

Senate Bill No. 172

CHAPTER 840

An act to add Article 9.9 (commencing with Section 1567.90) to Chapter 3 of, Article 2 (commencing with Section 1568.095) to Chapter 3.01 of, and Article 2.7 (commencing with Section 1569.280) to Chapter 3.2 of, Division 2 of, and to add the heading of Article 1 (commencing with Section 1568.01) to Chapter 3.01 of Division 2 of, the Health and Safety Code, and to amend Sections 17060, 25100, 25105, 25200, 26835, 29805, and 31700 of, and to add Sections 27881, 27882, and 27883 to, the Penal Code, and to amend Section 4684.53 of the Welfare and Institutions Code, relating to firearms.

[Approved by Governor October 12, 2019. Filed with Secretary of State October 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 172, Portantino. Firearms.

(1) Existing law, subject to exceptions, generally requires the loan of a firearm to be conducted by a firearms dealer.

This bill would authorize the temporary transfer of a firearm without a firearms dealer's participation to a person who is 18 years of age or older for safekeeping to prevent it from being used to attempt suicide, as specified. The bill would also authorize the loan of a firearm without a firearms dealer's participation under other specified circumstances and if certain conditions are met, as specified.

(2) Under existing law a person commits the crime of criminal storage of a firearm if the person keeps a loaded firearm within a premises with knowledge that a child is likely to gain access to the firearm.

This bill would make the crime of criminal storage applicable to the storage of an unloaded firearm. The bill would make it a crime for a person who has been convicted of this crime to own a firearm for a period of 10 years. By expanding the application of a crime and creating a new crime, this bill would impose a state-mandated local program.

(3) Existing law makes it a crime to keep a handgun within a premises with knowledge that a child or person prohibited from possessing a firearm is likely to gain access if the child or prohibited person obtains access to the handgun and carries it off premises.

This bill would make this crime applicable to any firearm. The bill would make it a crime for a person who has been convicted of this crime to own a firearm for a period of 10 years. By expanding the application of a crime and creating a new crime, this bill would impose a state-mandated local program.

(4) Existing law makes it a crime for an owner or legal occupant of a residence to store a firearm in that residence if the person knows another person residing in that residence is prohibited from possessing a firearm unless the firearm is secured, as specified.

The bill would make it a crime for a person who has been convicted of this crime to own a firearm for a period of 10 years. The bill would also correct an erroneous cross-reference. By creating a new crime, this bill would impose a state-mandated local program.

(5) Existing law provides for the licensure and regulation of community care facilities for adults, residential care facilities for persons with chronic life-threatening illness, and residential care facilities for the elderly by the State Department of Social Services. Violations of the licensing requirements for these different types of care facilities are crimes.

This bill would require the department to promulgate regulations prescribing the procedures for a firearm and ammunition to be centrally stored in a locked gun safe within any of those facilities if the facility permits licensees, residents, or clients to possess firearms on its premises. Because a violation of these requirements by a facility would be a crime, the bill would impose a state-mandated local program. The bill would additionally make other conforming changes to regulatory provisions for specified community care facilities for adults.

(6) This bill would incorporate additional changes to Section 31700 of the Penal Code proposed by AB 1292 to be operative only if this bill and AB 1292 are enacted and this bill is enacted last. This bill would also incorporate additional changes to Section 26835 of the Penal Code proposed by AB 645 and SB 61 to be operative only if this bill, AB 645, and SB 61 are enacted and this bill is enacted last.

(7) 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 people of the State of California do enact as follows:

SECTION 1. Article 9.9 (commencing with Section 1567.90) is added to Chapter 3 of Division 2 of the Health and Safety Code, to read:

Article 9.9. Firearms, Ammunition, and Deadly Weapons

1567.90. (a) This article does not require a facility to accept, store, or retain firearms or ammunition.

(b) The department shall promulgate regulations to implement this article.

(c) Until regulations are adopted, the department may implement and administer the provisions of this article through the issuance of written directives that have the same force and effect as regulations. The directives

shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

1567.91. As used in this article, the following terms have the following meanings:

(a) “Firearm” means 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, including the frame or receiver of the device.

(b) “Ammunition” means one or more loaded cartridges consisting of a primed case, propellant, and with one or more projectiles. “Ammunition” does not include blanks.

(c) “Antique firearm” has the same meaning as set forth, and has the same meaning as, in Section 921(a)(16) of Title 18 of the United States Code.

(d) “Deadly weapon” means any of the following:

(1) Any weapon, the possession or concealed carrying of which is prohibited by Section 16590 of the Penal Code.

(2) A destructive device, as defined in Section 16460 of the Penal Code.

(e) “Facility” means a community care facility for adults licensed by the State Department of Social Services, Community Care Licensing Division, except for social rehabilitation facilities and adult day programs.

1567.92. A licensee that permits clients to possess firearms on the facility premises shall do all of the following:

(a) Accept and centrally store a client’s firearm, ammunition, or both.

(b) Retain and centrally store a licensee’s firearm, ammunition, or both.

(c) Clients’ and licensees’ firearms, ammunition, or both shall be centrally stored in the facility and in the following manner:

(1) Firearms shall be centrally stored unloaded, in a locked gun safe, that meets the regulatory standards established by the Department of Justice in Section 4100 of Title 11 of the California Code of Regulations.

(2) Ammunition shall be centrally stored separately in a locked location different from firearms.

1567.93. (a) A licensee shall not accept, retain, or store any deadly weapon, as defined in Section 1567.91, of a client or licensee.

