

SAMPLE ORDINANCE**§ _____ - General Requirements.**

A Bidder seeking the award of, or a Contractor who is awarded, a contract with a (City/County) agency for the procurement of firearms, ammunition, or firearm accessories shall, during the public procurement process, and on an annual basis or upon request of the (City/County) agency:

- (a) Comply 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, per California Penal Code section 26710;
- (b) Provide proof and copies 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 or 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's or Contractor's premises for the past five calendar years. In the event that a Bidder for, or party to, a contract with a state agency for the procurement of firearms, ammunition, or firearm accessories is unable to provide sufficient materials, a declaration explaining why it is unable to do so;

LOS ANGELES (Administrative Code-Contracts)**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 inspection conducted by a federal, state, or local agency, including any follow-up materials documenting administrative actions taken by such agency;

(f) Disclose any violations found from any type of inspection conducted by a federal, state, or local agency during the two most recent inspections, and 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 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, and screen for the transfer of firearms to straw purchasers or firearm traffickers;

(2) Prevent, detect, and 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 and/or loss of firearms or firearm ammunition;

(4) Train employees who handle or have access to firearms or ammunition to ensure compliance with all applicable federal, state, and local firearms laws and regulations;

(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; and

(6) Operate a digital video surveillance system as prescribed in California Penal Code section 26806, or, for Bidders or Contractors located outside the State of California, any similar system.

(h) Affirm that it does not sell, and has not sold during the procurement process or while under contract, unserialized gun build kits or precursor parts, including non-serialized firearms or non-serialized unfinished frames or unfinished receivers.

(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.

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(a) Comply 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, per California Penal Code section 26710;

(b) Provide proof and copies 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 or 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's or Contractor's premises for the past five calendar years. In the event that a Bidder for, or party to, a contract with a state agency for the procurement of firearms, ammunition, or firearm accessories is unable to provide sufficient materials, a declaration explaining why it is unable to do so;

SAN DIEGO (Public Safety, Morals and Welfare)**§ 53.32 Procurement of Firearms and Ammunition****(d) General Requirements**

(1) At all times during the solicitation process and term of the contract. and any extensions thereto, contractors shall be in compliance with all applicable state and federal law, and, if required by state or federal law, shall have a valid federal firearms license, a valid State Board of Equalization seller's permit, and a Certificate of Eligibility under California Penal Code section 26710, as may be amended.

(2) Contractors shall comply with all of the following requirements:

(A) provide proof of all required valid licenses, permits and certificates: provide materials documenting the number of the Bureau of Alcohol, Tobacco, Firearms, and Explosives trace requests received by the contractor or 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;

(B) provide materials documenting any thefts from the contractor's premises of the two most recent inspection reports of any firearm inspection conducted by federal, state, or local agencies;

(e) Provide a true copy of the two most recent inspection reports of any inspection conducted by a federal, state, or local agency, including any follow-up materials documenting administrative actions taken by such agency;

(f) Disclose any violations found from any type of inspection conducted by a federal, state, or local agency during the two most recent inspections, and 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 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, and screen for the transfer of firearms to straw purchasers or firearm traffickers;
- (2) Prevent, detect, and 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 and/or loss of firearms or firearm ammunition;
- (4) Train employees who handle or have access to firearms or ammunition to ensure compliance with all applicable federal, state, and local firearms laws and regulations;

(D) provide a true copy of the two most recent inspection reports of any firearm inspection conducted by federal, state, or local agencies; and

(E) disclose any violations from any type of inspection conducted by federal, state, or local agencies within the last five years, and provide any materials documenting contractor's corrective actions in response to a finding of noncompliance or violation of federal, state, or local firearms laws or regulations.

(3) Contractors must explain in writing any practices or policies it has adopted, or will adopt including its implementation process to:

- (A) prevent, detect, and screen for the transfer of firearms to straw purchasers or firearm traffickers;
- (B) prevent sales to individuals prohibited by federal, state, or local law, or court order;
- (C) protect against the theft of firearms and ammunition;
- (D) train contractor employees to ensure compliance with all applicable federal, state, and local laws and regulations;

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

(6) Operate a digital video surveillance system as prescribed in California Penal Code section 26806, or, for Bidders or Contractors located outside the State of California, any similar system.

(h) Affirm that it does not sell, and has not sold during the procurement process or while under contract, unserialized gun build kits or precursor parts, including non-serialized firearms or non-serialized unfinished frames or unfinished receivers.

(E) assist law enforcement agencies in the investigation and prevention of criminal access to firearms; and

(F) operate a digital video surveillance system as prescribed in California Penal section 26806, as may be amended, or a similar system, if applicable state or local law requires such a system, for contractors outside of California.

(4) Contractors that sell gun build kits, including the non-serialized unfinished firearm frames or receivers and non-serialized forearms must show proof they are in compliance with San Diego Municipal Code section 53.18, and any federal, state, or local laws related to firearm precursor parts.

