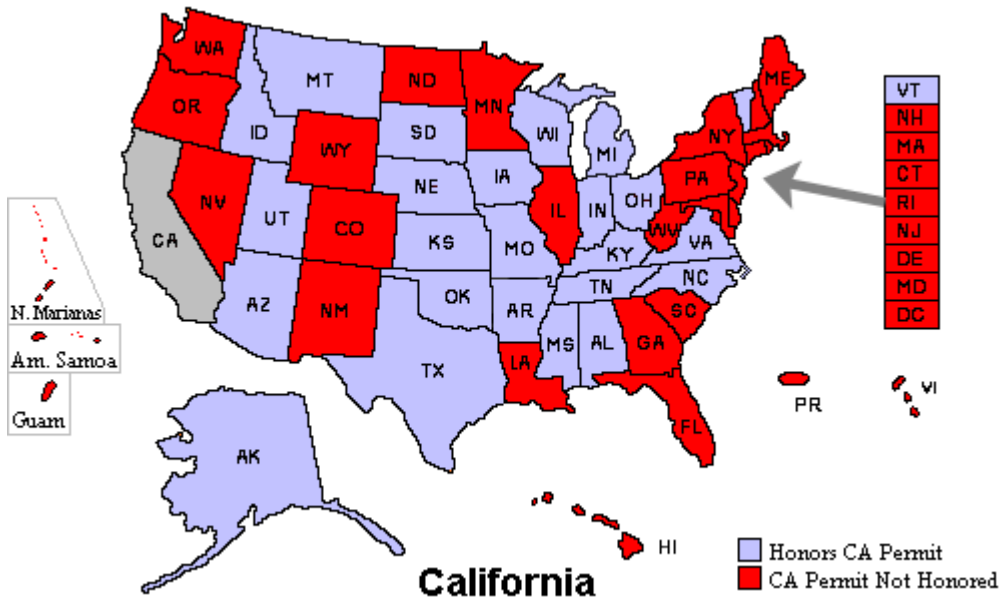


# California

May Issue

Must Inform Officer Immediately: **YES/NO?**

(See Notes Sec)



- California**
- CCW Links**
- [State CCW Site](#)
- [State CCW Pamphlet](#)
- [CCW Application](#)
- [CA Firearm Forms](#)
- [State FAQ Site](#)
- [State Statutes](#)
- [State Admin Rules](#)
- [CalGuns App Guide](#)
- [Transporting a Firearm In California](#)
- [State Attorney General](#)
- [2<sup>nd</sup> CCW Info Site](#)
- [Secretary of State](#)
- Last Updated: 2/10/18**

**Note:** [Alaska](#), [Arizona](#), [Kansas](#), [Maine](#), [Mississippi](#), [Missouri](#), [New Hampshire](#), [Vermont](#) and [West Virginia](#) have “Permitless Carry.” Anyone who can legally possess a firearm may carry it concealed in those states without a Permit/License. Check each states page for more information and any restrictions that may apply.

[Idaho](#), [North Dakota](#) and [Wyoming](#) have “Permitless Carry” for their Residents only.

## Permits/Licenses This State Honors Listed Below

California does not honor any other states Permits/Licenses.

## How to Apply for a Permit

**Notice:** (6/9/16) United States Court of Appeals For The Ninth Circuit has ruled in *Peruta v. Cty. of San Diego* that there is no Constitutional Right to carry a concealed firearms. You can read the ruling [Here](#). The [CalGuns Foundation](#) would have the most up to date information concerning this and [Handgunlaw.us](#) recommends you go there to find the most up to date information on this ruling.

Your Local Sheriff or Chief of Police Issues Permit/Licenses

Some are Now Taking Online Applications. Check with Your Sheriff/Police Dept.

Term of the Permit/License is 2 years

The Legal limit on cost is \$100. \$20 max can be asked for at initial application, the remaining \$80 is collected at issuance.

**Penal Code 26190 (b) (1)** The licensing authority of any city, city and county, or county may charge an additional fee in an amount equal to the actual costs for processing the application for a new license, including any required notices, excluding fingerprint and training costs, but in no case to exceed one hundred dollars (\$100), and shall transmit the additional fee, if any, to the city, city and county, or county treasury.

**Penal Code 26150** (a) When a person applies for a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person, the sheriff of a county may issue a license to that person upon proof of all of the following:

- (1) The applicant is of good moral character.
  - (2) Good cause exists for issuance of the license.
  - (3) The applicant is a resident of the county or a city within the county, or the applicant's principal place of employment or business is in the county or a city within the county and the applicant spends a substantial period of time in that place of employment or business.
  - (4) The applicant has completed a course of training as described in Section 26165.
- (b) The sheriff may issue a license under subdivision (a) in either of the following formats:
- (1) A license to carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person.
  - (2) Where the population of the county is less than 200,000 persons according to the most recent federal decennial census, a license to carry loaded and exposed in only that county a pistol, revolver, or other firearm capable of being concealed upon the person.

**Note:** (From Calguns Foundation) There are also classes, Live Scan and other fees that bring the actual total to around \$300 for a 2 year permit. There is no minimum training requirement for initial application, [PC 26165](#) says the MAX is 16 hrs or a 24 hour POST class, but POST can only be required if ALL applicants must take it. The minimum time is 4 hours for renewal. Initial training could legally be a 10 minute video and still meet the requirements of [26150](#).

**Here is the new Law as Signed by the Governor on 10/10/11. I am putting the whole law here as it contains a lot of information.**

**Penal Code 26165.** (a) For new license applicants, the course of training for issuance of a license under Section [26150](#) or [26155](#) may be any course acceptable to the licensing authority, shall not exceed 16 hours, and shall include instruction on at least firearm safety and the law regarding the permissible use of a firearm.

(b) Notwithstanding subdivision (a), the licensing authority may require a community college course certified by the Commission on Peace Officer Standards and Training, up to a maximum of 24 hours, but only if required uniformly of all license applicants without exception.

(c) For license renewal applicants, the course of training may be any course acceptable to the licensing authority, shall be no less than four hours, and shall include instruction on at least firearm safety and the law regarding the permissible use of a firearm. No course of training shall be required for any person certified by the licensing authority as a trainer for purposes of this section, in order for that person to renew a license issued pursuant to this article.

(d) The applicant shall not be required to pay for any training courses prior to the determination of good cause being made pursuant to Section [26202](#).

**Penal Code 26190.** (a) (1) Each applicant for a new license or for the renewal of a license shall pay at the time of filing the application a fee determined by the Department of Justice. The fee shall not exceed the application processing costs of the Department of Justice for the direct costs of furnishing the report required by Section 26185.

(2) After the department establishes fees sufficient to reimburse the department for processing costs, fees charged shall increase at a rate not to exceed the legislatively approved annual cost-of-living adjustments for the department's budget.

(3) The officer receiving the application and the fee shall transmit the fee, with the fingerprints if required, to the Department of Justice.

(b) (1) The licensing authority of any city, city and county, or county may charge an additional fee in an amount equal to the actual costs for processing the application for a new license, including any required notices, excluding fingerprint and training costs, but in no case to exceed one hundred dollars (\$100), and shall transmit the additional fee, if any, to the city, city and county, or county treasury.

(2) The first 20 percent of this additional local fee may be collected upon filing of the initial application. The balance of the fee shall be collected only upon issuance of the license.

(c) The licensing authority may charge an additional fee, not to exceed twenty-five dollars (\$25), for processing the application for a license renewal, and shall transmit an additional fee, if any, to the city, city and county, or county treasury.

(d) These local fees may be increased at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations.

(e) (1) In the case of an amended license pursuant to Section [26215](#), the licensing authority of any city, city and county, or county may charge a fee, not to exceed ten dollars (\$10), for processing the amended license.

(2) This fee may be increased at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations.

(3) The licensing authority shall transmit the fee to the city, city and county, or county treasury.

(f) (1) If psychological testing on the initial application is required by the licensing authority, the license applicant shall be referred to a licensed psychologist used by the licensing authority for the psychological testing of its own employees. The applicant may be charged for the actual cost of the testing in an amount not to exceed one hundred fifty dollars (\$150).

(2) Additional psychological testing of an applicant seeking license renewal shall be required only if there is compelling evidence to indicate that a test is necessary. The cost to the applicant for this additional testing shall not exceed one hundred fifty dollars (\$150).

(g) Except as authorized pursuant to this section, no requirement, charge, assessment, fee, or condition that requires the payment of any additional funds by the applicant, or requires the applicant to obtain liability insurance, may be imposed by any licensing authority as a condition of the application for a license.

**Penal Code [26202](#).** Upon making the determination of good cause pursuant to Section 26150 or 26155, the licensing authority shall give written notice to the applicant of the licensing authority's determination. If the licensing authority determines that good cause exists, the notice shall inform the applicants to proceed with the training requirements specified in Section 26165. If the licensing authority determines that good cause does not exist, the notice shall inform the applicant that the request for a license has been denied and shall state the reason from the department's published policy, described in Section 26160, as to why the determination was made.

**Penal Code [26205](#).** The licensing authority shall give written notice to the applicant indicating if the license under this article is approved or denied. The licensing authority shall give this notice within 90 days of the initial application for a new license or a license renewal, or 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied.

**Note:** For further information on California Gun Laws and how to apply I recommend you check out the State Organizations listed for California [Here](#).

## Non-Resident Permits

California does not issue Non-Resident Permit/Licenses.

## Places Off-Limits Even With a Permit/License

**Penal Code 27330.** No person at a gun show or event, other than security personnel or sworn peace officers, shall possess at the same time both a firearm and ammunition that is designed to be fired in the firearm. Vendors having those items at the show for sale or exhibition are exempt from this prohibition.

**Penal Code 171c(a)(1)** Any person who brings a loaded firearm into, or possesses a loaded firearm within, the State Capitol, any legislative office, any office of the Governor or other constitutional officer, or any hearing room in which any committee of the Senate or Assembly is conducting a hearing, or upon the grounds of the State Capitol, which is bounded by 10th, L, 15th, and N Streets in the City of Sacramento shall be punished by imprisonment in a county jail for a period of not more than one year, a fine of not more than one thousand dollars (\$1,000), or both such imprisonment and fine, or by imprisonment pursuant to subdivision (h) of Section 1170.

**Elections Code 18544 (a)** Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or in a county jail not exceeding one year, or by both that fine and imprisonment.

**Penal Code 17510** Any person who does any of the following acts while engaged in picketing, or other informational activities in a public place relating to a concerted refusal to work, is guilty of a misdemeanor:

- (1) Carries concealed upon his person or within any vehicle which is under his or her control or direction any pistol, revolver, or other firearm capable of being concealed upon the person.
- (2) Carries a loaded firearm upon his or her person or within any vehicle which is under his or her control or direction.

