

**TO:** James L. App, City Manager

**FROM:** Dennis J. Cassidy, Chief of Police 

**SUBJ:** Fee Schedule Adjustment

**DATE:** October 5, 1999

**NEEDS:** For the City Council to consider adjusting user fees for certain services provided by the Police Department.

- FACTS:**
1. User fees for certain services provided by the Police Department have not been adjusted since 1995 and do not reflect current costs of those services.
  2. User fees are designed to recover part or all of the costs for services that are non-emergency response oriented.
  3. Fees associated with LiveScan fingerprinting and concealed weapons permits services are authorized by the California Constitution, Article XIII B and the California Department of Justice. Fees are calculated using the "costs reasonably borne" test established by section 8 (c) of proposition 4.
  4. The Police Department has obtained a LiveScan computerized fingerprint system, which has a yearly maintenance cost of \$6,800.00.
  5. The California Department of Justice allows a maximum fee of \$100.00 per applicant for a Concealed Weapons Permit and a maximum fee of \$25.00 for each renewal.

**ANALYSIS & CONCLUSION:**

The Police Department currently assesses user fees for certain services provided by the Department. These fees are designed to offset the costs involved in providing that service or material. These fees have not been adjusted since 1995.

The fees currently charged for individual fingerprints are \$10.00 per person. With the implementation of the LiveScan Fingerprint system, there will be an annual maintenance cost of \$6,800.00. Due to the \$6,800.00 maintenance cost per year, it is recommended that the fees for this service be increased to \$20.00 per person to offset this cost.

An estimated 495 people were fingerprinted last fiscal year at \$10.00 per person for a total recovery of \$4,940. It takes approximately 20 minutes of an Officer's time to print one individual. An Officer's hourly cost to the City is about \$32.59. This equates to approximately \$10.86 per person being fingerprinted. This does not include multiple prints or re-printing an individual. With the LiveScan annual maintenance cost of \$6,800.00, increasing the fee to \$20.00 per person will increase cost recovery for the Officer's time plus offset the annual maintenance cost of the system.

The current fees established by resolution for a Concealed Weapons Permit application is \$125.00 per application and \$40.00 per renewal. The California Department of Justice allows issuing agencies to charge a maximum of \$100.00 per application and \$25.00 per renewal. It is recommended that the fees per application be reduced to \$100.00 and the fees per renewal be reduced to \$25.00 to be in compliance with California Department of Justice guidelines.

**POLICY REFERENCE:**

The City Councils adopted fiscal policy and the current existing council adopted fee schedules.

DATE: AGENDA ITEM # \_\_\_\_\_  
( ) APPROVED ( ) DENIED  
( ) CONTINUED TO \_\_\_\_\_

**FISCAL  
IMPACT:**

Approximately \$12,000.00 increased cost recovery for the General Fund.

**OPTIONS:**

1. Adopt the attached resolution.
2. Amend, modify, or reject the above option.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL PASO DE ROBLES  
ADOPTING THE PROPOSED FEE SCHEDULE  
ADJUSTMENT FOR POLICE SERVICES**

WHEREAS, the City Council of City of El Paso de Robles recognizes the need to adjust user fees to certain Police services; and

WHEREAS, the existing fees have not been adjusted or changed since 1995; and

WHEREAS, a comprehensive cost analysis study has been conducted by the Police department to determine appropriate user fees.

NOW, THEREFORE, BE IT HEREBY RESOLVED the City Council of the City of El Paso de Robles does declare that "Attachment A " contains the appropriate fee schedule adjustments for Police services and approves of those changes.

APPROVED AND ADOPTED by the City Council of the City of El Paso de Robles this 1st Day of October, 1999 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Duane J. Picanco, Mayor

Attest:

\_\_\_\_\_  
Sharilyn M. Ryan, Deputy City Clerk

## Fee Schedule

(Attachment A)

Crime Report	\$ 13.50 plus .10/page
Traffic Collision Report	
Property Damage Only	\$ 45.00 plus .10/page
Full Investigation	\$ 85.00 plus .10/page
Daily Log Copies	\$ 5.00 plus .10/page
Clearance Letter	\$ 10.00
Local Records Check	\$ 5.00
Photos	\$ 12.00 plus cost of prints
Fingerprints	\$ 20.00/person
Vehicle Release	\$ 50.00 <b>CASH ONLY</b>
VIN Verification	\$ 10.00
Citation Sign Off    (NO CHP Cites)	\$ 10.00
Vehicle Repossession	\$ 15.00 <b>CASH ONLY</b>
Alarm Permits	\$ 35.00
False Alarms	\$ 25.00
2 <sup>nd</sup> Hand Dealer Permit	\$105.00
Taxi Permit	\$130.00
Concealed Weapons Permit	\$100.00
Concealed Weapons Permit Renewal	\$ 25.00
Diversion Program	\$ 90.00
Subpena	\$ 15.00 plus cost of report

## I. Concealed Weapon Permits

A. It is the policy of the Paso Robles Police Department, pursuant to Penal Code Section 12050(a), that the Chief of Police may issue a license for carrying a concealed firearm to a person provided it has been substantiated that the person is of good moral character and that good cause exists for the issuance. The person must be a resident of the City of Paso Robles or employed in the City and who is a resident within San Luis Obispo County.

### B. Categories of Permits

#### 1. Standard Permit

- a. A Standard Permit may be issued to a resident of the City; or a person employed in the City and who is a resident within San Luis Obispo County.
- b. A Standard Permit may be valid for a period of time not to exceed two (2) years.

#### 2. Judicial Permit

- a. A Judicial Permit may be issued to a California Judge, full-time California Court Commissioner, Federal Judge, and/or Federal Magistrate.
- b. A Judicial Permit may be valid for any period of time not to exceed three (3) years.

#### 3. Reserve Peace Officer

- a. A Reserve Peace Officer Permit may be issued to a reserve police officer for the City appointed pursuant to Penal Code Section 830.6.
  - 1) A Reserve Peace Officer Permit for a reserve peace officer from another jurisdiction who lives within the City may be issued only upon a written request from the Chief of Police or Sheriff of the appointing jurisdiction.
- b. A reserve Peace Officer Permit is valid for any period of time not to exceed four (4) years, except that any such

license shall be invalid upon the conclusion of the person's appointment as a reserve officer.