(b) A licensee shall not accept, retain, or store any of the following firearms owned or possessed by a client or licensee:

(1) A firearm regulated pursuant to Chapter 1 (commencing with Section 18710) of Division 5 of Title 2 of Part 6 of the Penal Code.

(2) A firearm regulated pursuant to Chapter 2 (commencing with Section 30500) of Division 10 of Title 4 of Part 6 of the Penal Code.

(3) A firearm regulated pursuant to Chapter 6 (commencing with Section 32610) of Division 10 of Title 4 of Part 6 of the Penal Code.

(4) A firearm regulated pursuant to Article 2 (commencing with Section 33300) of Chapter 8 of Division 10 of Title 4 of Part 6 of the Penal Code.

(c) The licensee shall not accept, retain, or store a firearm required to be registered with the Department of Justice pursuant to Section 29180 of the

Penal Code unless it verifies it is in fact registered with the Department of Justice pursuant to Section 29180 of the Penal Code.

(d) The licensee may accept, retain, or store a firearm that is otherwise required to be registered with the Department of Justice pursuant to Section 29180 of the Penal Code but which is exempt from the registration requirements because it was entered into the centralized registry set forth in Section 11106 of the Penal Code prior to July 1, 2018, as being owned by a specific individual or entity if that firearm has assigned to it a distinguishing number or mark of identification because the department accepted entry of that firearm into the centralized registry.

(e) Commencing July 1, 2021, unless it is an antique firearm, the licensee shall not accept, retain, or store a firearm unless the owner of the firearm provides to the licensee documentation that the person is listed with the Department of Justice pursuant to Section 11106 of the Penal Code as the registered owner of that firearm.

1567.94. The acceptance or storage of a client's firearm by a licensee at a facility in accordance with this article, or the retention and storage of a client's firearm, shall not constitute a loan, sale, receipt, or transfer of a firearm within the meaning of Sections 26500, 27545, or subdivision (a) of Section 31615 of the Penal Code.

SEC. 2. The heading of Article 1 (commencing with Section 1568.01) is added to Chapter 3.01 of Division 2 of the Health and Safety Code, to read:

Article 1. General Provisions

SEC. 3. Article 2 (commencing with Section 1568.095) is added to Chapter 3.01 of Division 2 of the Health and Safety Code, to read:

Article 2. Firearms, Ammunition, and Deadly Weapons

1568.095. (a) This article does not require a facility to accept, store, or retain firearms or ammunition.

(b) The department shall promulgate regulations to implement this article.

(c) Until regulations are adopted, the department may implement and administer the provisions of this article through the issuance of written directives that have the same force and effect as regulations. The directives shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

1568.096. As used in this article, the following terms have the following meanings:

(a) "Firearm" means 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, including the frame or receiver of the device.

(b) “Ammunition” means one or more loaded cartridges consisting of a primed case, propellant, and with one or more projectiles. “Ammunition” does not include blanks.

(c) “Antique firearm” has the same meaning as set forth, and has the same meaning as, in Section 921(a)(16) of Title 18 of the United States Code.

(d) “Deadly weapon” means any of the following:

(1) Any weapon, the possession or concealed carrying of which is prohibited by Section 16590 of the Penal Code.

(2) A destructive device, as defined in Section 16460 of the Penal Code.

(e) “Facility” means a residential care facility for persons with chronic life-threatening illness licensed by the State Department of Social Services, Community Care Licensing Division.

1568.097. A licensee that permits residents to possess firearms on the facility premises shall do all of the following:

(a) Accept and centrally store a resident’s firearm, ammunition, or both.

(b) Retain and centrally store a licensee’s firearm, ammunition, or both.

(c) Resident’s and licensees’ firearms, ammunition, or both shall be centrally stored in the facility and in the following manner:

(1) Firearms shall be centrally stored unloaded, in a locked gun safe, that meets the regulatory standards established by the Department of Justice in Section 4100 of Title 11 of the California Code of Regulations.

(2) Ammunition shall be centrally stored separately in a locked location different from firearms.

1568.098. (a) A licensee shall not accept, retain, or store any deadly weapon, as defined in Section 1568.096, of a resident or licensee.

(b) A licensee shall not accept, retain, or store any of the following firearms owned or possessed by a resident or licensee:

(1) A firearm regulated pursuant to Chapter 1 (commencing with Section 18710) of Division 5 of Title 2 of Part 6 of the Penal Code.

(2) A firearm regulated pursuant to Chapter 2 (commencing with Section 30500) of Division 10 of Title 4 of Part 6 of the Penal Code.

(3) A firearm regulated pursuant to Chapter 6 (commencing with Section 32610) of Division 10 of Title 4 of Part 6 of the Penal Code.

(4) A firearm regulated pursuant to Article 2 (commencing with Section 33300) of Chapter 8 of Division 10 of Title 4 of Part 6 of the Penal Code.

(c) The licensee shall not accept, retain, or store a firearm required to be registered with the Department of Justice pursuant to Section 29180 of the Penal Code unless it verifies it is in fact registered with the Department of Justice pursuant to Section 29180 of the Penal Code.

(d) The licensee may accept, retain, or store a firearm that is otherwise required to be registered with the Department of Justice pursuant to Section 29180 of the Penal Code but which is exempt from the registration requirements because it was entered into the centralized registry set forth in Section 11106 of the Penal Code prior to July 1, 2018, as being owned by a specific individual or entity if that firearm has assigned to it a

distinguishing number or mark of identification because the department accepted entry of that firearm into the centralized registry.

