

Attention

On June 30, 2022, Governor Gavin Newsom signed Assembly Bill (AB) 1621 (stats. 2022, ch. 76). Among other things, AB 1621 replaces the current Penal Code section 30400. **The new Penal Code section 30400, subdivision (a) takes effect immediately and states: “it shall be unlawful for a person to purchase, sell, offer to sell, or transfer ownership of any firearm precursor part in this state that is not a federally regulated firearm precursor part.”** In other words, no firearm precursor parts may be legally purchased, sold, offered for sale, or transferred unless such firearm precursor parts meet the definition of a “federally regulated firearm precursor part.” However, the federal rule defining a “federally regulated firearm precursor part” (Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives Final Rule 2021R-05F, Definition of “Frame or Receiver” and Identification of Firearms) does not take effect until August 24, 2022.

Accordingly, from July 1, 2022 through August 23, 2022, the purchase, sale, offer to sell, or transfer of any firearm precursor part (as defined in Pen. Code §16531, subd. (a)) or federally regulated firearm precursor part (as defined in Pen. Code § 16519) is prohibited in California unless one of the exceptions below applies. Also, from July 1, 2022 through August 23, 2022, California residents may not import, bring, or transport into California a firearm precursor part that the resident purchases from outside of this state unless an exception in Penal Code section 27585 applies. (Pen. Code §§ 16520, subd. (b)(15), 27585, subd. (a).)

On and after August 24, 2022, the purchase, sale, offer to sell, or transfer of only firearm precursor parts (as defined in Pen. Code §16531, subd. (a)) will be prohibited in California unless one of the exceptions below applies. Also, on and after August 24, 2022, California residents can import, bring, or transport into California only federally regulated firearm precursor parts (as defined in Pen. Code § 16519) that the resident purchases from outside of this state so long as the federally regulated firearm precursor part is delivered to a dealer as described in subdivision (a) of Penal Code section 27585.

The exceptions to the restriction at the new Penal Code section 30400, subdivision (a) are:

- “[B]y operation of law.” (Penal Code § 30400, subdivision (a).)
- “The purchase of a firearm precursor part that is not a federally regulated firearm precursor part by a federally licensed firearms manufacturer or importer, or by a federal licensee authorized to serialize firearms.” (Penal Code § 30400, subdivision (b)(1).)
- “The sale, offer to sell, or transfer of ownership of a firearm precursor part that is not a federally regulated firearm precursor part to a federally licensed firearms manufacturer or importer, or to a federal licensee authorized to serialize firearms.” (Penal Code § 30400, subdivision (b)(2).)
- “A member of the Armed Forces of the United States or the National Guard, while on duty and acting within the scope and course of employment, or any law enforcement agency or forensic laboratory.” (Penal Code §§ 30400, subdivision (a), and 30420, subdivision (a).)
- “A common carrier licensed under state law, or a motor carrier, air carrier or carrier affiliated with an air carrier through common controlling interest that is subject to Title 49 of the United States Code, or an authorized agent of any such carrier, when acting in the course and scope of duties incident to the receipt, processing, transportation, or delivery of property.” (Penal Code §§ 30400, subdivision (a), and 30420, subdivision (b).)
- “An authorized representative of a city, county, city and county, or state or federal government that receives an unserialized firearm precursor part as part of an authorized, voluntary program in which the governmental entity is buying or receiving firearms or firearm precursor parts from private individuals.” (Penal Code §§ 30400, subdivision (a), and 30420, subdivision (c).)

Pursuant to Penal Code section 16531, the Department of Justice is required to provide “written guidance and pictorial diagrams demonstrating examples of firearm precursor parts.” In accordance with this mandate, and to ensure the consistency between California and federal law, the Department has [promulgated regulations defining key terms and revised the Firearm Precursor Part Identification Guidebook](#) to help individuals, manufacturers,

dealers, and law enforcement agencies identify a firearm precursor part and a federally regulated firearm precursor part.