C. Restrictions

1. The permit may be restricted as to:
  - a. The time, place and circumstances under which the person may carry a concealed firearm.
  - b. The type of weapon(s) to be carried. This may include make, model, serial number, and the caliber of the weapon(s) to be carried.
  - c. The type of ammunition to be utilized.
  - d. Any other restriction as deemed necessary by the Chief of Police.

II. REQUIREMENTS

A. Interview

Applicant must submit to an interview by the Chief of Police or his designated representative. Applicant must appear in person at the time of application. Telephonic or mail applications will not be accepted.

B. Residency

An applicant must be a bonafide resident of or employed in the City of Paso Robles. Non-residents shall be referred to the law enforcement agency of the city or county in which they reside.

1. An applicant must have a street address within the City of Paso Robles.
  - a. A post office box address will not be accepted as proof of residency or employment.

C. Good Character

Applicant must attest to a reputation of good character with respect to his/her ability to responsibly and safely use a concealed weapon.

1. Applicant must pass a background investigation in regards to Criminal History.
  - a. NO felony arrest conviction.
  - b. NO alcohol or drug related arrest conviction within the last five (5) years.
  - c. No drug related arrest conviction for sales or possession for sales of any drug, or possession or under the influence of methamphetamine, any opiate-based drug or any hallucinogenic drug.
  - d. NO convictions for crimes of violence.
  - e. NOT currently subject to a restraining order involving domestic violence/spousal abuse or stalking.
2. No permit will be issued to an applicant with a history of mental disorders. (This includes any commitment pursuant to Section 5150 of the Welfare and Institutions Code and/or any court ordered or voluntary commitment to a mental facility.)
3. No permit will be issued to an applicant who has a history of drug abuse or alcoholism.

D. Good Cause

1. 90 Day Employment (Such CCWs may be issued only by sheriffs, are valid only in the county of issuance and may be valid for a period of time not to exceed 90 days.)
2. Standard Permit

Applicants for a Standard Permit must establish that good cause exists to support a request for a permit to carry a concealed weapon. Criteria that establishes good cause is:

- a. Specific evidence exists that there has been or is likely to be an attempt on the part of a second party to do great bodily harm.
- b. The nature of the business or occupation of the applicant is such that it is subject to high personal risk and/or criminal attack.

- c. A task of the business or occupation of the applicant requires frequent transportation of large sums of money or other valuables and alternative protective measures or security provisions cannot be reasonably employed. (Such is licensed armor car and/or security services. Cost of such services is NOT a relevant factor when evaluating the need for a concealed weapon permit).
- d. The business or occupation is of a high-risk nature and requires the applicant's presence in a dangerous environment and/or area.
- e. The occupation or business of the applicant is such that no means of protection, security or risk avoidance, other than carrying a concealed firearm is practical.
- f. The applicant acting as the agent of a second party or firm is authorized by that party or firm to exercise the extreme measures implied by the issuance of said permit and that party or firm accepts liability for the actions of the agent. A letter from the employing agency requesting the issuance of a permit and assuming liability arising out of the use of the permit must be submitted prior to the issuance of the permit.
- g. Other specific criteria as deemed appropriate by the Chief of Police.

### 3. Judicial Permit

Criteria for good cause for issuance of a Judicial Permit may include:

- a. Applicant has received credible threats of bodily harm to the applicant and/or his/her immediate family.
- b. Suspicious circumstances/incidents have occurred wherein the applicant and/or members of his/her immediate family are the intended victim which reasonable give rise to the belief that there is a potential threat for bodily injury.
- c. Involvement in a judicial proceeding(s) which reasonable may give rise to the potential for violence against the applicant and/or his/her immediate family.
- d. Other specific criteria as deemed appropriate by the Chief of Police.

4. Reserve Police Officer Permit

Criteria for good cause for issuance of a Reserve Police Officer Permit may include:

- a. Applicant is currently a Reserve Police Officer for the Paso Robles Police Department appointed pursuant to section 830.6 of the Penal Code.
- b. Applicant is currently a Reserve Police Officer for another jurisdiction appointed pursuant to section 830.6 of the Penal Code who lives within the City of Paso Robles.
  - 1) Shall be issued only upon a written request from the Chief of Police or Sheriff of the appointing jurisdiction.
- c. Other specific criteria as deemed appropriate by the Chief of Police.

E. Firearm Safety and Proficiency

Applicants must attend, and provide proof of successful completion, of a training course acceptable to the Chief of Police, which shall not exceed 16 hours. The course shall include instruction on at least firearms safety and the law regarding the permissible use of a firearm. For license renewal applicants, the course of training may be any course acceptable to the Chief of Police, shall be no less than four hours, and shall include instruction on at least firearms safety and the law regarding the permissible use of a firearm.

Applicant must demonstrate knowledge of firearm safety and proficiency in handling the weapons(s) intended to be carried upon successful completion of the following:

1. The weapon(s) will be inspected by a Rangemaster of the Paso Robles Police Department.
2. The applicant will shoot a qualifying score with the approved weapon(s) under the supervision of a Rangemaster approved by the Chief of Police.
3. Only the weapon(s) that has passed the criteria listed in this section will be listed on the permit as an authorized weapon. In no case will more than two (2) weapons be listed on the permit.

4. A Rangemaster approved by the Chief of Police will ensure that the applicant understands the laws applicable to the permissible use of a firearm.

F. Mental/Physical Condition

1. At the time of application for a new or renewal permit the applicant shall provide a letter from a licensed physician certifying:
  - a. The applicant to be in good physical condition and possessing eyesight correctable to a minimum of 20/30 in each eye and that his/her eyesight is free from any condition which could impair visual acuity.
2. At the time of application for a new or renewal permit the applicant shall provide a letter from Dr. Nancy Webber, PHD, certifying:
  - a. The applicant is mentally competent to be entrusted with the carrying of a concealed weapon.

G. Liability Insurance

1. At the time of application for a new or renewal permit, the applicant shall provide a copy of a current Homeowner/Renter insurance policy certifying that the applicant has a minimum of \$100,000.00 of liability coverage. This policy shall remain current during the duration of the permit.

H. Additional Requirements

The Chief of Police may include other requirements as warranted.

I. Additional Restrictions

The Chief of Police may restrict the applicant as to when and where he/she may carry a concealed weapon. Such restrictions will be listed on the concealed weapons permit. It is the general policy of the Paso Robles Police Department that a concealed weapons permit will not be issued in situations where the primary use of the permit will be outside the City of Paso Robles.