**Penal Code 171b(b)(2)(B)** Notwithstanding subparagraph (A), subdivision (a) shall apply to any person who brings or possesses any weapon specified therein within any courtroom if he or she is a party to an action pending before the court.

**Penal Code 25300 (a)** A person commits criminal possession of a firearm when he or she carries a firearm in a public place or on any public street while masked so as to hide his or her identity.

From the California Dept of Justice [Standard Application](#) for License to Carry a Concealed Weapon (CCW)

**While exercising the privileges granted to the licensee under the terms of this license, the licensee shall not, when carrying a concealed weapon:**

- Consume any alcoholic beverage.
- Be in a place having a primary purpose of dispensing alcoholic beverages for on-site consumption.
- Be under the influence of any medication or drug, whether prescribed or not.
- Refuse to show the license or surrender the concealed weapon to any peace officer upon demand.
- Impede any peace officer in the performance of his/her duties.

- Present himself/herself as a peace officer to any person unless he/she is, in fact, a peace officer as defined by California law.
- Unjustifiably display a concealed weapon.
- Carry a concealed weapon not listed on the permit
- Carry a concealed weapon at times or circumstances other than those specified in the permit.

**Note:** The above comes straight from the Application form. The Issuing Authority in CA can put restrictions on your License to Carry. If they put those restrictions on your License then you must adhere to those restrictions. (From the Calguns Foundation - California PC is silent on consuming alcohol or being in places that serve alcohol. The verbiage on the license application re: alcohol and drugs has no force of law.)

Pursuant to U.S. Government Code - Title 49, Chapter 26, Section 1472 (1) and Federal Aviation Regulation 121.583, a license to carry a concealed weapon does not authorize a person to carry a firearm, tear gas, or any dangerous weapon aboard commercial airlines. Further, a person must declare that he/she is carrying such firearm, tear gas, or dangerous weapon BEFORE entering the boarding area of an air terminal where the security checks are made. Such violation can result in arrest by law enforcement.

### **Carrying Firearms: [From the CA Attorney General](#)**

Any person over the age of 18 who is not prohibited from possessing firearms, and if otherwise lawful, may keep and carry a firearm or have a firearm loaded at his or her place of residence, temporary residence, campsite, or on private property owned or lawfully possessed by the person. (Penal Code §§ 12026, 12031(h) and (l).) Any person engaged in any lawful business (including nonprofit organizations) or any officer, employee, or agent authorized for lawful purposes connected with the business may possess a loaded firearm within the place of business if that person is over 18 years of age and not otherwise prohibited from possessing firearms. (Penal Code §§ 12026, 12031(h).)

**NOTE:** A person's place of business, residence, temporary residence, campsite, or private property may be located in areas where possession of handguns or other firearms, whether loaded or unloaded, is otherwise prohibited. Such areas include, but are not limited to, state, federal, or private game reserves or refuges, federal and state parks, and other public lands. Questions regarding the applicability of such laws should be directed to your sheriff or chief of police, federal or state fish and game officers, or federal or state park rangers.

**Penal Code [26200](#).** (a) A license issued pursuant to this article may include any reasonable restrictions or conditions that the issuing authority deems warranted, including restrictions as to the time, place, manner, and circumstances under which the licensee may carry a pistol, revolver, or other firearm capable of being concealed upon the person.

(b) Any restrictions imposed pursuant to subdivision (a) shall be indicated on any license issued.

**Note:** Possession of AP Ammunition and/or Tracer ammunition for Long guns or handguns is a felony in California. When Transporting firearms the magazines may be carried loaded and in the same container as the firearm. They can not be attached to the firearm if they contain ammunition. Some consider a loaded concealed magazine the same as a firearm and the 1000 foot rule on School Safety Zones exists in California. This could also apply to speed loaders. There is no case law concerning a loaded magazine being the same as a firearm.

### **Public and Private K thru 12 Schools and College/University Campus are Off Limits**

**Penal Code [626 thru 626.11](#)** (Edited for Space Considerations)

### **Penal Code 626.9.**

- (a) This section shall be known, and may be cited, as the Gun-Free School Zone Act of 1995.
- (b) Any person who possesses a firearm in a place that the person knows, or reasonably should know, is a school zone, as defined in paragraph (1) of subdivision (e), unless it is with the written permission of the school district superintendent, his or her designee, or equivalent school authority, shall be punished as specified in subdivision (f).
- (c) Subdivision (b) does not apply to the possession of a firearm under any of the following circumstances:
- (1) Within a place of residence or place of business or on private property, if the place of residence, place of business, or private property is not part of the school grounds and the possession of the firearm is otherwise lawful.
- (2) When the firearm is an unloaded pistol, revolver, or other firearm capable of being concealed on the person and is in a locked container or within the locked trunk of a motor vehicle. This section does not prohibit or limit the otherwise lawful transportation of any other firearm, other than a pistol, revolver, or other firearm capable of being concealed on the person, in accordance with state law.
- (5) When the person holds a valid license to carry the firearm pursuant to Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6, who is carrying that firearm in an area that is not in, or on the grounds of, a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, but within a distance of 1,000 feet from the grounds of the public or private school.

