

PROCUREMENT OF FIREARMS AND FIREARM AMMUNITION

Section

10.54 Purpose, Intent and Applicability.

10.54.1 Definitions.

10.54.2 General Requirements.

10.54.3 Administration.

10.54.4 Discretion to Waive.

10.54.5 Preemption.

10.54.6 Severability.

Sec. 10.54. Purpose, Intent and Applicability.

(a) **Purpose and Intent.** The purpose and intent of this article is for the City of Los Angeles to develop procurement practices for firearm and/or firearm ammunition purchases to reduce gun violence and protect public health and safety.

(b) **Applicability.** This article applies to any contract with the City of Los Angeles, solicited, entered into, awarded, amended, renewed, or extended after the effective date of this article, for the procurement of firearms and/or firearm ammunition. To the extent that some City departments are, by terms of the Charter, exempt from the prohibitions in this chapter, they are strongly encouraged to adopt policies consonant with the provisions contained herein. Contractors shall comply with this article during the solicitation process and throughout the term of the contract.

SECTION HISTORY

Added by Ord. No. 188,446, Eff. 1-29-25.

Sec. 10.54.1. Definitions.

As used in this article, the following terms shall have the following definitions, as indicated.

(a) **“Awarding Authority”** means any Department or Bureau of the City of Los Angeles, or any authorized employee or officer of the City of Los Angeles, including the City’s Purchasing Agent and Chief Procurement Officer, who makes or enters into any contract or agreement for the procurement of firearms and/or firearm ammunition for, or on behalf of, the City of Los Angeles.

(b) **“Contractor”** means any person, firm, corporation, partnership or any combination thereof, who enters into a contract with any Awarding Authority of the City of Los Angeles.

(c) **“Designated Administrative Agency (DAA)”** means the Department of Public Works, Office of Contract Compliance created by Article 10 of Chapter 13 of Division 22 of the Los Angeles Administrative Code. That office is also known as the Department of Public Works, Bureau of Contract Administration.

(d) **“Firearm”** means any pistol, rifle, shotgun or other device designed to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or any form of combustion, or any device that is capable of being altered so as to expel a projectile in that manner. The term firearm includes the frame of such weapon.

(e) **“Firearm ammunition”** has the same meaning as in Los Angeles Municipal Code Section 55.11.

(f) “**Firearm trafficker**” is any person who violates, or is convicted of violating, any state or federal law making it unlawful for a person to commit, attempt, or conspire to commit the following conduct: (i) ship, transport, transfer, cause to be transported, or otherwise dispose of any firearm to another person, if such person knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony; or (ii) receive from another person any firearm, if the recipient knows or has reasonable cause to believe that such receipt would constitute a felony.

(g) “**Non-Serialized Firearm**” has the same meaning as in Los Angeles Municipal Code Section 55.22(a).

(h) “**Unfinished Frame**” has the same meaning as in Los Angeles Municipal Code Section 55.22(a).

(i) “**Unfinished Receiver**” has the same meaning as in Los Angeles Municipal Code Section 55.22(a).

(j) “**Straw purchaser**” is any person who knowingly purchases or conspires to purchase firearms for, on behalf of, or at the request or demand of any other person, knowing or having reasonable cause to believe that such other person: (i) is prohibited by state or federal law from possessing or purchasing a firearm; (ii) intends to use, carry, possess, or sell or otherwise dispose of the firearm in furtherance of a felony, a Federal crime of terrorism, or a drug trafficking crime; or (iii) intends to sell or otherwise dispose of the firearm to a person described in clause (i) or (ii) hereto.

SECTION HISTORY

Added by Ord. No. 188,446, Eff. 1-29-25.

Sec. 10.54.2. General Requirements.

At all times during the solicitation process and the term of any City contract relating to the procurement of firearms, firearm ammunition, or both, and any extensions thereto, bidders and Contractors shall:

(a) Be in compliance with all applicable local, state and federal laws, and, if required by state or federal law, shall have a valid federal firearms license, a valid California Board of Equalization seller’s permit, and a California Department of Justice Certificate of Eligibility;

(b) Provide proof of all required valid licenses, permits, and certificates;

(c) Provide materials documenting the number of the Bureau of Alcohol, Tobacco, Firearms, and Explosives trace requests received by the bidder and Contractor for each year within the past five years, and the time between the sale of the firearm subject to the trace request and the crime that generated the trace request when known;

(d) Provide materials documenting any thefts or losses from the bidder or Contractor’s premises for the two most recent years;

(e) Provide a true copy of the two most recent inspection reports of any firearm inspection conducted by a federal, state, or local agency;

(f) Disclose any violations found from any type of inspection conducted by a federal, state, or local agency within the last five years, and provide any materials documenting bidder’s or Contractor’s corrective actions in response to a finding of noncompliance or violation of any federal, state, or local firearms laws, regulations, or other requirements;

(g) Provide, in writing, any practices or policies in effect or adopted, including any subsequent amendments made during the solicitation process and any contract term to:

(1) Prevent, detect, or screen for the transfer of firearms to straw purchasers or firearm traffickers;

(2) Prevent, detect, or screen against sales of firearms and firearm ammunition to individuals prohibited from possessing a firearm by federal, state, or local law, or court order;

(3) Prevent, detect, and document the theft of firearms or firearm ammunition;

(4) Train employees and any subcontractors to ensure compliance with all applicable federal, state, and local firearms laws and regulations;

(5) Assist law enforcement agencies in the investigation and prevention of criminal access to firearms or firearm ammunition;

(6) Operate a digital video surveillance system, including as prescribed in Cal. Penal Code § 26806, as codified on the effective date of the ordinance implementing this article, or any similar system, for bidders or Contractors located outside of California;

(h) To the extent the bidder or Contractor sells gun build kits, including non-serialized firearms or non-serialized unfinished frames or unfinished receivers, provide proof of compliance with any applicable federal, state, and/or local laws related to firearm precursor parts, including any court orders or judgments related to firearm precursor parts that are applicable to the bidder or Contractor.

SECTION HISTORY

Added by Ord. No. 188,446, Eff. 1-29-25.

Sec. 10.54.3. Administration.

The DAA shall develop processes and procedures, with input from the Los Angeles Police Department, the City's Purchasing Agent, and the Office of Procurement, to implement this article, including a process to administer and assess compliance with the requirements of this article.

SECTION HISTORY

Added by Ord. No. 188,446, Eff. 1-29-25.

Sec. 10.54.4. Discretion to Waive.

An Awarding Authority may, in its discretion, waive the requirements of this article under the following circumstances:

- (a) The federal, state, or local violation is minor, administrative, or similarly de minimis; or
- (b) To make an emergency purchase.

SECTION HISTORY

Added by Ord. No. 188,446, Eff. 1-29-25.

Sec. 10.54.5. Preemption.

Nothing in this section shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law

SECTION HISTORY

Sec. 10.54.6. Severability.

If any provision of this article, or any application thereof to any person or circumstance, is found to be unconstitutional or otherwise invalid by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this article which can be implemented without the invalid provisions and, to this end, the provisions of this article are declared to be severable. The City Council hereby declares that it would have adopted this article and each provision thereof irrespective of whether any one or more provisions are subsequently found invalid, unconstitutional or otherwise unenforceable.

SECTION HISTORY

Added by Ord. No. 188,446, Eff. 1-29-25.