(e) Commencing July 1, 2021, unless it is an antique firearm, the licensee shall not accept, retain, or store a firearm unless the owner of the firearm provides to the licensee documentation that the person is listed with the Department of Justice pursuant to Section 11106 of the Penal Code as the registered owner of that firearm.

1568.099 The acceptance or storage of a resident's firearm by a licensee at a facility in accordance with this article, or the retention and storage of a resident's firearm, shall not constitute a loan, sale, receipt, or transfer of a firearm within the meaning of Sections 26500, 27545, or subdivision (a) of Section 31615 of the Penal Code.

SEC. 4. Article 2.7 (commencing with Section 1569.280) is added to Chapter 3.2 of Division 2 of the Health and Safety Code, to read:

Article 2.7. Firearms, Ammunition, and Deadly Weapons

1569.280. (a) This article shall be known, and may be cited, as the Keep Our Seniors Safe Act.

(b) This article does not require a facility to accept, store, or retain firearms or ammunition.

(c) The department shall promulgate regulations to implement this article.

(d) Until regulations are adopted, the department may implement and administer the provisions of this article through the issuance of written directives that have the same force and effect as regulations. The directives shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

1569.281. As used in this article, the following terms have the following meanings:

(a) "Firearm" means 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, including the frame or receiver of the device.

(b) "Ammunition" means one or more loaded cartridges consisting of a primed case, propellant, and with one or more projectiles. "Ammunition" does not include blanks.

(c) "Antique firearm" has the same meaning as set forth, and has the same meaning as, in Section 921(a)(16) of Title 18 of the United States Code.

(d) "Deadly weapon" means any of the following:

(1) Any weapon, the possession or concealed carrying of which is prohibited by Section 16590 of the Penal Code.

(2) A destructive device, as defined in Section 16460 of the Penal Code.

(e) "Handgun" has the same meaning as set forth in Section 16640 of the Penal Code and includes the frame or receiver of the same.

(f) “Facility” means a residential care facility for the elderly licensed by the State Department of Social Services, Community Care Licensing Division.

1569.282. A licensee that permits residents to possess firearms on the facility premises shall do all of the following:

- (a) Accept and centrally store a resident’s firearm, ammunition, or both.
- (b) Retain and centrally store a licensee’s firearm, ammunition, or both.
- (c) Residents’ and licensees’ firearms, ammunition, or both shall be centrally stored in the facility and in the following manner:

(1) Firearms shall be centrally stored unloaded, in a locked gun safe, that meets the regulatory standards established by the Department of Justice in Section 4100 of Title 11 of the California Code of Regulations.

(2) Ammunition shall be centrally stored separately in a locked location different from firearms.

1569.283. (a) A licensee shall not accept, retain, or store any deadly weapon, as defined in Section 1569.281, of a resident or licensee.

(b) A licensee shall not accept, retain, or store any of the following firearms owned or possessed by a resident or licensee:

(1) A firearm regulated pursuant to Chapter 1 (commencing with Section 18710) of Division 5 of Title 2 of Part 6 of the Penal Code.

(2) A firearm regulated pursuant to Chapter 2 (commencing with Section 30500) of Division 10 of Title 4 of Part 6 of the Penal Code.

(3) A firearm regulated pursuant to Chapter 6 (commencing with Section 32610) of Division 10 of Title 4 of Part 6 of the Penal Code.

(4) A firearm regulated pursuant to Article 2 (commencing with Section 33300) of Chapter 8 of Division 10 of Title 4 of Part 6 of the Penal Code.

(c) The licensee shall not accept, retain, or store a firearm required to be registered with the Department of Justice pursuant to Section 29180 of the Penal Code unless it verifies it is in fact registered with the Department of Justice pursuant to Section 29180 of the Penal Code.

(d) The licensee may accept, retain, or store a firearm that is otherwise required to be registered with the Department of Justice pursuant to Section 29180 of the Penal Code but which is exempt from the registration requirements because it was entered into the centralized registry set forth in Section 11106 of the Penal Code prior to July 1, 2018, as being owned by a specific individual or entity if that firearm has assigned to it a distinguishing number or mark of identification because the department accepted entry of that firearm into the centralized registry.

(e) Commencing July 1, 2021, unless it is an antique firearm, the licensee shall not accept, retain, or store a firearm unless the owner of the firearm provides to the licensee documentation that the person is listed with the Department of Justice pursuant to Section 11106 of the Penal Code as the registered owner of that firearm.

1569.284. The acceptance or storage of a resident’s firearm by a licensee at a facility in accordance with this article, or the retention and storage of a licensee’s firearm, shall not constitute a loan, sale, receipt, or transfer of

a firearm within the meaning of Sections 26500, 27545, or subdivision (a) of Section 31615 of the Penal Code.

SEC. 5. Section 17060 of the Penal Code is amended to read:

17060. (a) As used in Section 25135, “residence” means any structure intended or used for human habitation, including, but not limited to, houses, condominiums, rooms, motels, hotels, time-shares, and recreational or other vehicles where human habitation occurs.

(b) As used in Sections 27881, 27882, and 27883, “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.

SEC. 6. Section 25100 of the Penal Code is amended to read:

25100. (a) Except as provided in Section 25105, a person commits the crime of “criminal storage of a firearm in the first degree” if all of the following conditions are satisfied:

(1) The person keeps any firearm within any premises that are under the person’s custody or control.