1. Violation of any condition or restriction placed on the issuance of a concealed weapons permit may result in the immediate revocation of the permit.
2. The license is invalid if the licensee is arrested for a crime, which includes driving under the influence of alcohol and/or drugs. A licensee who is

arrested for any reason must notify the Paso Robles Police Department immediately.

### III PROCEDURE

- A. The following procedure for the issuance of a license to carry a concealed firearm shall be followed:
1. Any person desiring a license to carry a concealed firearm will be interviewed by the Chief of Police or his/her designee prior to submitting an application and discuss the reasons for wanting the permit. The applicant will be notified at this time if sufficient justification is provided.
  2. Should the person desire to continue the application process, he/she shall complete an application for a license to carry a concealed firearm, which is available from the Operations Commander or his/her designee.
  3. The applicant will be required to pay the required fee at the time of application. The fee will be paid to the Police Department Records Bureau. In the event the permit is denied, no portion of the fee will be refunded..
  4. The applicant will return the validated application form to the Operations Commander or his/her designee who will then obtain an applicant ("A") number.
  5. The applicant will be fingerprinted on an applicant fingerprint card (Form BID 7) on the LiveScan fingerprinting system
    - a. One (1) fingerprint card will be electronically forwarded to the Department of Justice.
    - b. One copy of the fingerprint card will be placed in the applicant's file.
    - c. Persons applying for renewal of a CCW permit are not required to provide fingerprints for an additional application (per Section 12052 of the Penal Code).
  6. The applicant will be photographed. The photographs will be maintained in the applicant's file.
  7. The Operations Commander, or a designee, will conduct an investigation to ensure that the applicant is of good moral character, that good cause

exists for the issuance, and that the person is a resident of the City of Paso Robles.

8. Upon completion of the investigation, the Operations Commander shall:
  - a. Submit the results of the investigation to the Chief of Police for review. If the applicant is not eligible to receive a permit, the Operations Commander or his/her designee will prepare a report to the Chief of Police stating the reason(s) for ineligibility of the application. The Chief of Police will send a letter to the applicant by certified mail informing him of the denial and the reason(s) for the denial. The application, attachments, intelligence officer's report, and a copy of the letter of denial will be placed in the applicant's ("A") file.
  - b. If the applicant is eligible to receive the license, the Operations Commander or his/her designee will complete the license and obtain the applicant's right thumbprint and signature on the permit. The permit will then be submitted to the Chief of Police for his signature. The Chief of Police will designate what restrictions are to be placed on the license. The license will be distributed as follows:
    - 1) The original will be given to the applicant
    - 2) The second copy (yellow) will be sent to the Department of Justice, Central Services Unit, P.O. Box 13367, Sacramento, CA 95813
    - 3) The third copy (pink) will be placed in the applicant's file.
  - c. The category of permit and length of issuance will be noted on the first line under "Restrictions" on the permit form, as follows:
    - 1) 90 Day Employment (Such CCWs may be issued only by sheriffs, are valid only in the county of issuance and may be valid for a period of time not to exceed 90 days.)
    - 2) Standard – 2 Years
    - 3) Judicial – 3 Years
    - 4) Reserve Peace Officer – 4 Years

9. An entry will be made by the Paso Robles Police Department into the Law Enforcement Automated Data System, listing the full name of the applicant, date of birth, applicant number, California driver's license number and date of issuance of the CCW permit. A separate index card will also be generated, listing the same information listed above. This card will be kept in a separate file in Administration.
10. The Operations Commander will maintain a log listing chronologically all applications for concealed firearm licenses. The log will include:
  - a. The applicant's name
  - b. Date of application
  - c. Applicant's ("A") number
  - d. Date of approval or denial

**NOTE:** Additional State of California License to Carry Concealed Pistol, Revolver or Other Firearm form BID-85, may be secured by forwarding a request to the Department of Justice, Central Services, P.O. Box 13367, Sacramento, CA 95813.

- B. Applications for a concealed weapons permit shall be processed within 90 days of the date the application is received or within 30 days of the receipt of the applicant's background check from DOJ, whichever is later.

#### IV. FEES

##### A. Initial Applicant Fees

1. 90 Day Employment (Such CCWs may be issued only by sheriffs, are valid only in the county of issuance and may be valid for a period of time not to exceed 90 days.)
 

a. State fingerprint Processing	\$32.00
b. FBI Fingerprint Processing	\$24.00
c. Initial firearms eligibility Check	\$17.00
TOTAL:	\$73.00
2. Two Year Resident

a.	State Fingerprint Processing	\$32.00
b.	FBI Fingerprint Processing	\$24.00
c.	Initial Firearms Eligibility Check	\$17.00
d.	Annual firearms Eligibility Check	\$17.00
	TOTAL:	\$90.00

3. Three Year Judicial

a.	State Fingerprint Processing	\$32.00
b.	FBI Fingerprint Processing	\$24.00
c.	Initial Firearms Eligibility Check	\$17.00
d.	1 <sup>st</sup> Annual Firearms Eligibility Check	\$17.00
e.	2 <sup>nd</sup> Annual Firearms Eligibility Check	\$17.00
	TOTAL:	\$107.00

4. Four Year Reserve Peace Officer

a.	State Fingerprint Processing	\$32.00
b.	FBI Fingerprint Processing	\$24.00
c.	Initial Firearms Eligibility Check	\$17.00
d.	1 <sup>st</sup> Annual Firearms Eligibility Check	\$17.00
e.	2 <sup>nd</sup> Annual Firearms Eligibility Check	\$17.00
f.	3 <sup>rd</sup> Annual Firearms Eligibility Check	\$17.00
	TOTAL:	\$124.00

B. Renewal Fees

1. 90 Day Employment (Such CCWs may be issued only by sheriffs, are valid only in the county of issuance and may be valid for a period of time not to exceed 90 days.)