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- (a) Comply 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, per California Penal Code section 26710;
- (b) Provide proof and copies 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 or 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's or Contractor's premises for the past five calendar years. In the event that a Bidder for, or party to, a contract with a state agency for the procurement of firearms, ammunition, or firearm accessories is unable to provide sufficient materials, a declaration explaining why it is unable to do so;

SAN FRANCISCO (Acquisition of Commodities and Services)**Chapter 21H: Procurement of Firearms and Ammunition**

In order for a Supplier to be awarded a contract, the Purchaser must determine that the Supplier meets the following minimum qualification requirements:

- (a) Compliance with all federal, state, and local laws and regulations applicable to retail dealers and manufacturers of firearms and ammunition; possession of valid federal, state and local firearms licenses, permits, and certifications required by all applicable jurisdictions in order to deal in firearms, including but not limited to, for California Suppliers, valid State Board of Equalization seller's permit(s) and a Certificate of Eligibility pursuant to Section 26710 of the California Penal Code.
- (b) Public safety policies that serve the following purposes:
 - (1) Prevention, detection, and screening for the transfer of firearms or ammunition to straw buyers or firearm traffickers.
 - (2) Prevention of sales to prohibited individuals and persons too dangerous to possess firearms.
 - (3) Protection against the theft of firearms and ammunition.
 - (4) Employee training designed to ensure maximum compliance with the law.

(e) Provide a true copy of the two most recent inspection reports of any inspection conducted by a federal, state, or local agency, including any follow-up materials documenting administrative actions taken by such agency;

(f) Disclose any violations found from any type of inspection conducted by a federal, state, or local agency during the two most recent inspections, and 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 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, and screen for the transfer of firearms to straw purchasers or firearm traffickers;

(2) Prevent, detect, and 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 and/or loss of firearms or firearm ammunition;

(4) Train employees who handle or have access to firearms or ammunition to ensure compliance with all applicable federal, state, and local firearms laws and regulations;

(5) Assistance to law enforcement in the investigation and prevention of criminal access to guns.

(c) No unresolved ATF violations within the last five years;

(d) An average of no more than five trace requests from the ATF per year over the prior five years; and

(e) Five or fewer thefts of firearms and/or ammunition from its facilities over the prior five years.

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

(6) Operate a digital video surveillance system as prescribed in California Penal Code section 26806, or, for Bidders or Contractors located outside the State of California, any similar system.

(h) Affirm that it does not sell, and has not sold during the procurement process or while under contract, unserialized gun build kits or precursor parts, including non-serialized firearms or non-serialized unfinished frames or unfinished receivers.

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A Bidder seeking the award of, or a Contractor who is awarded, a contract with a (City/County) agency for the procurement of firearms, ammunition, or firearm accessories shall, during the public procurement process, and on an annual basis or upon request of the (City/County) agency:

(a) Comply 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, per California Penal Code section 26710;

(b) Provide proof and copies 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 or 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's or Contractor's premises for the past five calendar years. In the event that a Bidder for, or party to, a contract with a state agency for the procurement of firearms, ammunition, or firearm accessories is unable to provide sufficient materials, a declaration explaining why it is unable to do so;

OAKLAND (Administration and Personnel)**Chapter 2.10 – Firearms and Ammunition Procurement and Disposal****2.10.040 - General requirements.**

All City vendors subject to this chapter shall, prior to entering into or renewing a contract with the City:

1. Be in compliance with all applicable State and Federal laws, and, if required by State or Federal law, shall have a valid Federal firearms license, a valid State Board of Equalization seller's permit, and a certificate of eligibility pursuant to Section 26710 of the California Penal Code;

2. Adhere to public safety principles relating to firearms and ammunition;

3. Have no unresolved ATF violations within the last five (5) years; and

4. Have policies to prevent, detect, and screen for the transfer of firearms to straw purchasers or firearm traffickers; to prevent sales to prohibited individuals; to protect against the theft of firearms and ammunition; to train vendor employees and have reasonable employment policies designed to ensure maximum compliance with the law; to assist law enforcement in the investigation and prevention of criminal access to guns; to operate a digital video surveillance system as prescribed in Section 26806 of the California Penal Code or a similar system, if applicable State or local law requires such a system, for vendors outside of California; and to promote public safety. Manufacturers of firearms and/or ammunition shall have standards for retail

(e) Provide a true copy of the two most recent inspection reports of any inspection conducted by a federal, state, or local agency, including any follow-up materials documenting administrative actions taken by such agency;

(f) Disclose any violations found from any type of inspection conducted by a federal, state, or local agency during the two most recent inspections, and 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 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, and screen for the transfer of firearms to straw purchasers or firearm traffickers;
- (2) Prevent, detect, and 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 and/or loss of firearms or firearm ammunition;
- (4) Train employees who handle or have access to firearms or ammunition to ensure compliance with all applicable federal, state, and local firearms laws and regulations;

dealers authorized to sell the manufacturer's firearms and/or ammunition that induce those dealers to adopt the policies set forth in this paragraph.

5. After certification or at any time during the term of any contract with the City, City vendor is required to notify the City of any policy change inconsistent with the requirements above or any new ATF violation against City vendor within thirty (30) days of such change or violation.

2.10.050 - Required contract provisions.

A. Every contract subject to this Chapter shall contain provisions for City vendors to certify their compliance with the requirements set forth in Section [2.10.040](#) above as of the date the City vendor enters the contract with the City or when such contract is amended or renewed.

B. The City Administrator may not enter into or renew any contract with any City vendor that refuses or is otherwise unable to certify their compliance with the requirements set forth in Subsection A. above unless granted a waiver by the City Administrator.

C. The City shall reject bids, quotations, proposals, or other submissions from any City vendor that refuses or is otherwise unable to certify their compliance with the requirements set forth in Subsection A. above unless granted a waiver by the City Administrator.

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

(6) Operate a digital video surveillance system as prescribed in California Penal Code section 26806, or, for Bidders or Contractors located outside the State of California, any similar system.

(h) Affirm that it does not sell, and has not sold during the procurement process or while under contract, unserialized gun build kits or precursor parts, including non-serialized firearms or non-serialized unfinished frames or unfinished receivers.