

File No. 250217

Committee Item No. _____

Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: March 11, 2025

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER

- Assembly Bill no. 458 2/6/2025
- CSAC/LCC Standing 3/4/2025
- _____
- _____
- _____
- _____

Prepared by: Jocelyn Wong

Date: March 7, 2025

Prepared by: _____

Date: _____

1 [Supporting California State Assembly Bill No. 458 (Stefani) - Public Contracts: Firearms,
2 Ammunition, and Firearm Accessories]

2

3 **Resolution supporting California State Assembly Bill No. 458, introduced by Assembly**
4 **Member Catherine Stefani, which establishes new compliance requirements for bidders**
5 **and contractors in state agency procurement of firearms, ammunition, and firearm**
6 **accessories, including provisions for contract rejection or cancellation under specified**
7 **circumstances.**

8

9 WHEREAS, The California State Legislature introduced Assembly Bill No. 458 (AB
10 458), the Ira Sharp Firearm and Ammunition Procurement Act, to establish new procurement
11 standards for state agency contracts related to the acquisition of firearms, ammunition, and
12 firearm accessories; and

13 WHEREAS, The legislation requires bidders and contractors to undergo a
14 comprehensive vetting process during the bidding stage, annually, and upon request from the
15 Department of General Services or a state agency to ensure compliance with state and
16 federal laws as well as firearm safety regulations; and

17 WHEREAS, AB 458 mandates that a state agency reject a bid or cancel a contract if a
18 vendor fails to meet these vetting standards or is found to be misaligned with the state's public
19 safety values regarding firearms, ammunition, and firearm accessories; and

20 WHEREAS, A Brady investigation revealed that law enforcement agencies across
21 California have spent millions of taxpayer dollars purchasing firearms from manufacturers and
22 dealers with documented violations of federal firearm regulations; and

23 WHEREAS, The investigation also found that California law enforcement agencies lack
24 an adequate vetting process for selecting firearm vendors, resulting in public funds supporting
25 businesses with a history of violations; and

1 WHEREAS, AB 458 seeks to enhance transparency and accountability by requiring
2 firearm industry vendors seeking state contracts to disclose federal trace requests, inspection
3 histories, compliance violations, and theft/loss records from the past five calendar years; and

4 WHEREAS, The bill requires vendors to maintain policies that prevent firearm
5 trafficking, straw purchases, and illegal sales, as well as implement employee training
6 programs and digital surveillance systems to enhance compliance with firearm safety laws;
7 and

8 WHEREAS, The proposed legislation would ensure that taxpayer dollars are not used
9 to support firearm dealers and manufacturers with a history of noncompliance, thereby helping
10 to reduce firearm-related crime and violence; and

11 WHEREAS, AB 458 explicitly prohibits vendors from selling unserialized gun build kits
12 and firearm precursor parts, including unserialized firearms, unfinished frames, and unfinished
13 receivers; and

14 WHEREAS, The bill establishes a process for the Department of General Services and
15 the Department of Justice to develop procedures for assessing compliance, including a
16 prequalification system, a scoring system based on public safety values, and contract
17 termination provisions for non-compliant vendors; now, therefore, be it

18 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
19 hereby supports Assembly Bill No. 458, the Ira Sharp Firearm and Ammunition Procurement
20 Act, as a critical measure to enhance firearm procurement accountability and public safety;
21 and, be it

22 FURTHER RESOLVED, That the Board of Supervisors urges the California State
23 Legislature and the Governor to enact AB 458 to ensure California's procurement policies
24 uphold the highest safety and compliance standards; and, be it

25

1 FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall transmit a
2 copy of this Resolution to the Governor of California, the President pro Tempore of the
3 California State Senate, the Speaker of the California State Assembly, and Assembly Member
4 Catherine Stefani, to express the City and County of San Francisco’s strong support for this
5 legislation.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)

AB-458 Public contracts: firearms, ammunition, and firearm accessories. (2025-2026)

SHARE THIS:



Date Published: 02/06/2025 09:00 PM

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 458

Introduced by Assembly Member Stefani

February 06, 2025

An act to add Section 10334.1 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 458, as introduced, Stefani. Public contracts: firearms, ammunition, and firearm accessories.

Existing law generally regulates contracts entered into by any state agency for the acquisition of goods and requires public contracts to be awarded by competitive bidding pursuant to specified procedures. Existing law makes specified violations of these provisions a crime.

This bill would, during the bidding process, on an annual basis, and upon request of the Department of General Services or a state agency, as applicable, require a bidder for, or a party to, a contract with a state agency for the procurement of firearms, ammunition, or firearm accessories to take specified acts. The bill would require a state agency to reject a bid or cancel a contract under specified circumstances. The bill would define various terms for these purposes. By expanding the scope of a crime, this bill would impose a state-mandated local program.

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

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

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 10334.1 is added to the Public Contract Code, immediately following Section 10334, to read:

10334.1. (a) (1) This section shall be known, and may be cited, as the Ira Sharp Firearm and Ammunition Procurement Act.

(2) The purpose and intent of this section is for the state to develop procurement practices for firearms, ammunition, and firearm accessories.

(3) This section applies to any contract for procuring firearms, ammunition, or firearm accessories a state agency solicits, enters into, awards, amends, renews, or extends on or after January 1, 2026.

(b) For purposes of this section:

(1) "Ammunition" has the same meaning as defined in Section 16150 of the Penal Code.

(2) "Contractor" means any person, firm, corporation, or partnership, or any combination thereof, who enters into a contract or agreement with a state agency.

(3) "Firearm" has the same meaning as defined in Section 16520 of the Penal Code.