a.	State Thumbprint Verification	\$8.00
b.	Firearms Eligibility Check	\$17.00
	TOTAL:	\$25.00
2.	Two Year Resident	
a.	State Fingerprint Processing	\$8.00
b.	Firearms Eligibility Check	\$17.00
c.	Annual Firearms Eligibility Check	\$17.00
	TOTAL:	\$42.00
3.	Three Year Judicial	
a.	State thumbprint Verification	\$8.00
b.	Firearms Eligibility Check	\$17.00
c.	1 <sup>st</sup> Annual Firearms Eligibility Check	\$17.00
d.	2 <sup>nd</sup> Annual Firearms Eligibility Check	\$17.00
	TOTAL:	\$59.00
4.	Four Year Reserve Peace Officer	
a.	State Thumbprint Verification	\$8.00
b.	Initial Firearms Eligibility Check	\$17.00
c.	1 <sup>st</sup> Annual Firearms Eligibility Check	\$17.00
d.	2 <sup>nd</sup> Annual Firearms Eligibility Check	\$17.00
e.	3 <sup>rd</sup> Annual Firearms Eligibility Check	\$17.00
	TOTAL:	\$76.00

B. In addition to the above Department of Justice fees, there will be a City processing fee of \$100.00 for Initial Applicants and \$25.00 for each Renewal.

## V. ENFORCEMENT

- A. In the event that a police officer determines that a licensee is carrying a concealed weapon in violation of the restrictions, the officer shall confiscate such weapon and permit. Examples where permits and weapons would be confiscated would include but are not limited to the following:
1. Different weapon: The weapon is not the same as identified on the permit.
  2. Brandishing: The person is brandishing, displaying or otherwise showing off the weapon.
  3. Unauthorized Activity: Carrying a concealed weapon while engaged in an activity not specified on the license for carrying of the weapon.
  4. Intoxication: Carrying the concealed weapon while intoxicated.
  5. Under influence of Narcotics: Carrying the concealed weapon while under the influence of narcotics or in a place where it is evident, or it should be evident, to the applicant that narcotics are being used..
  6. Refusal to show his/her permit or surrender the concealed weapon to any peace officer upon demand.
  7. Violation of any State, County, or City law.
  8. Impeding any peace officer in the performance of his/her duty.
  9. Representing himself/herself as a peace officer to any person unless he/she is, in fact, a peace officer as defined by California Law.
  10. Restraining Order: Becoming subject of a restraining order involving domestic violence (spousal abuse). Child abuse, stalking, or any other crime against a person involving either actual violence or the potential for violence.
  11. Any violation of the permit restrictions or requirements amounting to a violation of the law will subject the licensee to criminal prosecution.
    - a. Any licensee who is arrested for any crime or becomes subject to a restraining order as delineated in Section 6, above, must immediately advise the Chief of Police, in writing, of the circumstances of the situation.

VI. CROSS REFERENCES

- A. Penal Code Sections 12050 through 12054, inclusive
- B. Federal Domestic Violence Gun Possession Ban, 18 USC, 921(a), 922(d) and 922(g)

**License To Carry Concealed Pistol, Revolver, or Other Firearm  
Within the State of California**

Issued By:

Agency \_\_\_\_\_ Date of Issue \_\_\_\_\_

"ORI" \_\_\_\_\_ Expiration Date \_\_\_\_\_

Local Agency Number \_\_\_\_\_ CII # \_\_\_\_\_

Signature and Title of Issuing Office: \_\_\_\_\_

**SECTION A**

Name of Licensee \_\_\_\_\_

Residence Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_

Business Address \_\_\_\_\_ Occupation \_\_\_\_\_

Birthdate \_\_\_\_\_ Hgt. \_\_\_\_\_ Wgt. \_\_\_\_\_ Eye Color \_\_\_\_\_ Hair Color \_\_\_\_\_

LICENSE TYPE: Employ.-90 day  Resident-2 yr.  Judicial-3 yr.  Reserve-4yr.

**SECTION B - Description of Weapon(s)**

Manufacturer	Serial Number	Caliber	Model
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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Restrictions (if any) \_\_\_\_\_

\_\_\_\_\_

**RIGHT THUMB PRINT** \_\_\_\_\_

Signature of Licensee

Photo (optional)

OSP 99 26079



BCIA 4501 (4/99)

# California Department of Justice



## STANDARD APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON (CCW)

**California Department of Justice**  
**STANDARD APPLICATION**  
for  
**LICENSE TO CARRY A CONCEALED WEAPON (CCW)**

**Authority**

California Penal Code (PC) sections 12050 through 12054 provide that a sheriff of a county or the chief or other head of a municipal police department of any city or city and county may issue a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person (CCW license). PC section 12051(a)(3)(A) requires the Attorney General to prescribe a statewide standard application form for a CCW license.

**Who May be Issued a License**

The licensing authority specified in PC section 12050(a)(1) (a sheriff or head of a municipal police department) may issue a license to persons who are of good moral character, who have completed a course of training, and where good cause exists for issuance of the CCW license. All applicants for a CCW will be fingerprinted and state records will be checked to determine if they are in a prohibiting class. Attachments 1, 2, and 3 (following page 14 of this application) list all categories that would cause a person to be in a class prohibiting them from possessing firearms and being granted a CCW license. These attachments are updated annually to reflect new legislation and other changes in the law.

**Format of CCW License**

A CCW license may be issued in either of the following formats:

1. A license to carry concealed, a pistol, revolver, or other firearm capable of being concealed upon the person.
2. Where the population of the county is less than 200,000 persons according to the most recent federal decennial census, a license to carry loaded and exposed in that county a pistol, revolver, or other firearm capable of being concealed upon the person.

**Training Required**

PC section 12050(a)(1)(B) and (E) specifies that new license applicants must complete a course of training. The training may consist of any course acceptable to the licensing authority. The licensing authority may require either a course not to exceed 16 hours which includes instruction on at least firearms safety and the law regarding the permissible use of a firearm or a community college course not to exceed 24 hours certified by the Commission on Peace Officer Standards and Training. If the licensing authority requires the community college course, it must be uniformly required for all CCW license applicants. The licensing authority may also require annual qualification on the weapon(s) during the term for which the CCW license is granted.

For license renewal applicants, the course of training may be any course acceptable to the licensing authority, shall be no less than four hours in length, and shall include instruction on at least firearm safety and the law regarding permissible use of a firearm.

State of California, Department of Justice  
**Standard Application for CCW License**

**Psychological Testing**

In addition to licensing requirements as specified by the licensing authority, jurisdictions may require psychological testing on the initial application. If required, the applicant shall be referred to a licensed psychologist used by the licensing authority for the psychological testing of its own employees. Any fees charged will be the responsibility of the applicant and such fees shall not exceed \$150.00 for an initial test. Additional psychological testing of an applicant seeking license renewal shall be required only if there is compelling evidence to indicate that a test is necessary (PC section 12054(c)).

**Completing the Application**

Answering all the questions on this standard application does not guarantee the issuance of a CCW license. The determination whether or not to issue the license is the prerogative of the licensing authority. Each licensing authority, in addition to using the state standard application form, will have a written policy summarizing what they require pursuant to PC section 12050(a)(1)(A) and (B). Prior to issuing a CCW, the statutes require proof that:

- The applicant is of good moral character,
- Good cause exists to issue the CCW license,
- The applicant meets residence requirements, and
- The course of training prescribed by the licensing authority has been completed.

The application on the following pages sets forth standardized questions to be used by the CCW licensing authority to determine whether a CCW license shall be issued. The applicant shall not be required to complete any additional application or form for a CCW license, or to provide any information other than that necessary to complete this standard application form except to clarify or interpret information provided herein (PC section 12051(a)(3)(C)).

The applicant will certify that all answers provided are true and correct to the best of their knowledge and belief under penalty of perjury. The applicant will also acknowledge that information disclosed on this application may be subject to public disclosure.

**Important Instructions**

- Fill out, read, and sign Sections 1 through 5, as directed. Use additional pages if more space is required.
- Sections 6, 7, and 8 must be completed in the presence of an official of the licensing agency.
- Review Section 7 and be prepared to answer these questions orally. Do not write anything in Section 7 unless specifically directed to do so by the licensing agency.

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State of California, Department of Justice  
Standard Application for CCW License

Official Use Only - Type of Permit Requested  
( ) Standard ( ) Judge  
( ) Reserve Officer ( ) 90 Day

**Public Disclosure Admonition**

I understand that I am obligated to be complete and truthful in providing information on this application. I understand that all of the information disclosed by me in this application may be subject to public disclosure.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature / Badge Number

\_\_\_\_\_  
Date

**Section 1 - Applicant Personal Information**

Name: \_\_\_\_\_  
Last First Middle

If Applicable,  
Maiden Name or Other Name(s) Used: \_\_\_\_\_

City and County of Residence: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
City County State

Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Color Eyes: \_\_\_\_\_ Color Hair: \_\_\_\_\_

**Section 2 - Applicant Clearance Questions**

1. Do you now have, or have you ever had a license to carry a concealed weapon (CCW)?  
No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, please indicate below. Use additional pages if necessary.)

Issuing Agency \_\_\_\_\_ Issue Date \_\_\_\_\_ CCW# \_\_\_\_\_

2. Have you ever applied for and been denied a license to carry a concealed weapon?  
No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, give agency name, date and reason for denial.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of California, Department of Justice  
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**Section 2 - Applicant Clearance Questions - (continued)**

**3. Have you ever held and subsequently renounced your United States citizenship?  
No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, explain):**

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**4. If you served with the Armed Forces, were you ever convicted of any charges or was your discharge other than honorable? No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, explain):**

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**5. Are you now, or have you been, a party to a lawsuit in the last five years?  
No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, explain):**

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**6. Are you now, or have you been, under a restraining order(s) from any court?  
No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, explain):**

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**7. Are you on probation or parole from any state for conviction of any offense including traffic? No \_\_\_\_\_ Yes \_\_\_\_\_ (If yes, explain):**

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**Section 2 - Applicant Clearance Questions - (continued)**

8. List all traffic violations (moving violations only) and motor vehicle accidents you have had in the last five years. (Use additional pages if necessary.)

Date	Violation / Accident	Agency / Citation #

9. Have you ever been convicted for any criminal offense (civilian or military) in the U.S. or any other country?

No  Yes  (If yes, explain including date, agency, charges, and disposition.)

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10. Have you withheld any fact that might affect the decision to approve this license?

No  Yes  (If yes, explain):

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**Section 3 - Descriptions of Weapons:**

List below the weapons you desire to carry if granted a CCW. You may carry concealed only the weapon(s) which you list and describe herein, and only for the purpose indicated. Any misuse will cause an automatic revocation and possible arrest. (Use additional pages if necessary.)

Make	Model	Caliber	Serial No.
1.			
2.			
3.			

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**Section 4 - CCW License Conditions and Restrictions**

The licensee is responsible for all liability for, injury to, or death of any person, or damage to any property which may result through any act or omission of either the licensee or the agency that issued the license. In the event any claim, suit, or action is brought against the agency that issued the license, its chief officer or any of its employees, by reason of, or in connection with any such act or omission, the licensee shall defend, indemnify, and hold harmless the agency that issued the license, its chief officer or any of its employees from such claim, suit, or action.

The licensee authorizes the licensing agency to investigate, as they deem necessary, the licensee's record and character to ascertain any and all information which may concern his/her qualifications and justification to be issued a license to carry a concealed weapon and release said agency of any and all liability arising out of such investigation.

While exercising the privileges granted to the licensee under the terms of this license, the licensee shall not, when carrying a concealed weapon:

- Consume any alcoholic beverage.
- Be in a place having a primary purpose of dispensing alcoholic beverages for on-site consumption.
- Be under the influence of any medication or drug, whether prescribed or not.
- Refuse to show the license or surrender the concealed weapon to any peace officer upon demand.
- Impede any peace officer in the performance of his/her duties.
- Present himself/herself as a peace officer to any person unless he/she is, in fact, a peace officer as defined by California law.
- Unjustifiably display a concealed weapon.
- Carry a concealed weapon not listed on the permit.
- Carry a concealed weapon at times or circumstances other than those specified in the permit.

Pursuant to U.S. Government Code - Title 49, Chapter 26, Section 1472 (1) and Federal Aviation Regulation 121.583, a license to carry a concealed weapon does not authorize a person to carry a firearm, tear gas, or any dangerous weapon aboard commercial airlines. Further, a person must declare that he/she is carrying such firearm, tear gas, or dangerous weapon BEFORE entering the boarding area of an air terminal where the security checks are made. Such violation can result in arrest by law enforcement.

Any violation of these restrictions or conditions may invalidate the CCW license and may void any further use of the license until reinstated by the licensing authority. Any arrest for a felony or serious misdemeanor, including driving under the influence of alcohol and/or drugs, is cause for invalidating the license.

