occurs.

- 3. The firearm at all times stays within the receiver's place of residence or in an enclosed structure on the receiver's private property, which is not zoned for commercial, retail, or industrial activity.**
- 4. The individual receiving the firearm is not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.**

If you are unsure whether the person receiving the firearm could be prohibited from possessing, receiving, owning, or purchasing a firearm, please refer to this document <https://oag.ca.gov/system/files/media/Firearms-Prohibited-Categories.pdf>.



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- 5. The individual receiving the firearm is 18 years of age or older.**
- 6. The firearm is kept unloaded and securely stored using a secure gun safe or a certified firearm safety device, such as a cable lock or trigger lock, listed on the Department's roster of firearm safety devices certified for sale whenever the firearm is not being carried or readily controlled by the person or another lawful authorized user.**
- 7. The loan does not exceed 120 days in duration.**
- 8. The loan is made without consideration, such as payment.**
- 9. If a firearm that has been transferred cannot be returned to the owner because the owner is prohibited from possessing a firearm, the person in possession of the firearm shall deliver the firearm to a law enforcement agency without delay.**

Please note: Penal Code section 27545 (i.e., the requirement to sale, loan, or transfer firearms through a licensed firearms dealer) also does not apply when a person transfers a firearm loaned pursuant to Penal Code section 27883 to a law enforcement agency because the owner of the loaned firearm is prohibited from possessing firearms. (Pen. Code, § 27883, subd. (k)(2).) However, this exception does not authorize the possession of a firearm by any person prohibited from possessing a firearm pursuant to any other law. (Pen. Code, § 27883, subd. (k)(2).)

- 10. Both parties to the loan sign this document and maintain signed copies of this document.**

Date of Loan

Name of Person Receiving the Firearm

Name of Person Loaning the Firearm

Signature of Person Receiving the Firearm

Signature of Person Loaning the Firearm