### **Penal Code [30310](#).**

- (a) Unless it is with the written permission of the school district superintendent, the superintendent's designee, or equivalent school authority, no person shall carry ammunition or reloaded ammunition onto school grounds, except sworn law enforcement officers acting within the scope of their duties.
- (b) This section shall not apply to any of the following:
- (10) (A) A person carrying ammunition or reloaded ammunition onto school grounds that is in a motor vehicle at all times and is within a locked container or within the locked trunk of the vehicle.

**Note:** California removed the exemption for Permit Holders to carry in Public or Private K thru 12 and Colleges/Universities.

### **San Francisco**

#### **Police Code [Article 9](#)**

##### **Section 617**

**C. 1 Possession or Sale of Firearms or Ammunition on County Property Prohibited.** No person shall:

- (1) Bring onto or possess on county property a firearm, loaded or unloaded, ammunition for a firearm.
- (2) Sell on county property a firearm, loaded or unloaded, or ammunition for a firearm.

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For Federal Restrictions on Firearms see the [USA Page](#).

### **Do “No Gun Signs” Have the Force of Law?**

**“NO”**

“Handgunlaw.us highly recommends that you not enter a place that is posted “No Firearms” no matter what the state laws read/mean on signage. We recommend you print out the [No Guns = No Money Cards](#) and [www.handgunlaw.us](http://www.handgunlaw.us)

give one to the owner of the establishment that has the signage." As responsible gun owners and upholders of the 2nd Amendment we should also honor the rights of property owners to control their own property even if we disagree with them."

"No Firearm" signs in California have no force of law unless they are posted on property that is specifically mentioned in State Law as being off limits to those with a Permit/License to Carry. If you are in a place not specifically mentioned in the law that is posted and they ask you to leave, you must leave. If you refuse to leave then you are breaking the law and can be charged. Even if the property is not posted and you are asked to leave you must leave. Always be aware of the possibility that responding Police Officers who may have been called without your knowledge and may not know the laws on trespass etc. could arrest you even if you are within the law.

## Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

### Carry Allowed in these Areas:

**State Parks:** YES (See Notes area at bottom of this Document for additional information)

**State/National Forests:** YES [Title 14 Nat. Resources - Div. 1.5 - Chpt. 9 - Subchpt. 1 - Art. 3 - § 1413](#)

**State WMA's/ Game Refuges:** NO Fish and Game Code [10500](#)

**Road Side Rest Areas:** YES per CHP

## RV/Car Carry Without a Permit/License

You must have a Permit/License to carry a loaded handgun in any vehicle.

The transportation or carrying of any pistol, revolver, or other firearm capable of being concealed upon the person by any citizen of the United States over the age of 18 years who resides or is temporarily within this state, and is not within the excepted classes prescribed by Penal Code Sections 29800 or 29900 or Welfare and Institutions Code sections 8100 & 8103, provided that the following applies:

1. the firearm is within a motor vehicle and it is locked in the vehicle's trunk or in a locked container in the vehicle other than the utility or glove compartment,
2. and when the firearm is carried by the person to or from any motor vehicle for any lawful purpose, the firearm must be contained in a locked container while being physically carried. (Penal Code § 16850)

### Traveling with Firearms in California (From the California Attorney General)

#### HANDGUNS

California Penal Code section 25400 does not prevent a citizen of the United States over 18 years of age who is not lawfully prohibited from firearm possession, and who resides or is temporarily in California, from transporting by motor vehicle any pistol, revolver, or other firearm capable of being concealed upon the person provided the firearm is unloaded and stored in a locked container.

The term "locked container" means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device. This includes the trunk of a motor vehicle, but does not include the utility or glove compartment. For more information, refer to California Penal Code Section 25610.

## SHOTGUNS AND RIFLES

Nonconcealable firearms (rifles and shotguns) are not generally covered within the provisions of California Penal Code section 25400 and therefore are not required to be transported in a locked container. However, as with any firearm, nonconcealable firearms must be unloaded while they are being transported. A rifle or shotgun that is defined as an assault weapon pursuant to Penal Code 30510 or 30515 must be transported in accordance with Penal Code section 25610.

## REGISTERED ASSAULT WEAPONS

California Penal Code section 30945 requires that registered assault weapons may be transported only between specified locations and must be unloaded and in a locked container when transported.

The term "locked container" means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device. This includes the trunk of a motor vehicle, but does not include the utility or glove compartment. For more information, refer to California Penal Code Section 25610.

**Penal Code [26055](#).** Nothing in Section 25850 shall prevent any person from having a loaded weapon, if it is otherwise lawful, at the person's place of residence, including any temporary residence or campsite.

**Note:** The firearm must be in a "LOCKED & SECURED CONTAINER." That is not the Glove Box or Console. It does not have to be in the trunk. If Unloaded and Secured in a locked container it can be anywhere in the vehicle. A trunk is considered a locked container if there is not a pass through from the rear seat into the trunk. Does a soft sided pistol rug with a padlock through the zipper so that it can not be unzipped without opening the lock a secured container? I don't know. The law just states a Secure Container. Though legal to carry loaded Magazines/Speedloaders in the same container as the firearm I am hearing that some jurisdictions are arresting people for doing just that. Use Caution. CA PC 26055 would allow you to keep a loaded firearm in your Hotel/Motel Room.