(2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child’s parent or legal guardian, or that a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law is likely to gain access to the firearm.

(3) The child obtains access to the firearm and thereby causes death or great bodily injury to the child or any other person, or the person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law obtains access to the firearm and thereby causes death or great bodily injury to themselves or any other person.

(b) Except as provided in Section 25105, a person commits the crime of “criminal storage of a firearm in the second degree” if all of the following conditions are satisfied:

(1) The person keeps any firearm within any premises that are under the person’s custody or control.

(2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child’s parent or legal guardian, or that a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law is likely to gain access to the firearm.

(3) The child obtains access to the firearm and thereby causes injury, other than great bodily injury, to the child or any other person, or carries the firearm either to a public place or in violation of Section 417, or the person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law obtains access to the firearm and thereby causes injury, other than great bodily injury, to themselves or any other person, or carries the firearm either to a public place or in violation of Section 417.

(c) Except as provided in Section 25105, a person commits the crime of “criminal storage of a firearm in the third degree” if the person keeps any

firearm within any premises that are under the person's custody or control and negligently stores or leaves a firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by the person to secure the firearm against access by the child.

SEC. 7. Section 25105 of the Penal Code is amended to read:

25105. Section 25100 does not apply whenever any of the following occurs:

(a) The child obtains the firearm as a result of an illegal entry to any premises by any person.

(b) The firearm is kept in a locked container or in a location that a reasonable person would believe to be secure.

(c) The firearm is carried on the person or within close enough proximity thereto that the individual can readily retrieve and use the firearm as if carried on the person.

(d) The firearm is locked with a locking device, as defined in Section 16860, which has rendered the firearm inoperable.

(e) The person is a peace officer or a member of the Armed Forces or the National Guard and the child obtains the firearm during, or incidental to, the performance of the person's duties.

(f) The child obtains, or obtains and discharges, the firearm in a lawful act of self-defense or defense of another person.

(g) The person who keeps a firearm on premises that are under the person's custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises.

SEC. 8. Section 25200 of the Penal Code is amended to read:

25200. (a) If all of the following conditions are satisfied, a person shall be punished by imprisonment in a county jail not exceeding one year, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine:

(1) The person keeps a firearm, loaded or unloaded, within any premises that are under the person's custody or control.

(2) The person knows or reasonably should know that a child is likely to gain access to that firearm without the permission of the child's parent or legal guardian, or that a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law is likely to gain access to the firearm.

(3) The child or the prohibited person obtains access to that firearm and thereafter carries that firearm off-premises.

(b) If all of the following conditions are satisfied, a person shall be punished by imprisonment in a county jail not exceeding one year, by a fine not exceeding five thousand dollars (\$5,000), or by both that imprisonment and fine:

(1) The person keeps any firearm within any premises that are under the person's custody or control.

(2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, or that a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law is likely to gain access to the firearm.

(3) The child or the prohibited person obtains access to the firearm and thereafter carries that firearm off-premises to any public or private preschool, elementary school, middle school, high school, or to any school-sponsored event, activity, or performance, whether occurring on school grounds or elsewhere.

(c) A firearm that a child or prohibited person gains access to and carries off-premises in violation of this section shall be deemed "used in the commission of any misdemeanor as provided in this code or any felony" for the purpose of Section 29300 regarding the authority to confiscate firearms and other deadly weapons as a nuisance.

(d) As used in this section, "off-premises" means premises other than the premises where the firearm was stored.

SEC. 9. Section 26835 of the Penal Code is amended to read:

26835. A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(a) "FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY."

(b) "IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(c) "CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING."

(d) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(e) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(f) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(g) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(h) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(i) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

SEC. 9.1. Section 26835 of the Penal Code is amended to read:

26835. (a) A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(1) “FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND

OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY.”

(2) “IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(3) “CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(4) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(5) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(6) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(7) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE

ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(8) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(9) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

(b) This section shall remain in effect only until June 1, 2020, and as of that date is repealed.

SEC. 9.2. Section 26835 is added to the Penal Code, to read:

26835. (a) A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(1) “FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY.”

(2) “IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(3) “CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM AND

CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(4) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(5) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(6) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(7) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(8) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(9) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

(b) In addition to the notice required by subdivision (a), a licensee shall post conspicuously within the licensed premises, in block letters not less than one inch in height, an additional notice, including but not limited to, a notice provided by a suicide prevention program, containing the following statement:

“IF YOU OR SOMEONE YOU KNOW IS CONTEMPLATING SUICIDE, PLEASE CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 1-800-273-TALK (8255).”

(c) This section shall become operative on June 1, 2020.

SEC. 9.3. Section 26835 of the Penal Code is amended to read:

26835. (a) A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(1) “FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY.”

(2) “IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(3) “CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(4) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(5) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(6) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(7) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(8) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(9) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

(b) This section shall remain in effect only until July 1, 2021, and as of that date is repealed.

SEC. 9.4. Section 26835 is added to the Penal Code, to read:

26835. (a) A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(1) “FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON

FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY.”

(2) “IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(3) “CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(4) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(5) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(6) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(7) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(8) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE HANDGUN OR SEMIAUTOMATIC CENTERFIRE RIFLE WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE HANDGUN OR SEMIAUTOMATIC CENTERFIRE RIFLE WITHIN ANY 30-DAY PERIOD.”

(9) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

(b) This section shall become operative on July 1, 2021.