(4) "Firearm accessory" means a supplementary item or component designed to do either of the following:

(A) Enhance a firearm's functionality, performance, or user experience.

(B) Modify a firearm or external gear used in conjunction with a firearm, including, but not limited to, any of the following:

(i) Sights and optics.

(ii) Holsters.

(iii) Magazines.

(iv) Grips.

(v) Slings.

(vi) Muzzle devices, suppressors, compensators, and flash hiders.

(vii) Bipods.

(viii) Trigger upgrades and conversion devices.

(ix) Cleaning kits.

(x) Ammunition carriers.

(5) "Firearm precursor part" has the same meaning as defined in Section 16531 of the Penal Code.

(6) "State agency" means any office, officer, department, division, board, bureau, or commission of the state.

(c) During the bidding process, on an annual basis, and upon request of the department or a state agency, as applicable, a bidder for, or party to, a contract with a state agency for the procurement of firearms, ammunition, or firearm accessories shall do all of the following:

(1) Comply with all applicable local, state, and federal laws, including any licensing, certification, or permitting laws.

(2) Provide proof and a copy of any required valid license, permit, or certificate to the appropriate state agency.

(3) Provide materials documenting both of the following:

(A) The number of trace requests the bidder or contractor received from the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives for each year within the past five calendar years.

(B) The time between the sale of a firearm subject to a trace request described in subparagraph (A) and the crime that generated the trace request, if known.

(4) Provide materials documenting any thefts or losses from the bidder's or contractor's premises for the past five calendar years.

(5) Provide a copy of the two most recent inspection reports of any firearm, ammunition, or firearm accessory inspection conducted by a federal, state, or local agency, including, but not limited to, any followup materials documenting administrative actions taken by the agency.

(6) Disclose any violation found from any type of inspection conducted by a federal, state, or local agency during the two most recent firearm, ammunition, or firearm accessory inspections.

(7) Provide any materials documenting the bidder's or contractor's corrective actions taken in response to a finding of noncompliance or violation of any federal, state, or local firearm, ammunition, or firearm accessory law, regulation, or other requirement.

(8) Provide, in writing, any practices or policies, including, but not limited to, any amendments to those practices or policies made during the solicitation process, in effect or adopted by the bidder or contractor or required by any contract term that do any of the following:

(A) Prevent, detect, or screen for the transfer of firearms, ammunition, or firearm accessories to straw purchasers or firearm traffickers.

(B) Prevent, detect, or screen against the sale of firearms, ammunition, or firearm accessories to an individual prohibited from possessing a firearm by federal law, state law, local law, or court order.

(C) Prevent, detect, or document the theft or loss of firearms, ammunition, or firearm accessories.

(D) Train employees or subcontractors to ensure compliance with all applicable federal, state, or local firearms, ammunition, or firearm accessories laws and regulations.

(E) Assist law enforcement agencies in the investigation or prevention of criminal access to firearms, ammunition, or firearm accessories.

(F) Operate a digital video surveillance system.

(9) Agree not to sell unserialized gun build kits or firearm precursor parts, including, but not limited to, unserialized firearms, unserialized unfinished frames, and unserialized unfinished receivers.

(10) Provide proof of compliance with any applicable federal, state, or local law related to firearm precursor parts.

(d) A state agency shall reject a bid from a bidder or cancel a contract with a contractor if either of the following conditions is met:

(1) The bidder or contractor has not complied with this section.

(2) The state agency or the department determines that the bidder or contractor is not aligned with the state's public safety values relating to firearms, ammunition, and firearm accessories.

(e) A state agency shall not do either of the following:

(1) Waive the requirements of this section.

(2) Make exigent or emergency purchases of firearms, ammunition, or firearm accessories.

(f) (1) The department, in coordination with the Department of Justice, shall develop processes and procedures to implement this section that include, but are not limited to, a process to administer and assess a bidder's or contractor's compliance with the requirements of this section.

(2) The processes and procedures required by paragraph (1) may include any of the following:

(A) A prequalification process to prequalify potential bidders.

(B) A scoring system to be used in contracting or purchasing that evaluates a bidder's or contractor's public safety values relating to firearms, ammunition, and firearm accessories.

(C) Terminating contracts for contractors found to not be in compliance with the terms of this section.

SEC. 2. 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.

From: [Rosas, Lorenzo \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Chung, Lauren \(BOS\)](#); [Sherrill, Stephen \(BOS\)](#)
Subject: Introduction Request -- AB 458 (2025) Support Resolution
Date: Tuesday, March 4, 2025 10:59:46 AM
Attachments: [AB 458 \(Stefani\) Support Resolution - Introduction Form.pdf](#)
[AB 458 Support Resolution Language.doc](#)
[AB 458 Support Resolution Language.pdf](#)
[Bill Text - AB-458 Public contracts firearms, ammunition, and firearm accessories .pdf](#)

Hello,

Please see attached for introduction documents for a resolution in support of Assembly Bill No. 458 (Stefani), the Ira Sharp Firearm and Ammunition Procurement Act. This resolution is to be scheduled for next week's schedule under the Adoption Without Reference to Committee section.

I have also attached the PDF copy of the State Bill. I confirm that **this item is routine and not controversial**. I confirm that **both the League of California Cities and the California State Association of Counties have not taken a position on this bill**.

Please let me know what else is needed for this introduction.

Best,

Lorenzo Rosas | Legislative Director
Office of Supervisor Stephen Sherrill
San Francisco Board of Supervisors, District 2
City Hall, Room 256
(415) 554-7752
<https://sfbos.org/supervisor-sherrill-district-2>

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor inquires..."
- 5. City Attorney Request
- 6. Call File No. from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: