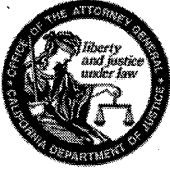


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| <p>California Department of Justice<br/>DIVISION OF LAW ENFORCEMENT<br/>Kevin Gardner, Chief</p>  | <h1>INFORMATION<br/>BULLETIN</h1>                      |                                                                                     |
| <p>Subject:</p> <p><b>Assignment of Firearms to Licensed Security<br/>Guards by Private Patrol Operators</b></p>                                                                   | <p>No.<br/>2017-BOF-01</p> <p>Date:<br/>11/02/2017</p> | <p>Contact for information:</p> <p><b>Bureau of Firearms<br/>(916) 227-7527</b></p> |

**TO: All California Law Enforcement Agencies, California Firearm Dealers, Private Patrol Operators, and all other interested persons**

### **AB 2220 (Stats. 2014, ch. 423) – Private Patrol Operators**

This information bulletin provides a brief summary of Assembly Bill (AB) 2220 (Stats. 2014, ch. 423) which became effective July 1, 2016. The California Legislature enacted legislation that establishes procedures allowing a Private Patrol Operator (PPO) business entity to be a registered owner of a firearm. Additionally, this bill allows a security guard to be assigned a firearm by the PPO and for a firearm custodian to be designated by the PPO.

### **Background**

Previous practices and statutes authorized the purchase, registration, and ownership of firearms by an individual, but not by a business entity. AB 2220 authorized business ownership and registration of firearms in the case of PPOs who are actively providing armed private contract security services. A PPO may assign firearms it owns to employees who are licensed to carry firearms by the Bureau of Security and Investigative Services (BSIS). An assignment of a firearm by a PPO to an employee does not constitute a loan, sale, or transfer of a firearm. (Pen. Code §§ 28010, 28012, 28018.)

### **Records of Sale Submitted to the Department of Justice**

The current Dealer Record of Sale (DROS) Entry System (DES) is not capable of recognizing a business as a firearm purchaser or owner. As a result of AB 2220, the Department of Justice (DOJ) intends to modify the DES and Automated Firearm System (AFS) to allow a PPO to be listed as the purchaser and registered owner of a firearm. Additionally, the DOJ intends to create a process for PPOs to submit a Certificate of Assignment to identify the employee of the PPO in AFS who has been assigned a firearm owned by the PPO. (Pen. Code § 28012.) These changes are anticipated to be completed by July 1, 2019.

For the interim period, California firearms dealers are advised to continue completing the current DROS process to the owner or manager of the PPO for any firearms being purchased on behalf of the business. The PPO is responsible for maintaining their own firearm assignment records.

### **Law Enforcement**

Until modifications to the DES and AFS systems are complete, law enforcement personnel may continue to encounter armed security guards who have the requisite permits and qualifications to carry a firearm in the course of their duties as security guards, but who are not actually the registered owners of the firearm. A security guard licensed to carry a firearm by BSIS, is eligible to be assigned a business owned firearm by a PPO for whom they are employed. An assignment of a firearm to an eligible and licensed security guard by a PPO is not a violation of Pen. Code § 27545. (Pen. Code §§ 28010, 28012, 28018.)

In some cases, law enforcement has confiscated the firearm during a traffic stop or other encounter where the only issue was the firearm not being registered in the security guard's name. In circumstances where the firearm is properly assigned to a security guard, law enforcement agencies are encouraged to refrain from taking any action to confiscate the firearm or arrest the security guard for offenses related to possession of a firearm by an individual other than the registered owner, if the firearm can be determined to be registered to a representative of the security guard's employing PPO.

If you have any questions regarding this Information Bulletin, please contact the Department of Justice, Bureau of Firearms at (916) 227-7527.

Sincerely,



KEVIN GARDNER, Chief  
Division of Law Enforcement

For XAVIER BECERRA  
Attorney General