SEC. 9.5. Section 26835 is added to the Penal Code, to read:

26835. (a) A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(1) “FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY.”

(2) “IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(3) “CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM, AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE, TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(4) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A

MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(5) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(6) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(7) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(8) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE PISTOL, REVOLVER, OR OTHER FIREARM CAPABLE OF BEING CONCEALED UPON THE PERSON WITHIN ANY 30-DAY PERIOD.”

(9) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

(b) In addition to the notice required by subdivision (a), a licensee shall post conspicuously within the licensed premises, in block letters not less than one inch in height, an additional notice, including, but not limited to, a notice provided by a suicide prevention program, containing the following statement:

“IF YOU OR SOMEONE YOU KNOW IS CONTEMPLATING SUICIDE, PLEASE CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 1-800-273-TALK (8255).”

(c) This section shall become operative on June 1, 2020.

(d) This section shall remain in effect only until July 1, 2021, and as of that date is repealed.

SEC. 9.6. Section 26835 is added to the Penal Code, to read:

26835. (a) A licensee shall conspicuously post within the licensed premises the following warnings in block letters not less than one inch in height:

(1) “FIREARMS MUST BE HANDLED RESPONSIBLY AND SECURELY STORED TO PREVENT ACCESS BY CHILDREN AND OTHER UNAUTHORIZED USERS. CALIFORNIA HAS STRICT LAWS PERTAINING TO FIREARMS, AND YOU MAY BE FINED OR IMPRISONED IF YOU FAIL TO COMPLY WITH THEM. VISIT THE WEBSITE OF THE CALIFORNIA ATTORNEY GENERAL AT [HTTPS://OAG.CA.GOV/FIREARMS](https://oag.ca.gov/firearms) FOR INFORMATION ON FIREARM LAWS APPLICABLE TO YOU AND HOW YOU CAN COMPLY.”

(2) “IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE OBTAINS IT AND USES IT, RESULTING IN INJURY OR DEATH, OR CARRIES IT TO A PUBLIC PLACE, YOU MAY BE GUILTY OF A MISDEMEANOR OR A FELONY UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(3) “CHILDREN MAY BE UNABLE TO DISTINGUISH FIREARMS FROM TOYS AND MAY OPERATE FIREARMS, CAUSING SEVERE INJURIES OR DEATH. IF YOU KEEP A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL, AND A PERSON UNDER 18 YEARS OF AGE GAINS ACCESS TO THE FIREARM AND CARRIES IT OFF-PREMISES, YOU MAY BE GUILTY OF A MISDEMEANOR, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER, OR LOCKED THE FIREARM WITH A LOCKING DEVICE TO KEEP IT FROM TEMPORARILY FUNCTIONING.”

(4) “YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE OR IMPRISONMENT, IF YOU KEEP A FIREARM WHERE A MINOR IS LIKELY TO ACCESS IT OR IF A MINOR OBTAINS AND IMPROPERLY USES IT, OR CARRIES IT OFF OF THE PREMISES TO A SCHOOL OR SCHOOL-SPONSORED EVENT, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(5) “IF YOU NEGLIGENTLY STORE OR LEAVE A FIREARM WITHIN ANY PREMISES UNDER YOUR CUSTODY OR CONTROL WHERE A PERSON UNDER 18 YEARS OF AGE IS LIKELY TO ACCESS IT, YOU MAY BE GUILTY OF A MISDEMEANOR, INCLUDING A SIGNIFICANT FINE, UNLESS YOU STORED THE FIREARM IN A LOCKED CONTAINER OR LOCKED THE FIREARM WITH A LOCKING DEVICE.”

(6) “DISCHARGING FIREARMS IN POORLY VENTILATED AREAS, CLEANING FIREARMS, OR HANDLING AMMUNITION MAY RESULT IN EXPOSURE TO LEAD, A SUBSTANCE KNOWN TO CAUSE BIRTH DEFECTS, REPRODUCTIVE HARM, AND OTHER SERIOUS PHYSICAL INJURY. HAVE ADEQUATE VENTILATION AT ALL TIMES. WASH HANDS THOROUGHLY AFTER EXPOSURE.”

(7) “FEDERAL REGULATIONS PROVIDE THAT IF YOU DO NOT TAKE PHYSICAL POSSESSION OF THE FIREARM THAT YOU ARE ACQUIRING OWNERSHIP OF WITHIN 30 DAYS AFTER YOU COMPLETE THE INITIAL BACKGROUND CHECK PAPERWORK, THEN YOU HAVE TO GO THROUGH THE BACKGROUND CHECK PROCESS A SECOND TIME IN ORDER TO TAKE PHYSICAL POSSESSION OF THAT FIREARM.”

(8) “NO PERSON SHALL MAKE AN APPLICATION TO PURCHASE MORE THAN ONE HANDGUN OR SEMIAUTOMATIC CENTERFIRE RIFLE WITHIN ANY 30-DAY PERIOD AND NO DELIVERY SHALL BE MADE TO ANY PERSON WHO HAS MADE AN APPLICATION TO PURCHASE MORE THAN ONE HANDGUN OR SEMIAUTOMATIC CENTERFIRE RIFLE WITHIN ANY 30-DAY PERIOD.”

(9) “IF A FIREARM YOU OWN OR POSSESS IS LOST OR STOLEN, YOU MUST REPORT THE LOSS OR THEFT TO A LOCAL LAW ENFORCEMENT AGENCY WHERE THE LOSS OR THEFT OCCURRED WITHIN FIVE DAYS OF THE TIME YOU KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM HAD BEEN LOST OR STOLEN.”

(b) In addition to the notice required by subdivision (a), a licensee shall post conspicuously within the licensed premises, in block letters not less than one inch in height, an additional notice, including, but not limited to, a notice provided by a suicide prevention program, containing the following statement:

“IF YOU OR SOMEONE YOU KNOW IS CONTEMPLATING SUICIDE, PLEASE CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 1-800-273-TALK (8255).”

(c) This section shall become operative on July 1, 2021.

SEC. 10. Section 27881 is added to the Penal Code, to read:

27881. Section 27545 does not apply to the loan of a firearm if all of the following conditions are met:

(a) If the firearm being loaned is a handgun, the handgun is registered to the person making the loan pursuant to Section 11106.

(b) The loan occurs within the lender’s place of residence or other real property, except for property that is zoned for commercial, retail, or industrial activity.

(c) The individual receiving the firearm is not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(d) The individual receiving the firearm is 18 years of age or older.

(e) The firearm does not leave the real property upon which the loan occurs.

SEC. 11. Section 27882 is added to the Penal Code, to read:

27882. (a) Section 27545 does not apply to the transfer of a firearm if all of the following conditions are satisfied:

(1) The firearm is voluntarily and temporarily transferred to another person who is 18 years of age or older for safekeeping to prevent it from being accessed or used to attempt suicide by the transferor or another person that may gain access to it in the transferor's household.

(2) The transferee does not use the firearm for any purpose and, except when transporting the firearm to the transferee's residence or when returning it to the transferor, keeps the firearm unloaded and secured in the transferee's residence in one of the following ways:

(A) Secured in a locked container.

(B) Disabled by a firearm safety device.

(C) Secured within a locked gun safe.

(D) Locked with a locking device as described in Section 16860 that has rendered the firearm inoperable.

(3) The duration of the loan is limited to that amount of time reasonably necessary to prevent the harm described in paragraph (1).

(b) (1) If a firearm that has been transferred pursuant to this section 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.

(2) Section 27545 does not apply to the transfer of a firearm to a law enforcement agency pursuant to this subdivision. This section does not authorize the possession of a firearm by any person prohibited from possessing a firearm pursuant to any other law.

SEC. 12. Section 27883 is added to the Penal Code, to read:

27883. Section 27545 does not apply to the loan of a firearm provided all of the following requirements are met:

(a) The firearm being loaned is registered to the person making the loan pursuant to Section 11106.

(b) 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.

(c) 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.

(d) The individual receiving the firearm is not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(e) The individual receiving the firearm is 18 years of age or older.

(f) One of the following applies:

(1) The firearm is maintained within a locked container.

(2) The firearm is disabled by a firearm safety device.

(3) The firearm is maintained within a locked gun safe.

(4) The firearm is locked with a locking device, as defined in Section 16860, which has rendered the firearm inoperable.

(g) The loan does not exceed 120 days in duration.

(h) The loan is made without consideration.

(i) There is a written document in a format prescribed by the Department of Justice that explains the obligations imposed by this section that is signed by both the party loaning the firearm for storage and the person receiving the firearm.

(j) Both parties to the loan have signed copies of the written document required by subdivision (i).

SEC. 13. Section 29805 of the Penal Code is amended to read:

29805. (a) Except as provided in Section 29855, subdivision (a) of Section 29800, or subdivision (b), any person who has been convicted of, or has an outstanding warrant for, a misdemeanor violation of Section 71, 76, 136.1, 136.5, or 140, subdivision (d) of Section 148, subdivision (f) of Section 148.5, Section 171b, paragraph (1) of subdivision (a) of Section 171c, Section 171d, 186.28, 240, 241, 242, 243, 243.4, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417, 417.6, 422, 422.6, 626.9, 646.9, 830.95, 17500, 17510, 25300, 25800, 30315, or 32625, subdivision (b) or (d) of Section 26100, or Section 27510, or Section 8100, 8101, or 8103 of the Welfare and Institutions Code, any firearm-related offense pursuant to Sections 871.5 and 1001.5 of the Welfare and Institutions Code, Section 487 if the property taken was a firearm, or of the conduct punished in subdivision (c) of Section 27590, and who, within 10 years of the conviction, or if the individual has an outstanding warrant, owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(b) Any person who is convicted, on or after January 1, 2019, of a misdemeanor violation of Section 273.5, and who subsequently owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(c) Except as provided in Section 29855, any person who is convicted on or after January 1, 2020, of a misdemeanor violation of Section 25100, 25135, or 25200, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(d) The court, on forms prescribed by the Department of Justice, shall notify the department of persons subject to this section. However, the prohibition in this section may be reduced, eliminated, or conditioned as provided in Section 29855 or 29860.

SEC. 14. Section 31700 of the Penal Code is amended to read:

31700. (a) The following persons, properly identified, are exempted from the firearm safety certificate requirement in subdivision (a) of Section 31615:

(1) Any active or honorably retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) Any active or honorably retired federal officer or law enforcement agent.

(3) Any reserve peace officer, as defined in Section 832.6.

(4) Any person who has successfully completed the course of training specified in Section 832.

(5) A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, who is acting in the course and scope of that person's activities as a person licensed pursuant to Sections 26700 to 26915, inclusive.

(6) A federally licensed collector who is acquiring or being loaned a firearm that is a curio or relic, as defined in Section 478.11 of Title 27 of the Code of Federal Regulations, who has a current certificate of eligibility issued by the department pursuant to Section 26710.

