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AB-1974 Firearms: voluntary firearm storage program. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1974**Introduced by Assembly Member Stefani****February 13, 2026**

An act to add Section 25010 to the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1974, as introduced, Stefani. Firearms: voluntary firearm storage program.

Existing law requires a person, who claims title to a firearm that is in the custody of a court or law enforcement agency and wishes to have it returned, to make an application for a determination by the Department of Justice as to whether the applicant is eligible to possess a firearm. Under existing law, a law enforcement agency or court that has taken custody of a firearm is prohibited from returning the firearm to an individual unless specified requirements are met, including, but not limited to, requiring the person to be eligible to possess a firearm and verifying that the firearm is not listed as stolen and the firearm has been recorded in the Automated Firearms System in the name of the person, as specified. Existing law requires any weapon that was carried unlawfully for specified crimes to be surrendered to specified law enforcement entities. Existing law requires weapons surrendered pursuant to these provisions to be destroyed by the law enforcement entity.

This bill would authorize a law enforcement agency, as defined, to create a voluntary firearm storage program that allows a person to voluntarily transfer custody of their firearm to the local law enforcement agency for temporary safekeeping purposes to prevent firearm violence, suicide, and other injury. The bill would authorize a law enforcement agency adopting this program to provide clear instructions on the procedure to voluntarily transfer custody of a firearm and to provide explicit instructions on the process for requesting return of the firearm, as specified. Upon receipt of a firearm, the bill would authorize a law enforcement agency to, among other things, check a certain database to ensure the firearm has not previously been reported lost, stolen, or involved in a crime and ensure that the requesting person is eligible to possess firearms when the firearm is returned to the person. The bill would require a law enforcement agency to destroy a firearm that a person failed to retrieve at the end of a time period specified by the law enforcement agency.

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

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

SECTION 1. It is the intent of the Legislature to encourage law enforcement agencies to make family law advocates and veterans' outreach programs aware of programs created by the law enforcement agencies that allow a person to voluntarily transfer custody of their firearm to a law enforcement agency for temporary safekeeping purposes to prevent firearm violence, suicide, and other injury.

SEC. 2. Section 25010 is added to the Penal Code, to read:

25010. (a) A law enforcement agency may create a voluntary firearm storage program that allows a person to voluntarily transfer custody of their firearm to the local law enforcement agency for temporary safekeeping purposes to prevent firearm violence, suicide, and other injury.

(b) A law enforcement agency adopting a program pursuant to this section shall not be held liable for damage to the firearms while the firearms are in the temporary custody of the agency.

(c) All of the following may be required as part of the program:

(1) A law enforcement agency shall have the capability to store a firearm for a minimum duration of one year.

(2) A law enforcement agency may do all of the following:

(A) Provide clear instructions on the procedure for a person to voluntarily transfer custody of their firearm to the law enforcement agency, and make the procedure available to the public on the agency's internet website in a manner that is consistent with the information that shall be posted in accordance with subdivision (h) of Section 13667.

(B) Provide explicit instructions on the process for requesting return of the firearms in accordance with Chapter 2 (commencing with Section 33850) of Division 11, including, but not limited to, by electronically submitting a Law Enforcement Release application for the return of a firearm via the California Firearms Application Reporting System.

(C) Provide clear information on the maximum amount of time that the law enforcement agency may store a firearm and on the disposition of a firearm after the firearm has exceeded the maximum storage time allowed by the local law enforcement agency. This information shall notify the person that their firearm or firearms shall be destroyed, returned to the person, or transferred to a federal firearms licensee to be sold.

(D) Upon receipt of a firearm:

(i) Check the Automated Firearms System to ensure the firearm has not previously been reported as lost or stolen or otherwise involved in a crime pursuant to Section 33855.

(ii) Update the Automated Firearms System to record the current disposition of the firearm pursuant to Section 11108.2.

(iii) Prior to the return of a firearm to a person requesting its return, the law enforcement agency shall ensure that the requesting person is eligible to possess firearms when the firearm is returned to the person pursuant to Section 33855.

(iv) Upon return or destruction of the firearm, a law enforcement agency shall update the Automated Firearms System to reflect the change in disposition pursuant to the agency's policy under Section 18005.

(d) Failure to retrieve the firearm at the end of a time period specified by the law enforcement agency shall result in the firearm being destroyed pursuant to the agency's policy under Section 18005.

(e) It is encouraged that a law enforcement agency makes family law advocates and veterans' outreach programs aware of the program.

(f) This section does not limit a law enforcement agency's ability to accept firearms for voluntary temporary firearm storage pursuant to any other authority.

(g) For purposes of this section, a law enforcement agency means a police department or sheriff's department.