## Open Carry (Without a Valid Permit/License)

Open carry is not legal in most instances in California. The laws of California are so long and wordy it is tough to figure out just what is legal. The [Calguns Foundation](#) has the most info on Open Carry for California. You can also check at [www.opencarry.org](http://www.opencarry.org) or check with the [State's RKBA](#) Organization/s.

## State Preemption

### California Government Code [53071](#)

It is the intention of the Legislature to occupy the whole field of regulation of the registration or licensing of commercially manufactured firearms as encompassed by the provisions of the Penal Code, and such provisions shall be exclusive of all local regulations, relating to registration or licensing of commercially manufactured firearms, by any political subdivision as defined in Section 1721 of the Labor Code.

## Deadly Force Laws

### [California Penal Code Section 196-199](#)

**195.** Homicide is excusable in the following cases:



196. Homicide is justifiable when committed by public officers and those acting by their command in their aid and assistance
197. Homicide is also justifiable when committed by any person in any of the following cases:
198. Bare fear
- 198.5 person using force intended or likely to cause death or great bodily injury within his or her residence
199. The homicide appearing to be justifiable or excusable, the person indicted must, upon his trial, be fully acquitted and discharged.

## Knife Laws State/Cities

11/29/12 [CA Appeals Court Ruling](#) that an Assisted Opening Knife is not a Switchblade.

To access State/Local Knife Laws Click [“Here”](#)

## Carry in Restaurants That Serve Alcohol

**YES** (There is no law stating it is illegal except the CA application states no Bars. If Issuing Authority puts this restriction on your permit/license then you can't carry into any places that serve alcohol. )

**Note:** A “YES” above means you can carry into places like described below. “NO” means you can't. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday's or Red Lobster unless posted with “No Gun Signs.” This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

## Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

### Large Capacity Magazines

**Note:** on 6/30/17 A Federal Judge issued an Injunction for the possession of large capacity magazine. The part of the law making the mere possession of a large capacity magazine in your home is stayed. The Importation, Sale of, Manufacturing etc is still being enforced.

### Penal Code [32310](#).

(a) Except as provided in Article 2 (commencing with Section 32400) of this chapter and in Chapter 1 (commencing with Section 17700) of Division 2 of Title 2, any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, buys, or receives any large-capacity magazine is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170.

(b) Except as provided in Article 2 (commencing with Section 32400) of this chapter and in Chapter 1 (commencing with Section 17700) of Division 2 of Title 2, commencing July 1, 2017, any person in this state who possesses any large-capacity magazine, regardless of the date the magazine was acquired, is guilty of an infraction punishable by a fine not to exceed one hundred dollars (\$100) upon the first offense, by a

fine not to exceed two hundred fifty dollars (\$250) upon the second offense, and by a fine not to exceed five hundred dollars (\$500) upon the third or subsequent offense.

(c) A person who, prior to July 1, 2017, legally possesses a large-capacity magazine shall dispose of that magazine by any of the following means:

- (1) Remove the large-capacity magazine from the state.
- (2) Prior to July 1, 2017, sell the large-capacity magazine to a licensed firearms dealer.
- (3) Destroy the large-capacity magazine.
- (4) Surrender the large-capacity magazine to a law enforcement agency for destruction.

### **Stun Devices/Electric Weapons:**

#### **5 CCR § 100015**

Stun guns and TASERS are not permitted on the property of any state universities.

#### **PC Part 1 Title 7 Chpt. 7 - Part 171b**

Illegal to have stun guns within any state or local public building or at any meeting required to be open to the public

**Penal Code 626.10**, upon the grounds of, or within, any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive.

### **Chemical Sprays:**

**Penal Code 22810** Notwithstanding any other provision of law, any person may purchase, possess, or use tear gas or any tear gas weapon for the projection or release of tear gas if the tear gas or tear gas weapon is used solely for self-defense purposes, subject to the following requirements:

(a) No person convicted of a felony or any crime involving an assault under the laws of the United States, the State of California, or any other state, government, or country, or convicted of misuse of tear gas under subdivision (g), shall purchase, possess, or use tear gas or any tear gas weapon.

(b) No person addicted to any narcotic drug shall purchase, possess, or use tear gas or any tear gas weapon.

(c) No person shall sell or furnish any tear gas or tear gas weapon to a minor.

(d) No minor shall purchase, possess, or use tear gas or any tear gas weapon.

(e) (1) No person shall purchase, possess, or use any tear gas weapon that expels a projectile, or that expels the tear gas by any method other than an aerosol spray, or that contains more than 2.5 ounces net weight of aerosol spray.

(2) Every tear gas container and tear gas weapon that may be lawfully purchased, possessed, and used pursuant to this section shall have a label that states: "WARNING: The use of this substance or device for any purpose other than self-defense is a crime under the law. The contents are dangerous – use with care."

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### **San Francisco Bullet/Magazine Ban**

#### **Police Code Article 9 Prohibited Ammunition**

**Section 618 (a) Definition.** For purposes of this Section, "Prohibited Ammunition" shall mean:

(1) Ammunition sold under the brand name "Winchester Black Talon," or that has physical properties resulting in ballistics performance identical to ammunition presently or formerly sold under the brand name Winchester Black Talon; or,

(2) Ammunition designated by its manufacturer for purchase by law enforcement or military agencies only, unless other ammunition is available to the general public that has physical properties resulting in ballistics performance identical to such ammunition.

**(b) Possession Prohibited; Exceptions.** No person, firm, corporation or other entity may possess Prohibited Ammunition within the City and County of San Francisco, except that this subsection shall not apply to the otherwise-lawful possession of Prohibited Ammunition by the following:

- (1) Peace officers in possession of Prohibited Ammunition issued to them by their employing agency;
- (2) Federal law enforcement officers or other federal employees in possession of Prohibited Ammunition issued to them by their employing agency;
- (3) Members of the armed forces of the United States in possession of Prohibited Ammunition issued to them by the military agency to which they belong;
- (4) Patrol special police officers, animal control officers or zookeepers, harbor police officers, sheriff's security officers, or police security officers in possession of Prohibited Ammunition issued to them by their employing agencies; or,
- (5) Businesses licensed as firearms dealers under this Article in possession of Prohibited Ammunition for sale to law enforcement and military agencies. Agencies employing persons listed in subsection (b)(4) are considered law enforcement agencies for purposes of this Section.

**(c) Sale or Transfer.** No business licensed as a firearm dealer under this Article may sell, lease or otherwise transfer Prohibited Ammunition except to law enforcement and military agencies.

**(d) Police Database.** The San Francisco Police Department shall prepare or cause to be prepared a public database of brands and product lines of ammunition meeting the definition of "Prohibited Ammunition" in subsection (a). Failure of the Police Department to create or maintain such a database, or the omission from the database of a particular brand or product line of ammunition otherwise qualifying as "Prohibited Ammunition," under subsection (a), shall not be a defense to or otherwise excuse a violation of this Section.

**(e) Penalty.** Violation of any of the provisions of this Section is a misdemeanor and upon conviction the violator may be punished by a fine not to exceed \$1,000.00 or by imprisonment in the county jail not to exceed six months, or by both.

**Note:** The San Francisco PD stated to the NRA that this ban only covered "Black Talon" ammunition and no other hollowpoint ammunition. Black Talon has been out of production for years. Use Caution. The U.S. 9<sup>th</sup> Circuit Court ruled on 3/25/14 that SF could require firearms to be secured in the home at all times. Either on your person or locked up. The decision also stated more than once that SF only banned the "Selling" of HP ammo in SF and not the possession. The case was not about HP ammo but about securing your firearm in your home. With this ruling no one is sure if it overturned SF ban on possession of HP Ammo. You can read the decision [Here](#).

### **Police Code [Article 9 Sec. 619](#)**

**(b) Definition.** "Large capacity magazine" means any detachable ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

- (1) A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds;
- (2) A .22 caliber tube ammunition feeding device; or
- (3) A tubular magazine that is contained in a lever-action firearm.

**(c) Prohibition on Possession of Large Capacity Magazines.**

- (1) No person, corporation, or other entity in the City may possess a large capacity magazine, whether assembled or disassembled.
- (2) Any person who, prior to the effective date of this chapter, was legally in possession of a large capacity magazine shall have 90 days from such effective date to do any of the following without being subject to prosecution:
  - (A) Remove the large capacity magazine from the city;
  - (B) Surrender the large capacity magazine to the Police Department for destruction; or

(C) Sell or transfer the large capacity magazine lawfully in accordance with Penal Code 12020.

### **City of Sunnyvale (Magazine Ban)**

#### **9.44.050. Possession of large-capacity ammunition magazines prohibited.**

(a) No person may possess a large-capacity magazine in the City of Sunnyvale whether assembled or disassembled. For purposes of this section, "large-capacity magazine" means any detachable ammunition feeding device with the capacity to accept more than ten (10) rounds, but shall not be construed to include any of the following:

- (1) A feeding device that has been permanently altered so that it cannot accommodate more than ten (10) rounds; or
- (2) A .22 caliber tubular ammunition feeding device; or
- (3) A tubular magazine that is contained in a lever-action firearm.

### **Oakland Magazine Ban**

#### **9.38.030 C. Definitions.**

"Large-capacity magazine" means any detachable ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

1. A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds;
2. A .22 caliber tube ammunition feeding device;
3. A tubular magazine that is contained in a lever-action firearm.

#### **9.38.040 Possession of Large-Capacity Magazines Prohibited.**

**A.** It is unlawful for any person to possess any large-capacity magazine, except as otherwise authorized by law, whether assembled or disassembled.

**B.** Any person who, prior to the effective date of this article, was legally in possession of a large-capacity magazine shall have 90 days from such effective date to do any of the following without being subject to prosecution:

1. Remove the large-capacity magazine from the City of Oakland;
2. Surrender the large-capacity magazine to the Oakland Police Department for destruction;
3. Sell or transfer the large-capacity magazine lawfully in accordance with Section 32410 of the California Penal Code.

## **LEOSA State Information**

### **[California LEOSA Info 1](#)**

### **[California LEOSA Info 2](#)**

See the LEOSA Section on the [USA Page](#) at Handgunlaw.us for more LEOSA Information.

