

Following are citations of all applicable state and federal laws.

State [PC 25400](#) (formerly 12025) (abridged)

25400. (a) A person is guilty of carrying a concealed firearm when the person does any of the following:

(1) Carries concealed within any vehicle that is under the person's control or direction any pistol, revolver, or other firearm capable of being concealed upon the person.

(2) Carries concealed upon the person any pistol, revolver, or other firearm capable of being concealed upon the person.

(b) A firearm carried openly in a belt holster is not concealed within the meaning of this section.

25605. (a) Section 25400 ... shall not apply to or affect any citizen of the United States or legal resident over the age of 18 years who resides or is temporarily within this state ... who carries, either openly or concealed, anywhere within the citizen's or legal resident's place of residence, place of business, or on private property owned or lawfully possessed by the citizen or legal resident...

Note: PC 25610 and 25505-25595 (formerly 12026.1 and 12026.2) provide exemptions to 25400 for transporting handguns unloaded in a locked case or vehicle trunk.

Note: PC 25400 only applies to hand guns, not rifles or shotguns, which may be concealed.

State [PC 25640](#) (formerly 12027(g)) exemption to 25400

25640. Section 25400 does not apply to, or affect, licensed hunters or fishermen carrying pistols, revolvers, or other firearms capable of being concealed upon the person while engaged in hunting or fishing, or transporting those firearms unloaded when going to or returning from the hunting or fishing expedition.

State [PC 25850](#) (formerly 12031) (abridged)

25850. (a) A person is guilty of carrying a loaded firearm when the person carries a loaded firearm on the person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited area of unincorporated territory.

26055. Nothing in Section 25850 shall prevent any person from having a loaded weapon, if it is otherwise lawful, at the person's place of residence, including any temporary residence or campsite.

17030. As used in this part, "prohibited area" means any place where it is unlawful to discharge a weapon.

16840. (b) (1) A firearm shall be deemed to be "loaded" when there is an unexpended cartridge or shell, consisting of a case that holds a charge of powder and a bullet or shot, in, or attached in any manner to, the firearm, including, but not limited to, in the firing chamber, magazine, or clip thereof attached to the firearm.

Note: In [People v. Clark](#) (1996), the California Court of Appeal clarified that in order to be "loaded" a firearm must have ammunition "placed into a position from which it can be fired". It even went so far as to point out as an example of what is not loaded to include shells attached to a shotgun inside a buttstock shell carrier. And loaded detachable magazines are not loaded firearms. For more details, see [Defining loaded in California](#).

State [PC 26350](#) (AB144) (abridged)

26350. (a) (1) A person is guilty of openly carrying an unloaded handgun when that person carries upon his or her person an exposed and unloaded handgun...

26366. Section 26350 does not apply to, or affect, the open carrying of an unloaded handgun by a licensed hunter while engaged in hunting or while transporting that handgun when going to or returning from that hunting expedition.

26383. Paragraph (1) of subdivision (a) of Section 26350 does not apply to, or affect, the open carrying of an unloaded handgun by a person when done within a place of business, a place of residence, or on private property...

26388. Section 26350 does not apply to, or affect, the open carrying of an unloaded handgun on publicly owned land, if the possession and use of a handgun is specifically permitted by the managing agency of the land and the person carrying that handgun is in lawful possession of that handgun.

State PC 26400 (AB1527) (abridged)

26400. (a) A person is guilty of carrying an unloaded firearm that is not a handgun in an incorporated city or city and county when that person carries upon his or her person an unloaded firearm that is not a handgun outside a vehicle while in the incorporated city or city and county.

State [CCR](#) Title 14, Div 3, Chap 1, s 4313 (abridged) (CA State Parks)

(a) No person shall carry, possess or discharge across, in or into any portion of any unit any weapon, firearm...

(c) Firearms not having a cartridge in any portion of the mechanism ... may be possessed within temporary lodging or mechanical mode of conveyance when such implements are rendered temporarily inoperable or are packed, cased, or stored in a manner that will prevent their ready use.

State [CPRC 5003.1](#) (abridged) (CA State Parks)

Hunting shall not be permitted in any unit now in the state park system ... Hunting may only be permitted in new recreational areas and state marine recreational management areas that are developed for that use

Federal [36 CFR 261.10 \(d\)](#) (National Forests)

The following are prohibited:

(d) Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property as follows:

- (1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or
- (2) Across or on a National Forest System road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge.
- (3) Into or within any cave.