(7) A person to whom a firearm is being returned, where the person receiving the firearm is the owner of the firearm.

(8) A family member of a peace officer or deputy sheriff from a local agency who receives a firearm pursuant to Section 50081 of the Government Code.

(9) Any individual who has a valid concealed weapons permit issued pursuant to Chapter 4 (commencing with Section 26150) of Division 5.

(10) An active or honorably retired member of the United States Armed Forces, the National Guard, the Air National Guard, or the active reserve components of the United States, where individuals in those organizations are properly identified. For purposes of this section, proper identification includes the Armed Forces Identification Card or other written documentation certifying that the individual is an active or honorably retired member.

(11) Any person who is authorized to carry loaded firearms pursuant to Section 26025 or 26030.

(12) Persons who are the holders of a special weapons permit issued by the department pursuant to Section 32650 or 33300, pursuant to Article 3 (commencing with Section 18900) of Chapter 1 of Division 5 of Title 2, or pursuant to Article 4 (commencing with Section 32700) of Chapter 6 of this division.

(b) The following persons who take title or possession of a firearm by operation of law in a representative capacity, until or unless they transfer title ownership of the firearm to themselves in a personal capacity, are exempted from the firearm safety certificate requirement in subdivision (a) of Section 31615:

(1) The executor or administrator of an estate.

(2) A secured creditor or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, a default under a security agreement under the Commercial Code.

(3) A levying officer, as defined in Section 481.140, 511.060, or 680.260 of the Code of Civil Procedure.

(4) A receiver performing the functions of a receiver.

(5) A trustee in bankruptcy performing the duties of a trustee.

(6) An assignee for the benefit of creditors performing the functions of an assignee.

(c) A person, validly identified, who has been issued a valid hunting license that is unexpired or that was issued for the hunting season immediately preceding the calendar year in which the person takes title or possession of a firearm is exempt from the firearm safety certificate requirement in subdivision (a) of Section 31615, except as to handguns.

(d) The firearm safety certificate requirement in subdivision (a) of Section 31615 shall not apply to a person taking possession of a firearm pursuant to Section 27882 or 27883.

SEC. 14.5. Section 31700 of the Penal Code is amended to read:

31700. (a) The following persons, properly identified, are exempted from the firearm safety certificate requirement in subdivision (a) of Section 31615:

(1) Any active or honorably retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) Any active or honorably retired federal officer or law enforcement agent.

(3) Any reserve peace officer, as defined in Section 832.6.

(4) Any person who has successfully completed the course of training specified in Section 832.

(5) A firearms dealer licensed pursuant to Sections 26700 to 26915, inclusive, who is acting in the course and scope of that person's activities as a person licensed pursuant to Sections 26700 to 26915, inclusive.

(6) A federally licensed collector who is acquiring or being loaned a firearm that is a curio or relic, as defined in Section 478.11 of Title 27 of the Code of Federal Regulations, who has a current certificate of eligibility issued by the department pursuant to Section 26710.

(7) Except as provided in subdivision (d), a person to whom a firearm is being returned, where the person receiving the firearm is the owner of the firearm.

(8) A family member of a peace officer or deputy sheriff from a local agency who receives a firearm pursuant to Section 50081 of the Government Code.

(9) Any individual who has a valid concealed weapons permit issued pursuant to Chapter 4 (commencing with Section 26150) of Division 5.

(10) An active or honorably retired member of the United States Armed Forces, the National Guard, the Air National Guard, or the active reserve components of the United States, where individuals in those organizations are properly identified. For purposes of this section, proper identification includes the Armed Forces Identification Card or other written documentation certifying that the individual is an active or honorably retired member.

(11) Any person who is authorized to carry loaded firearms pursuant to Section 26025 or 26030.

(12) Persons who are the holders of a special weapons permit issued by the department pursuant to Section 32650 or 33300, pursuant to Article 3 (commencing with Section 18900) of Chapter 1 of Division 5 of Title 2, or pursuant to Article 4 (commencing with Section 32700) of Chapter 6 of this division.

(b) The following persons who take title or possession of a firearm by operation of law in a representative capacity, until or unless they transfer title ownership of the firearm to themselves in a personal capacity, are exempted from the firearm safety certificate requirement in subdivision (a) of Section 31615:

(1) The executor, personal representative, or administrator of an estate.

(2) A secured creditor or an agent or employee thereof when the firearms are possessed as collateral for, or as a result of, a default under a security agreement under the Commercial Code.

(3) A levying officer, as defined in Section 481.140, 511.060, or 680.260 of the Code of Civil Procedure.

(4) A receiver performing the functions of a receiver.

(5) A trustee in bankruptcy performing the duties of a trustee.

(6) An assignee for the benefit of creditors performing the functions of an assignee.

(7) The trustee of a trust that includes a firearm and that was part of a will that created the trust.

(8) A person acting pursuant to the person's power of attorney in accordance with Division 4.5 (commencing with Section 4000) of the Probate Code.

(9) A limited or general conservator appointed by a court pursuant to the Probate Code or Welfare and Institutions Code.

(10) A guardian ad litem appointed by a court pursuant to Section 372 of the Code of Civil Procedure.

(11) The trustee of a trust that includes a firearm that is under court supervision.

(12) A special administrator appointed by a court pursuant to Section 8540 of the Probate Code.

(13) A guardian appointed by a court pursuant to Section 1500 of the Probate Code.