## **Attorney General Opinions/Court Cases**

- [California AG - Court Ruling on CCW Issue Standards](#)
- [California AG - City Regs on Ammo Sales](#)
- [California AG – Private Property Posting](#)

- [US Court of Appeals 9<sup>th</sup> District – Peruta v San Diego and Having Good Cause](#)
- [US Court of Appeals 9<sup>th</sup> District – San Francisco and Securing Firearms in the Home](#)
- [US Court of Appeals 9<sup>th</sup> District – No Constitutional Right to Carry Concealed Firearms](#)

## Airport Carry/Misc. Information

**Airport Carry: From California Code:** Sterile area of Airport (From the Application for a Permit from the state of California) Pursuant to U.S. Government Code - Title 49, Chapter 26, Section 1472 (1) and Federal Aviation Regulation 121.583, a license to carry a concealed weapon does not authorize a person to carry a firearm, tear gas, or any dangerous weapon aboard commercial airlines. **Note:** People have been arrested and guns confiscated for just having them in their vehicle upon driving on LAX property. Handgunlaw.us urges extreme caution and do watch out for signage upon entering any Airport property in California.

**Training Valid for:** Initial training “Shall Not Exceed” 16 hours. Refresher training must be A minimum of 4 hours. All training can be regulated by the local Issuer of the Permit/License and they may accept less on the Initial. I can find no statute stating how long training is valid.

**Time Period to Establish Residency:** None Apparent (Probably Upon Obtaining Drivers License)

**Minimum Age for Permit/License:** 18

**Permit/License Info Public Information:** YES

**State Fire arm Laws:** PC 23500 Thru 28070

**State Deadly Force Laws:** PC 196-199

**State Knife Laws:** Penal Code 20310 Thru 21590

**Chemical/Electric Weapons Laws:** PC: 22810 Thru 23025 (Chem) 22610 Thru 22625 (Elec)

**Body Armor Laws:** PC 31310 thru 31360

**Does Your Permit Cover Other Weapons Besides Firearms?** YES/NO?? PC [26150](#) states Pistol Revolver but PC [171b](#) states people with a permit are exempt from carrying such items in a government building.

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** YES 25640

## Notes:

**Concerning Carry in California State Parks:**

**The Email I received from** Todd Thames, Superintendent Law Enforcement & Emergency Services Divisions California State Parks on 11/6/13.

[Title 14 – Div. 3 - Chpt. 1 § 4313.](#) Weapons and Traps. (California Code of Regulations)

(a) No person shall carry, possess or discharge across, in or into any portion of any unit any weapon, firearm, spear, bow and arrow, trap, net, or device capable of injuring, or killing any person or animal, or capturing any animal, or damaging any public or private property, except in underwater parks or designated archery ranges where the Department of Parks and Recreation finds that it is in its best interests.

(b) Nothing herein contained shall be construed in derogation of the use of weapons permitted by law or regulation and to be used for hunting in any unit, or portion thereof, open to hunting.

(c) Firearms not having a cartridge in any portion of the mechanism, other unloaded weapons or devices such as traps, nets, and bows and arrows may be possessed within temporary lodging or mechanical mode of conveyance when such implements are rendered temporarily inoperable or are packed, cased, or stored in a manner that will prevent their ready use.

Exceptions to this regulation are granted in the California Penal Code Section 25900 pertaining to law enforcement and retired law enforcement personnel and PC Section 26010 for citizens with Carry Concealed Weapon permits. CCR 4313 is regulatory, whereas the California Penal Code is Statutory. Regulations give way to activities specifically granted in Statute. However, any restrictions placed on the CCW by the issuing agency would also be applicable in California State Parks. For example, if the CCW is only valid in the CCW holder's City of residence or County, it would not be valid in a State Park Unit located outside the City or County of the holder.

I hope this information has provided clarification for you.

Todd Thames, Superintendent  
Law Enforcement & Emergency Services Divisions  
California State Parks

**I also received this email a couple years ago. The email above confirmed what the below stated.**

"Itaya, Adrian" [Adrian.Itaya@parks.ca.gov](mailto:Adrian.Itaya@parks.ca.gov) wrote:

To: (Name Removed by Handgunlaw.us)  
My apologies for the delay-

The California Department of Parks and Recreation through its legal section, has determined that CCR 4313 exempts the following:

- (1) California Peace Officers who are otherwise permitted to carry firearms
- (2) Honorably retired California Peace Officers with concealed weapons privileges
- (3) Citizens with concealed firearms privileges

Please feel free to contact me if you have any questions.

Adrian E. Itaya  
California State Parks  
Public Safety Division  
(916) 651-0403  
[aitay@parks.ca.gov](mailto:aitay@parks.ca.gov)

## **What Does CA Consider A Loaded Firearm?**

### **Penal Code [16840](#)**

(a) As used in Section 25800, a firearm shall be deemed to be "loaded" whenever both the firearm and the unexpended ammunition capable of being discharged from the firearm are in the immediate possession of the same person.

(b) As used in Chapter 2 (commencing with Section 25100) of Division 4 of Title 4, in subparagraph (A) of paragraph (6) of subdivision (c) of Section 25400, and in Sections 25850 to 26055, inclusive,

(1) A firearm shall be deemed to be "loaded" when there is an unexpended cartridge or shell, consisting of a case that holds a charge of powder and a bullet or shot, in, or attached in any manner to, the firearm, including, but not limited to, in the firing chamber, magazine, or clip thereof attached to the firearm.

(2) Notwithstanding paragraph (1), a muzzle-loader firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinder.

**Note:** *People v. Clark* (1996) 45 Cal.App.4th 1147 , 53 Cal.Rptr.2d 99

The term "loaded" has a commonly understood meaning: "to put a load or charge in (a device or piece of equipment) a gun" or "to put a load on or in a carrier, device, or container; esp: to insert the charge or cartridge into the chamber of a firearm." (Webster's New Collegiate Dict. (1976) p. 674.) **Under the commonly understood meaning of the term "loaded," a firearm is "loaded" when a shell or cartridge has been placed into a position from which it can be fired; the shotgun is not "loaded" if the shell or cartridge is stored elsewhere and not yet placed in a firing position.** The shells here were placed in a separate storage compartment of the shotgun and were not yet "loaded" as the term is commonly understood. To read the whole ruling click [here](#).

**Must Inform Officer** – There is no statute stating you must have your Permit/License in your possession when carrying. Handgunlaw.us recommends you always have your Permit/License with you when carrying. I have been hearing from CCW holders in CA stating that some Issuing Authorities are putting a restriction on issued Permit/Licenses that the holder must inform any Police Officer that contacts them on any type of official capacity. CA law does not state you have to inform an officer on any official contact with them. If an issuing authority puts that restriction on your permit/license then you must inform.

### **State Emergency Powers**

**§ 8571.5. Seizure or confiscation of firearms or ammunition not authorized; disarming of firearm for protection of officer; returning firearm (From CA Emerg. Services Act.)**

Nothing in this article shall authorize the seizure or confiscation of any firearm or ammunition from any individual who is lawfully carrying or possessing the firearm or ammunition, or authorize any order to that effect, provided however, that a peace officer who is acting in his or her official capacity may disarm an individual if the officer reasonably believes it is immediately necessary for the protection of the officer or another individual. The officer shall return the firearm to the individual before discharging the individual, unless the officer arrests that individual or seizes the firearm as evidence pursuant to an investigation for the commission of a crime. [CA Emergency Service Act](#)

**Note:** Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See [US Code 42-5207](#) for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

### **Minimum Age for Possessing and Transporting of Handguns.**

**California 18 Y/O Penal Code §§ [29610](#) & §§ [29615](#)**

This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

Some states (and counties) require Firearms Identification Cards, and/or registration.

**Note:** In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See “RV/Car Carry” Section Above for more information.

## Permit/License Image

Permit/Licenses in California are issued by Local Officials. The format of Permit/Licenses may vary from County to County.

### Ventura Co.

License To Carry Concealed Pistol, Revolver, or Other Firearm Within the State of California		LICENSE TYPE Employ <input type="checkbox"/> Standard <input checked="" type="checkbox"/> Judicial <input type="checkbox"/> Reserve <input type="checkbox"/> Custodial <input type="checkbox"/>	
Issued By: Agency <u>Ventura Co Sheriff</u> Date of Issue <u>11/10/09</u>		SECTION B - Description of Weapon(s)	
"ORI" <u>Ca0430000</u> Expiration Date <u>11/10/11</u>		Manufacturer	Serial Number
Local Agency Number <u>Cw-2168</u> CH# <u>094534</u>		<u>Kimber</u>	<u>K23434564</u>
<input type="checkbox"/> Initial <input checked="" type="checkbox"/> Subsequent		Caliber	Model
<u>Bob Brooks</u> Signature and Title of Issuing Officer		<u>45</u>	<u>Com CDP</u>
SECTION A		S&W	SW234543
Name of Licensee <u>Gary J Slider</u>		Caliber	357
Residence Address <u>2343 Ashmont Dr.</u>		Model	66
City <u>El Rio</u> Zip <u>93030</u> County <u>Ventura</u>		Restrictions (if any) <u>None</u>	
Business Address _____ Occupation _____		RIGHT THUMB PRINT	
Birthdate <u>11/17/87</u> Hgt <u>5-10</u> Wgt <u>190</u> Eye Color <u>Blu</u> Hair Color <u>Brn</u>		<u>Gary J Slider</u> Signature of Licensee	
		Photo (Optional)	
		99-32872	

### Riverside Co.

License to Carry Concealed Pistol, Revolver or Other Firearm within the State of California	
PHOTO	Issued by: Sheriff Staci Standiford Riverside County Sheriff's Dept.
	ORI: A117710850 Local Agency#: 0850 CII: CA03314 County: Riverside
GARY JAY SLIDER 455 Maple Ave San Jacinto, CA 92582	
Type: STANDARD	Date of Birth: 11/17/1988
Issued: 11/17/2011	Hgt: 510 Wgt: 195 Eye: BLUE Hair: GREY
Expire: 11/17/2013	Occupation: Retired
RENEWAL	Signature of Licensee <u>Gary J. Slider</u>

These images have been digitally assembled from 2 or more images. They may not be 100% accurate but gives a good representation of the actual Permit/License.

The Riverside License (Plastic Drivers License Type) may not have the correct colors. I do not know what is on the back of the Riverside License.

## Updates to This Page:

### [Archive of Previous Updates 1](#)

1/1/17 – Missouri Added as Permitless Carry State to List of States Under Map at Top of Page.

2/1/17 – All Links Checked and Repaired if Needed.

2/24/17 – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page.

7/7/17 – Chem Sprays/Stun Guns/Higher Cap Mags Section Updated.

8/20/17 – All Links Checked and Repaired if Needed. Transporting Firearms in CA Link Added to Links Section.

9/20/17 – LA Mag Ban Ordinance Removed from Chem Sprays/Stun Gun/Higher Cap Mags Section. Ordinance Repealed.

12/5/17 – Emergency Service Act Links Updated In Notes Section.

2/10/18 – All Links Checked.