Federal [36 CFR 261.58](#) (abridged) (National Forests)

When provided by an order (per [36 CFR 261.50](#)), the following are prohibited:

(m) Discharging a firearm, air rifle, or gas gun.

Federal [36 CFR 261.57](#) (abridged) (*Wilderness Areas only* in NFs)

When provided by an order (per [36 CFR 261.50](#)), the following are prohibited:

(c) Possessing a firearm or firework.

Federal [43 CFR 8364](#) (abridged) (BLM lands)

8364.1 Closure and restriction orders.

(a) To protect persons, property, and public lands and resources, the authorized officer may issue an order to close or restrict use of designated public lands.

(The closures and restrictions can include the use of firearms.)

Federal [43 CFR 8365](#) (abridged) (BLM lands)

8365.2-5 Public health, safety and comfort.

On developed recreation sites and areas, unless otherwise authorized, no person shall:

(a) Discharge or use firearms, other weapons, or fireworks

Federal [36 CFR 2.4 \(a\)](#) (National Parks) (Section (i) and (ii) not enforceable *unless state laws are also violated*)

(a)(1) Except as otherwise provided in this section and parts 7 (special regulations) and 13 (Alaska regulations), the following are prohibited:

- (i) Possessing a weapon, trap or net
- (ii) Carrying a weapon, trap or net
- (iii) Using a weapon, trap or net

IMPORTANT NOTES: On May 22, 2009, President Obama signed HR 627 into law. This overrides 36 CFR 2.4 (a) and 50 CFR 27.42 effective February 22, 2010, and firearms are now permitted in NPs and NWRs **subject to state laws**. In California, the Park Service believes that 36 CFR 2.4 (a) (iii) (prohibits the *use* of firearms, i.e. shooting) still applies, and that this triggers the "prohibited area" language of 12031/25850 and therefore loading is not legal. In addition to this, the passage of AB144 has similarly banned UOC (of handguns) in the NPs effective Jan 1, 2012. UOC of long guns is legal everywhere except in federal facilities ([18 USC 930](#), buildings with federal employees and no-firearms signs posted) ([more details](#)). LOC, UOC, UCC, and LCC (of handguns or long guns) is legal in one's campsite (PC 26055, 26383, & 25605). And LCC is legal everywhere except federal facilities with a CA CCW/LTC permit.

[H.R.627](#) s 512 (b):

(b) Protecting the Right of Individuals To Bear arms in Units of the National Park System and the National Wildlife Refuge System- The Secretary of the Interior shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm including an assembled or functional firearm in any unit of the National Park System or the National Wildlife Refuge System if--

- (1) the individual is not otherwise prohibited by law from possessing the firearm; and
- (2) the possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

Federal [50 CFR 27.42](#) (National Wildlife Refuges) (Also not enforceable after 2/22/10)

Federal [36 CFR 327.13](#) (Corps of Engineers)

(a) The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons is prohibited unless

UPDATE: 1/10/14 [Morris v. Army Corps Order enjoins 36 C.F.R. § 327.13](#) - firearms currently permitted for self-defense

State [Fish and Game Code s 2006](#)

It is unlawful to possess a loaded rifle or shotgun in any vehicle or conveyance or its attachments which is standing on or along or is being driven on or along any public highway or other way open to the public.

A rifle or shotgun shall be deemed to be loaded for the purposes of this section when there is an unexpended cartridge or shell in the firing chamber but not when the only cartridges or shells are in the magazine.

State [Fish and Game Code s 3004](#)

(a) It is unlawful for any person, other than the owner, person in possession of the premises, or a person having the express permission of the owner or person in possession of the premises, to hunt or to discharge while hunting, any firearm or other deadly weapon within 150 yards of any occupied dwelling house, residence, or other building or any barn or other outbuilding used in connection therewith. The 150-yard area is a "safety zone."

(b) It is unlawful for any person to intentionally discharge any firearm or release any arrow or crossbow bolt over or across any public road or way open to the public, in an unsafe manner.

This document and much more information is available here: <http://tinyurl.com/fifap>