



BUYING A GUN ISN'T HARD

by Bill Ortiz

California's much deserved reputation for complex gun laws often leaves new gun buyers intimidated. They shouldn't be. Gun stores are staffed with people who know the ropes and can walk you through the process. Here it is in a nutshell.

ARE YOU ELIGIBLE?

First, you need to meet some minimum age requirements. You need to be 18 years old if you are buying a long gun (rifle or shotgun). And you need to be 21 if you are buying a handgun, a rifle receiver or a pistol-gripped shotgun.

You also need to be a California "resident." Military personnel with current PCS orders designating a duty station within CA are considered to be CA residents.

If you have any doubts about whether or not you are legally eligible to own/possess firearms, you should send a "Personal Firearms Eligibility Check" to the California Department of Justice ("DOJ"), before trying to buy a gun. You can find that form at: <https://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/forms/pfecapp.pdf>.

PICK YOUR PIECE

In spite of California laws preventing the sale of certain handguns, shotguns and rifles, there is still a vast selection of firearms available at your local gun shop for hunting, competition, self-defense or casual target shooting. Gun store employees will help you choose the right gun for your specific application and needs.

BRING DOCUMENTATION

Once you decide which firearm to buy you will need to bring in certain documents.

First, you're going to need a California Driver's License or California ID Card. Federal law requires you to provide a current identification that has your name, picture, date of birth, and residence address. If you have recently moved and/or have your mail sent to a P.O. Box or some other location that's not your actual residential address, you will need a separate government-issued document, in addition to your I.D., reflecting your current residence address. This can be any number of government-issued documents including your vehicle registration, voter identification card, or tax bill. The staff in your local gun store can offer more examples of documents that can establish your physical address for this ATF requirement.

Second, California law requires you to use a California driver's license or California ID card in order to initiate your firearm

background check. California DOJ also accepts military identification coupled with permanent duty station orders indicating a posting in California. But California isn't done with you yet.

If you are buying a handgun, you will need an additional proof of residency. This includes a "utility bill" from the last three months; residential lease; property deed; or current government-issued license, permit, or registration (other than your driver's license or California ID). A more detailed explanation of these can be found at: <https://oag.ca.gov/firearms/dlrfaqs>.

Get the State Certificate

You will need to have either a current "Firearm Safety Certificate" ("FSC") to purchase a handgun or long gun or, if you are just purchasing a handgun, you can use an unexpired "Handgun Safety Certificate." (DOJ stopped issuing Handgun Safety Certificates on January 1, 2015. Valid for 5 years only, eventually all gun buyers will have to obtain the newer FSC). If you don't have either, you can usually acquire an FSC from a firearms dealer or one of their employees. The test for the FSC requires you to answer questions concerning firearms safety and California firearms law. It is rather straightforward, and if you use common sense, you should do fine. Nevertheless, if you need to brush up, there is information concerning the test located at: <https://oag.ca.gov/firearms/forms>. There are study guides in both English and Spanish. As with other California gun laws, some gun buyers will be exempt from the FSC requirement; the staff at your local shop will let you know if you are.

FILL OUT THE FORMS, FORMS, FORMS

You will need to fill out a federal 4473 form. Answer all of the questions truthfully, as it's a violation of federal law to lie on the form. If you have any concerns about the form's questions, they are explained at the end of the form. The firearms dealer will also be available to address some general questions or concerns. But the dealer shouldn't be providing answers to questions seeking legal advice.

The dealer will also fill out a California "Dealer's Record of Sale" or DROS form. This is often done by the dealer using the information you provide on the 4473 form and your identification. The dealer will either ask you or have you answer a short set of questions concerning your eligibility to purchase firearms.

At the time of purchasing the firearm, you will also have to walk through the safe handling of the firearm. Typically, this

involves the loading (with dummy rounds), unloading, and applying/removing the firearm safety device. Gun buyers exempt from the FSC requirement are generally exempt from the safe handling demonstration.

Local cities or counties may also require you to fill out forms. Likewise some dealers may opt to have you fill out and sign business or safety/legal forms in order to document certain acknowledgments regarding purchase terms or warranties.

WAIT 10 DAYS

Once you have submitted the forms, you should be done. But there are a couple of time-related restrictions. The state of California requires a 10-day wait (this wait is being challenged in court). The wait requires ten 24-hour periods. For example, if you are buying the firearm at 7 pm, you can pick up the firearm ten days later at 7 pm. If the store isn't open on that day, the earliest you can pick up the firearm is the next day.

There is also a restriction on your ability to purchase more than one new handgun in a 30-day period from the dealer. So, if you want to purchase two new handguns from the dealer, you will need to wait. Handguns on consignment at your local dealer are exempt from this restriction.

PICK IT UP!

The dealer will contact you if there is a delay (or worse, a denial) of your background check. Not hearing from the dealer during your 10-day wait is normal and usually is a positive sign. Just keep in mind that you'll need to pick up your firearm within 30 days (30 24-hour periods) of your original background or you'll need to start over again with a new background check per federal and state law.

Your local dealer can guide you through the process; you'll be a pro after your first purchase or two. If you have difficulties arise that aren't covered above, you can consult resources such as *California Gun Laws* (C.D. Michel) available at dealers such as Turner's Outdoorsman. Likewise you can consult an attorney who specializes in firearms law.

Bill Ortiz is Vice President of Compliance at Turner's Outdoorsman. In business since 1971, Turner's has 19 stores located throughout Southern California and is planning to open more stores throughout California in the coming years.