

AMENDED IN ASSEMBLY JULY 17, 2025

AMENDED IN ASSEMBLY JUNE 25, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 704

Introduced by Senator Arreguín

February 21, 2025

An act to amend Section 28235 of, to add Section 16525 to, and to add Chapter 11 (commencing with Section 33700) to Division 10 of Title 4 of Part 6 of, the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 704, as amended, Arreguín. Firearms: firearm barrels.

Existing law generally requires the sale or transfer of firearms to be conducted through a licensed firearms dealer. For purposes of these provisions, existing law defines “firearm” to mean a device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of an explosion or other form of combustion and to include the frame or receiver of the weapon, including both a completed frame or receiver, or a firearm precursor part. For these purposes, existing law defines “firearm precursor part” as any forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture where it may readily be completed, assembled, or converted to be used as the frame or receiver of a functional firearm, or that is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled, or converted.

Commencing January 1, 2027, this bill would, except as specified, prohibit the sale or transfer of a firearm barrel, as defined, unless the transaction is completed in person by a licensed firearms dealer. The bill would also prohibit a person from possessing a firearm barrel with the intent to sell, or offering to sell, unless the person is a licensed firearms dealer. The bill would require the licensed firearms dealer to conduct a background check of the purchaser or transferee and to record specified information pertaining to the transaction, including the date of the sale or transfer. The bill would make ~~the first violation of these provisions punishable as a misdemeanor, as specified, and any additional violation of these provisions punishable as a wobbler, as specified. a first and 2nd violation of these provisions punishable as a misdemeanor, and any additional violations punishable as a misdemeanor or a felony, as specified.~~ By creating a new crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The bill would declare the severability of its provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16525 is added to the Penal Code, to
- 2 read:
- 3 16525. (a) As used in Section 33700, “firearm barrel” means
- 4 the tube, usually metal and cylindrical, through which a projectile
- 5 or shot charge is fired. A firearm barrel includes a firearm barrel
- 6 that has reached a stage in manufacture where it may readily be
- 7 completed, assembled, or converted to be used as a firearm barrel,
- 8 or that is marketed or sold to the public to become or be used as
- 9 a firearm barrel once completed, assembled, or converted. A
- 10 firearm barrel may have a rifled or smooth bore.
- 11 (b) A firearm barrel that is attached or affixed to a firearm is
- 12 not subject to the requirements of Section 33700.
- 13 SEC. 2. Section 28235 of the Penal Code is amended to read:

1 28235. Except as otherwise provided in Section 28233, moneys
2 received by the department pursuant to this article shall be
3 deposited in the Dealers' Record of Sale Special Account of the
4 General Fund, which is hereby created, to be available, upon
5 appropriation by the Legislature, for expenditure by the department
6 to offset the costs incurred pursuant to any of the following:

- 7 (a) This article.
- 8 (b) Section 18910.
- 9 (c) Section 27555.
- 10 (d) Subdivisions (d) and (e) of Section 27560.
- 11 (e) Chapter 4.1 (commencing with Section 28010).
- 12 (f) Article 6 (commencing with Section 28450).
- 13 (g) Section 31110.
- 14 (h) Section 31115.
- 15 (i) Subdivision (a) of Section 32020.
- 16 (j) Section 32670.
- 17 (k) Section 33320.
- 18 (l) Section 33700.

19 SEC. 3. Chapter 11 (commencing with Section 33700) is added
20 to Division 10 of Title 4 of Part 6 of the Penal Code, to read:

21
22 CHAPTER 11. FIREARM BARREL
23

24 33700. (a) (1) Commencing January 1, 2027, a firearm barrel,
25 as defined in Section 16525, shall not be sold or transferred unless
26 that transaction is completed in person by a firearms dealer licensed
27 pursuant to Sections 26700 to 26915, inclusive, and the licensed
28 firearms dealer has conducted a background check to determine
29 that the person is authorized to purchase a firearm, ammunition,
30 and a firearm barrel in a manner prescribed by the department.

31 (2) Commencing January 1, 2027, a firearm barrel shall only
32 be possessed with the intent to be sold or offered to be sold by a
33 firearms dealer licensed pursuant to Sections 26700 to 26915,
34 inclusive.

35 (b) A person is authorized to purchase a firearm barrel if they
36 meet the following criteria:

- 37 (1) They are at least 18 years of age.
- 38 (2) They are not prohibited from possessing or purchasing a
39 firearm under state or federal law.

(c) The licensed firearms dealer shall legibly record all of the following on a form to be prescribed by the Department of Justice pertaining to the sale or transfer of the firearm barrel:

- (1) The date of the sale or transfer.
- (2) The purchaser's or transferee's driver's license or other identification number and the state in which it was issued.
- (3) The make, model, and caliber of the firearm that the firearm barrel is designed for or used in.
- (4) The purchaser's or transferee's full name.
- (5) The name of the salesperson who processed the sale or transfer.
- (6) The purchaser's or transferee's full residential address and telephone number.
- (7) The purchaser's or transferee's date of birth.

(d) Commencing January 1, 2027, a licensed firearms dealer shall electronically submit to the department the information required by subdivision (c) for all sales and transfers of ownership of a firearm barrel. The department shall not retain this information once the background check is completed and the firearm barrel has been listed as delivered to the purchaser or transferee.

(e) The Department of Justice is authorized to adopt regulations to implement this act.

~~(f) (1) The—A first violation of subdivision (a) shall be a misdemeanor punishable by up to one year in jail and a fine of one thousand dollars (\$1,000).~~ *punishable as a misdemeanor.*

~~(2) Any subsequent violation of subdivision (a) shall be punishable by imprisonment in the state prison for two, three, or four years, or in a county jail for not exceeding one year, or by a fine not exceeding two thousand dollars (\$2,000), or by both the fine and imprisonment.~~

(2) A second violation of subdivision (a) shall be punishable as a misdemeanor by up to one year in jail and a fine of one thousand dollars (\$1,000).

(3) A third violation of subdivision (a), and any subsequent violation thereafter of subdivision (a), shall be punishable by imprisonment in a county jail not exceeding one year or pursuant to subdivision (h) of Section 1170, or by a fine not to exceed two thousand dollars (\$2,000), or by both that fine and imprisonment.

(g) The following are exempt from the process outlined in this section:

1 (1) Sales or transfers to federal, state, and local law enforcement
2 agencies.

3 (2) Sales or transfers to a federal firearms licensee.

4 (3) Sales or transfers to the United States military.

5 (4) Sales or transfers to a person who, in the same transaction,
6 is separately purchasing a firearm and undergoing a state and
7 federal firearm background check pursuant to Section 28220.

8 (5) Sales or transfers to a federally licensed collector who is
9 acquiring or being loaned the barrel of a firearm that is a curio or
10 relic, as defined in Section 478.11 of Title 27 of the Code of
11 Federal Regulations, who has a current certificate of eligibility
12 issued by the department pursuant to Section 26710.

13 (6) Transfers to the executor, personal representative, or
14 administrator of an estate.

15 (7) A barrel that is attached to or affixed to a firearm.

16 (h) The department is authorized to adopt regulations to
17 implement the provisions of this section.

18 SEC. 4. The provisions of this act are severable. If any
19 provision of this act or its application is held invalid, that invalidity
20 shall not affect other provisions or applications that can be given
21 effect without the invalid provision or application.

22 SEC. 5. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of
28 the Government Code, or changes the definition of a crime within
29 the meaning of Section 6 of Article XIII B of the California
30 Constitution.