(c) A person, validly identified, who has been issued a valid hunting license that is unexpired or that was issued for the hunting season immediately preceding the calendar year in which the person takes title or possession of a firearm is exempt from the firearm safety certificate requirement in subdivision (a) of Section 31615, except as to handguns.

(d) A person who takes possession of a firearm and complies with Section 27922 by delivering the firearm to a law enforcement agency is exempted from the firearm safety certificate requirement in subdivision (a) of Section 31615. The exemption set forth in paragraph (7) of subdivision (a) shall not apply to the return of that firearm to that person, if the person has requested the firearm and is eligible to receive it.

(e) The firearm safety certificate requirement in subdivision (a) of Section 31615 shall not apply to a person taking possession of a firearm pursuant to Section 27882 or 27883.

SEC. 15. Section 4684.53 of the Welfare and Institutions Code is amended to read:

4684.53. (a) The State Department of Developmental Services and the State Department of Social Services shall jointly implement a licensing program to provide special health care and intensive support services to adults in homelike community settings.

(b) The program shall be implemented through approved community placement plans, as follows:

(1) For closure of Agnews Developmental Center, through the following regional centers:

(A) The San Andreas Regional Center.

(B) The Regional Center of the East Bay.

(C) The Golden Gate Regional Center.

(2) All regional centers involved in the closure of the Lanterman Developmental Center, as determined by the State Department of Developmental Services.

(3) All regional centers transitioning developmental center residents to placements in the community.

(c) Each ARFPSHN shall possess a community care facility license issued pursuant to Article 9 (commencing with Section 1567.50) of Chapter 3 of Division 2 of the Health and Safety Code. Until the Department of Social Services creates a stand-alone chapter for ARFPSHNs, each ARFPSHN shall be subject to the requirements of Chapter 1 (commencing with Section 80000) of Division 6 of Title 22 of the California Code of Regulations, except for Article 8 (commencing with Section 80090).

(d) For purposes of this article, a health facility licensed pursuant to subdivision (e) or (h) of Section 1250 of the Health and Safety Code may place its licensed bed capacity in voluntary suspension for the purpose of licensing the facility to operate an ARFPSHN if the facility is selected to participate pursuant to Section 4684.58. Consistent with subdivision (a) of Section 4684.50, any facility licensed pursuant to this section shall serve up to five adults. A facility's bed capacity shall not be placed in voluntary suspension until all consumers residing in the facility under the license to be suspended have been relocated. A consumer shall not be relocated unless it is reflected in the consumer's individual program plan developed pursuant to Sections 4646 and 4646.5.

(e) Each ARFPSHN is subject to the requirements of Subchapters 5 to 9, inclusive, of Chapter 1 of, and Subchapters 2 and 4 of Chapter 3 of, Division 2 of Title 17 of the California Code of Regulations.

(f) Each ARFPSHN shall ensure that an operable automatic fire sprinkler system is installed and maintained.

(g) Each ARFPSHN shall have an operable automatic fire sprinkler system that is approved by the State Fire Marshal and that meets the National Fire Protection Association (NFPA) 13D standard for the installation of

sprinkler systems in single- and two-family dwellings and manufactured homes. A local jurisdiction shall not require a sprinkler system exceeding this standard by amending the standard or by applying standards other than NFPA 13D. A public water agency shall not interpret this section as changing the status of a facility from a residence entitled to residential water rates, nor shall a new meter or larger connection pipe be required of the facility.

(h) Each ARFPSHN shall provide an alternative power source to operate all functions of the facility for a minimum of six hours in the event the primary power source is interrupted. The alternative power source shall comply with the manufacturer's recommendations for installation and operation. The alternative power source shall be maintained in safe operating condition, and shall be tested every 14 days under the full load condition for a minimum of 10 minutes. Written records of inspection, performance, exercising period, and repair of the alternative power source shall be regularly maintained on the premises and available for inspection by the State Department of Developmental Services.

SEC. 16. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 17. (a) Section 14.5 of this bill incorporates amendments to Section 31700 of the Penal Code proposed by both this bill and Assembly Bill 1292. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 31700 of the Penal Code, and (3) this bill is enacted after Assembly Bill 1292, in which case Section 14 of this bill shall not become operative.

(b) Sections 9.1 and 9.2 of this bill incorporate amendments to Section 26835 of the Penal Code proposed by both this bill and Assembly Bill 645. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 26835 of the Penal Code, (3) Senate Bill 61 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 645, in which case Sections 9, 9.3, 9.4, 9.5, and 9.6 of this bill shall not become operative.

(c) Sections 9.3 and 9.4 of this bill incorporate amendments to Section 26835 of the Penal Code proposed by both this bill and Senate Bill 61. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 26835 of the Penal Code, (3) Assembly Bill 645 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Senate Bill 61, in which case Sections 9, 9.1, 9.2, 9.5, and 9.6 of this bill shall not become operative.

(d) Sections 9.1, 9.5, and 9.6 of this bill incorporate amendments to Section 26835 of the Penal Code proposed by this bill, Assembly Bill 645, and Senate Bill 61. Those sections of this bill shall only become operative if (1) all three bills are enacted and become effective on or before January

1, 2020, (2) all three bills amend Section 26835 of the Penal Code, and (3) this bill is enacted after Assembly Bill 645 and Senate Bill 61, in which case Sections 9, 9.2, 9.3, and 9.4 of this bill shall not become operative.

SEC. 18. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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