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**Section 5 - Applicable California Penal Code Sections**

The following Penal Code sections are of special importance to the holder of a CCW license regarding the use, carrying, and storage of firearms:

**Penal Code Section 12051 - Applications for CCW Licenses; False Statements**

(b) Any person who files an application required by subdivision (a) knowing that statements contained therein are false is guilty of a misdemeanor.

(c) Any person who knowingly makes a false statement on the application regarding any of the following shall be guilty of a felony:

- (1) The denial or revocation of a license, or the denial of an amendment to a license, issued pursuant to Section 12050.
- (2) A criminal conviction.
- (3) A finding of not guilty by reason of insanity.
- (4) The use of a controlled substance.
- (5) A dishonorable discharge from military service.
- (6) A commitment to a mental institution.
- (7) A renunciation of United States citizenship.

**Penal Code Section 192 - Manslaughter**

Manslaughter is the unlawful killing of a human being without malice.

(a) Voluntary - upon a sudden quarrel or heat of passion.

(b) Involuntary - in the commission of an unlawful act, not amounting to a felony; or in the commission of a lawful act which might produce death, in an unlawful manner, or without due caution and circumspection; provided that this subdivision shall not apply to acts committed in the driving of a vehicle.

**Penal Code Section 197 - Justifiable Homicide; Any Person**

Homicide is justifiable when committed by any person in any of the following cases:

1. When resisting any attempt to murder any person, or to commit a felony, or to do some great bodily injury upon any person; or,
2. When committed in defense of habitation, property, or person, against one who manifestly intends or endeavors, by violence or surprise, to commit a felony, or against one who manifestly intends and endeavors, in a violent, riotous or tumultuous manner, to enter the habitation of another for the purpose of offering violence to any person therein; or,
3. When committed in the lawful defense of such person, or of a wife or husband, parent, child, master, mistress, or servant of such person, when there is reasonable ground to apprehend a design to commit a felony or to do some great bodily injury, and imminent danger of such design being accomplished; but such person, or the person in whose behalf the defense was made, if he was the assailant or engaged in mutual combat, must really and in good faith have endeavored to decline any further struggle before the homicide was committed; or,
4. When necessarily committed in attempting, by lawful ways and means, to apprehend any person for any felony committed, or in lawfully suppressing any riot, or in lawfully keeping and preserving the peace.

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**Section 5 - Applicable California Penal Code Sections - (continued)**

**Penal Code Section 198 - Justifiable Homicide; Sufficiency of Fear  
(Limitation of Self-defense of Property Rule)**

A bare fear of the commission of any of the offenses mentioned in subdivisions 2 and 3 of Section 197, to prevent which homicide may be lawfully committed, is not sufficient to justify it. But the circumstances must be sufficient to excite the fears of a reasonable person, and the party killing must have acted under the influence of such fears alone.

**Penal Code Section 199 - Justifiable and Excusable Homicide; Discharge of Defendant**

The homicide appearing to be justifiable or excusable, the person indicted must, upon his trial, be fully acquitted and discharged.

**Penal Code Section 12035 - Storage of Firearms Accessible to Children**

(a) As used in this section, the following definitions shall apply:

- (1) "Locking device" means a device that is designed to prevent the firearm from functioning and when applied to the firearm, renders the firearm inoperable.
- (2) "Child" means a person under the age of 16 years.
- (3) "Off-premises" means premises other than the premises where the firearm was stored.
- (4) "Locked container" has the same meaning as set forth in subdivision (d) of Section 12026.2.

(b)(1) Except as provided in subdivision (c), a person commits the crime of "criminal storage of a firearm of the first degree" if he or she keeps any loaded firearm within any premise which is under his or her custody or control and he or she 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 and the child obtains access to the firearm and thereby causes death or great bodily injury to himself, herself, or any other person.

(2) Except as provided in subdivision (c), a person commits the crime of "criminal storage of a firearm of the second degree" if he or she keeps any loaded firearm within any premise which is under his or her custody or control and he or she 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 and the child obtains access to the firearm and thereby causes injury, other than great bodily injury, to himself, herself, or any other person, or carries the firearm either to a public place or in violation of Section 417.

(c) Subdivision (b) shall not apply whenever any of the following occurs:

- (1) The child obtains the firearm as a result of an illegal entry to any premises by any person.
- (2) The firearm is kept in a locked container or in a location that a reasonable person would believe to be secure.
- (3) The firearm is carried on the person or within such a close proximity thereto so that the individual can readily retrieve and use the firearm as if carried on the person.
- (4) The firearm is locked with a locking device that has rendered the firearm inoperable.
- (5) The person is a peace officer or a member of the armed forces or national guard and the child obtains the firearm during, or incidental to, the performance of the person's duties.
- (6) The child obtains, or obtains and discharges, the firearm in a lawful act of self-defense or defense of another person, or persons.
- (7) The person who keeps a loaded firearm on any premise which is under his or her custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premise.

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**Section 5 - Applicable California Penal Code Sections - (continued)**

**Penal Code Section 12036 -Firearms Accessed by Children and Carried Off-premises**

(a) As used in this section, the following definitions shall apply:

- (1) "Locking device" means a device that is designed to prevent the firearm from functioning and when applied to the firearm, renders the firearm inoperable.
  - (2) "Child" means a person under the age of 16 years.
  - (3) "Off-premises" means premises other than the premises where the firearm was stored.
  - (4) "Locked container" has the same meaning as set forth in subdivision (d) of Section 12026.2.
- (b) A person who keeps a pistol, revolver, or other firearm capable of being concealed upon the person, loaded or unloaded, within any premise that is under his or her custody or control and he or she 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 and the child obtains access to that firearm and thereafter carries that firearm off-premises, 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.
- (c) A pistol, revolver, or other firearm capable of being concealed upon the person that a child 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 subdivision (b) of Section 12028 regarding the authority to confiscate firearms and other deadly weapons as a nuisance.
- (d) This Section shall not apply if any one of the following circumstances exists:
- (1) The child obtains the pistol, revolver, or other firearm capable of being concealed upon the person as a result of an illegal entry into any premises by any person.
  - (2) The pistol, revolver, or other firearm capable of being concealed upon the person is kept in a locked container or in a location that a reasonable person would believe to be secure.
  - (3) The pistol, revolver, or other firearm capable of being concealed upon the person is locked with a locking device that has rendered the firearm inoperable.
  - (4) The pistol, revolver, or other firearm capable of being concealed upon the person is carried on the person within such a close range that the individual can readily retrieve and use the firearm as if carried on the person.
  - (5) The person is a peace officer or a member of the armed forces or national guard and the child obtains the pistol, revolver, or other firearm capable of being concealed upon the person during, or incidental to, the performance of the person's duties.
  - (6) The child obtains, or obtains and discharges, the pistol, revolver, or other firearm capable of being concealed upon the person in a lawful act of self-defense or defense of another person or persons.
  - (7) The person who keeps a pistol, revolver, or other firearm capable of being concealed upon the person has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises.

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**Standard Application for CCW License**

**Section 6 - Agreement to Restrictions and to Hold Harmless**

I accept and assume all responsibility and liability for, injury to, or death of any person, or damage to any property which may result through any act or omission of either the licensee or the agency that issued the license. In the event any claim, suit or action is brought against the agency that issued the license, its chief officer or any of its employees, by reason of, or in connection with any such act or omission, the licensee shall defend, indemnify, and hold harmless the agency that issued the license, its chief officer or any of its employees from such claim, suit, or action.

I understand that the acceptance of my application by the licensing authority does not guarantee the issuance of a license and that fees and costs are not refundable if denied. I further understand that if my application is approved and I am issued a license to carry a concealed weapon, that the license is subject to restrictions placed upon it and that misuse of the license will cause an automatic revocation and possible arrest and that the license may also be suspended or revoked at the discretion of the licensing authority at any time. I am aware that any use of a firearm may bring criminal action or civil liability against me.

I have read, understand, and agree to the CCW license liability clauses, conditions, and restrictions stated in this Application and Agreement to Restrictions and to Hold Harmless.

I have read and understand the applicable Penal Code sections regarding False Statements on a CCW Application, Manslaughter, Killing in Defense of Self or Property, Limitation on Self-defense and Defense of Property, and Child Access and Firearm Storage, stated in this application.

I have read and understand Attachment 1 - California Prohibiting Categories for a CCW License, Attachment 2 - California Prohibiting Misdemeanors, and Attachment 3 - Federal Prohibiting Categories for Possessing Firearms. I further acknowledge that these Prohibiting Categories can be amended or expanded by state or federal legislative or regulatory bodies and that any such amendment or expansion may affect my eligibility to hold a CCW.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Witness Signature / Badge Number**

\_\_\_\_\_  
**Date**

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**Section 7 - Investigator's Interview Notes**

**Applicant Name:** \_\_\_\_\_

Last

First

Middle

**Date of Birth:** \_\_\_\_\_

**Age:** \_\_\_\_\_

**Social Security No.:** \_\_\_\_\_

**California DL/ID No.:** \_\_\_\_\_

**Driver's License Restrictions:** \_\_\_\_\_

**Residence Address:**

\_\_\_\_\_  
Number Street Apt. City State Zip

**Mailing Address (if different):**

\_\_\_\_\_  
Number Street Apt. City State Zip

**Home / Personal Phone Numbers:** ( ) \_\_\_\_\_

**Spouse's Name and Address:** \_\_\_\_\_  
\_\_\_\_\_

**Applicant Occupation:** \_\_\_\_\_

**Business / Employer Name:** \_\_\_\_\_

**Business Phone Number:** ( ) \_\_\_\_\_

**Business Address:**

\_\_\_\_\_  
Number Street Apt. City State Zip

**1. List all previous home addresses for the past five years.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Section 7 - Investigator's Interview Notes - (continued)**

2. Have you ever been in a mental institution, treated for mental illness, or been found not-guilty by reason of insanity? No \_\_\_ Yes \_\_\_ (If yes, explain):

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3. Are you now, or have you ever been, addicted to a controlled substance or alcohol, or have you ever utilized an illegal controlled substance, or have you ever reported to a detoxification or drug treatment program? No \_\_\_ Yes \_\_\_ (If yes, explain):

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4. Have you ever been involved in an incident involving firearms?  
No \_\_\_ Yes \_\_\_ (If yes, explain):

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5. Have you been involved in a domestic violence incident?  
No \_\_\_ Yes \_\_\_ (If yes, explain):

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6. List any arrests or formal charges, with or without disposition, for any criminal offenses within the U.S. or any other country (civilian or military).

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**Section 8 - Certification and Release of Information**

I hereby give permission to the agency to which this application is made to conduct a background investigation of me and to contact any person or agency who may add to or aid in this investigation. I further authorize persons, firms, agencies and institutions listed on this application to release or confirm information about me and statements I have made as contained in this application.

Notwithstanding any other provision of law and pursuant to the Public Records Act (Government Code section 6250 et seq.), I understand that information contained in this application may be a matter of public record and shall be made available upon request or court order.

I hereby certify under penalties of perjury and Penal Code section 12051(b) and (c), that the answers I have given are true and correct to the best of my knowledge and belief, and that I understand and agree to the provisions, conditions, and restrictions herein or otherwise imposed.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature / Badge Number

\_\_\_\_\_  
Date



# Attachments

State of California, Department of Justice  
**Standard Application for CCW License**

*Attachment 1*

**CALIFORNIA PROHIBITING CATEGORIES FOR A CCW LICENSE  
As of January, 1999**

- Persons convicted of a felony, or any offense enumerated in section 12021.1 of the Penal Code (PC).
- Persons addicted to the use of narcotics.
- Persons denied firearm possession as a condition of probation pursuant to PC section 12021(d).
- Persons convicted of a specified misdemeanor pursuant to PC section 12021(c)(1) are prohibited from purchasing or possessing firearms for 10 years (see Attachment 2).
- Juveniles adjudged wards of the juvenile court because they committed a 707(b) Welfare and Institutions Code (WIC) offense, an offense described in PC section 1203.073 (b) or any offense enumerated in PC section 12021 (c) (1) are prohibited until they reach age 30.
- Persons who are subject to a protective order as defined in section 6218 of the Family Code, or a temporary restraining order or injunction issued pursuant to sections 527.6 or 527.8 of the Code of Civil Procedure.
- Persons found by a court to be a danger to others because of mental illness.
- Persons found by a court to be mentally incompetent to stand trial.
- Persons found by a court to be not guilty by reason of insanity.
- Persons adjudicated to be a mentally disordered sex offender.
- Persons placed on a conservatorship because they are gravely disabled as a result of a mental disorder or impairment by chronic alcoholism.
- Persons who communicate a threat to a licensed psychotherapist, against a reasonably identifiable victim, and the psychotherapist reports to law enforcement pursuant to WIC section 8100(b), are prohibited from purchasing or possessing a firearm for 6 months.
- Persons in a mental health facility certified pursuant to WIC sections 5250, 5260, and 5270.15 are prohibited from possessing or purchasing or attempting to purchase firearms for 5 years.
- Persons who are voluntary patients in a mental facility who are determined to be a danger to self or others are prohibited from purchasing or possessing a firearm between admission and discharge.
- Persons under indictment or information in any court for a crime punishable by imprisonment for a term exceeding one year.

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*Attachment 2*

**CALIFORNIA PROHIBITING MISDEMEANORS  
As of January, 1999**

**Pursuant to Penal Code (PC) section 12021(c)(1), any person who has been convicted of a misdemeanor violation for any of the following offenses is prohibited from owning, possessing, or having under his or her custody or control any firearms within 10 years of the conviction:**

- Threatening public officers, employees and school officials (PC section 71).
- Threatening certain public officials, appointees, judges, staff or their families with the intent and apparent ability to carry out the threat (PC section 76).
- Possessing a deadly weapon with the intent to intimidate a witness (PC section 136.5).
- Threatening witnesses, victims, or informants (PC section 140).
- Attempting to remove or take a firearm from the person or immediate presence of a public or peace officer (PC section 148(d)).
  
- Unauthorized possession of a weapon in a courtroom, courthouse or court building, or at a public meeting (PC section 171(b)).
- Bringing into or possessing a loaded firearm within the state capitol, legislative offices, etc. (PC section 171c).
- Taking into or possessing loaded firearms within the Governor's Mansion or residence of other constitutional officers, etc. (PC section 171(d)).
- Supplying, selling or giving possession of a firearm to a person for participation in criminal street gangs (PC section 186.28).
- Assault (PC sections 240, 241).
  
- Battery (PC sections 242, 243).
- Assault with a stun gun or Taber weapon (PC section 244.5).
- Assault with deadly weapon or force likely to produce great bodily injury (PC section 245).
- Assault with a deadly weapon or instrument, by any means likely to produce great bodily injury or with a stun gun or Taber on a school employee engaged in performance of duties (PC section 245.5).
- Shooting at an inhabited or occupied dwelling house, building, vehicle, aircraft, horsecart or camper (PC section 246).
  
- Discharging a firearm in a grossly negligent manner (PC section 246.3).
- Shooting at an unoccupied aircraft, motor vehicle, or uninhabited building or dwelling house (PC section 247).
- Inflicting corporal injury on a spouse or significant other (PC section 273.5).
- Willfully violating a domestic protective order (PC section 273.6).

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*Attachment 2 (Continued)*

**CALIFORNIA PROHIBITING MISDEMEANORS  
As of January, 1999**

- Drawing, exhibiting, or using any deadly weapon other than a firearm (PC sections 417(a)(1), 417(a)(2)).
- Brandishing a firearm in presence of a peace officer (PC section 417.1 - repealed by stats. 1998).
- Drawing or exhibiting, selling, manufacturing, or distributing firearm replicas or imitations (PC section 417.2).
- Inflicting serious bodily injury as a result of brandishing (PC section 417.6).
- Bringing into or possessing firearms upon or within public schools and grounds (PC section 626.9).
- Stalking (PC section 646.9).
  
- Armed criminal action (PC section 12023).
- Possessing a deadly weapon with intent to commit an assault (PC section 12024).
- Driver of any vehicle who knowingly permits another person to discharge a firearm from the vehicle or any person who willfully and maliciously discharges a firearm from a motor vehicle (PC sections 12034(b), 12034(d)).
- Criminal possession of a firearm (PC section 12040).
- Firearms dealer who sells or transfers or gives possession of any firearm to a minor or a handgun to a person under the age of 21 (PC section 12072(b)).
  
- Various violations involving sales and transfers of firearms (PC section 12072(g)(3)).
- Person or corporation who sells any concealable firearm to any minor (PC section 12100(a) - repealed by stats. 1994).
- Unauthorized possession/transportation of a machine gun (PC section 12220).
- Possession of ammunition designed to penetrate metal or armor (PC section 12320).
- Carrying a concealed or loaded firearm or other deadly weapon or wearing a peace officer uniform, while picketing (PC section 12590).
  
- Bringing firearm related contraband into juvenile hall (WIC section 871.5).
- Bringing firearm related contraband into a youth authority institution (WIC section 1001.5).
- Purchase, possession, or receipt of a firearm or deadly weapon by a person receiving in-patient treatment for a mental disorder, or by a person who has communicated to a licensed psychotherapist a serious threat of physical violence against an identifiable victim (WIC section 8100).
- Providing a firearm or deadly weapon to a person described in WIC sections 8100 or 8103 (WIC section 8101).
- Purchase, possession, or receipt of a firearm or deadly weapon by a person who has been adjudicated to be a mentally disordered sex offender or found to be mentally incompetent to stand trial, or not guilty by reason of insanity, and individuals placed under a conservatorship (WIC section 8103).

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*Attachment 3*

**FEDERAL PROHIBITING CATEGORIES FOR POSSESSING FIREARMS  
Gun Control Act of 1968, Title 18 U.S.C. Chapter 44  
As of January, 1999**

**Pursuant to Section 922, any person listed below is prohibited from possessing, shipping, transporting, or receiving any firearm, who:**

- Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year.
- Is a fugitive from justice.
- Is an unlawful user of or addicted to any controlled substance.
- Has been adjudicated as a mental defective or committed to a mental institution.
- Is an alien illegally or unlawfully in the United States.
- Has been discharged from the Armed Forces under dishonorable conditions .
- Having been a citizen of the United States, has renounced U.S. citizenship.
- Is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner.
- Has been convicted in any court of a misdemeanor crime of domestic violence.
- Is under indictment for a crime punishable by imprisonment for a term exceeding one year.
- Has an out-of-state prohibitive criminal history.
- Has a prior denial on a previous National Instant Criminal Background Check System (NICS) inquiry.