



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1133: REQUIREMENTS FOR SALE OF FIREARMS AMMUNITION

Prime Sponsors:

Rep. Duran; Gilchrist

Sen. Mullica

Fiscal Analyst:

Clayton Mayfield, 303-866-5851

clayton.mayfield@coleg.gov

Published for: House Business Affairs & Labor

Drafting number: LLS 25-0105

Version: Initial Fiscal Note

Date: February 7, 2025

Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill places requirements on retail ammunition sales.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis starting in FY 2025-26:

- State Revenue
- State Expenditures
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill places requirements on the retail sale of ammunition. Sellers cannot sell or display ammunition in a manner that allows the ammunition to be accessed by a buyer without the assistance of a seller or employee. Sellers cannot sell ammunition to a person under 21 years old, and must verify a buyer's age with a valid government-issued photo identification. Violating these prohibitions is punishable by a civil infraction, or as a class 1 misdemeanor for a second or subsequent offense.

The bill also places requirements on the retail delivery of ammunition. Sellers must provide notice to delivery providers that packages contain ammunition, and cannot label or otherwise indicate that the package itself contains ammunition. Violating these prohibitions is punishable as a class 1 misdemeanor. Additionally, when delivering ammunition, a delivery provider must verify the age of the recipient in the same way as if the transaction were in a store. Violations of these prohibitions are punishable as a class 1 misdemeanor.

Finally, the requirements and penalties do not apply to wholesale ammunition sales or deliveries.

Background

Federal law prohibits the sale of rifle or shotgun ammunition to persons under the age of 18, and prohibits the sale of handgun ammunition to persons under the age of 21. Under state law, a person must be 21 years old to purchase any firearm.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offenses in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior Conviction Data

This bill creates three new offenses: unlawful sale of ammunition, unlawful notification involving an ammunition package, and unlawful delivery of ammunition. Prior conviction data for comparable crimes are discussed below.

Unlawful Sale of Ammunition

To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of failure to check identification before a tobacco sale, a civil infraction, as a comparable crime. From FY 2021-22 to FY 2023-24, three offenders have been sentenced and convicted for this existing offense. Of those convicted, two were male and one was female. Demographically, two were White and one was Black/African-American.

Unlawful Notification Involving an Ammunition Package

To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of failure to affix a label with required information to a controlled substance by a practitioner, a level 2 drug misdemeanor. From FY 2021-22 to FY 2023-24, zero offenders have been sentenced and convicted for this offense.

Unlawful Delivery of Ammunition

To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of unlawful sale of alcohol to a minor on any premise, including via delivery, a class 2 misdemeanor. From FY 2021-22 to FY 2023-24, 59 offenders have been sentenced and convicted for this offense. Of those convicted, 38 were male, 20 were female, and 1 did not have a gender identified. Demographically, 37 were White, 7 were Black/African-American, 6 were Hispanic, 2 were Asian, 1 was American Indian, and 6 did not have a race identified.

Assumptions

Based on the low prevalence of the comparable crimes and the assumption that most businesses will follow the law, the fiscal note assumes that there will be minimal or no additional case filings for the new offenses under the bill. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

Based on the assumptions in the Comparable Crime Analysis section, the fiscal note assumes that there will be a minimal impact on state revenue. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, and to the Department of Corrections, are assumed to be minimal and no change in appropriations is required.

State Expenditures

The bill impacts workload in the Judicial Department and the Department of Revenue as discussed below.

Judicial Department

Based on the assumptions in the Comparable Crime Analysis section, the fiscal note assumes that there will be an impact on state expenditures in the Judicial Department. Any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, are assumed to be minimal and no change in appropriations is required.

Department of Revenue

By adding a potential violation of Article 12 of Title 18, the bill may increase workload and costs for the Firearms Dealer Division in the Department of Revenue (DOR). If businesses that are required to obtain a state firearm dealer permit also sell ammunition, then those businesses will need to comply with the requirements of the bill. The DOR will start issuing state firearm dealer permits in FY 2025-26. Current law requires the DOR to issue warnings for a first violation of any of the provisions of Article 12 of Title 18, with suspension or revocation of a permit as a penalty for a second or subsequent violation. The fiscal note assumes that the DOR is not responsible for enforcing criminal violations of Article 12 of Title 18, but to the extent that criminal violations occur and are reported by law enforcement agencies, the DOR will be required to take enforcement actions. Additionally, in any inspections performed by the DOR of state firearm dealer permit holders, the DOR must ensure that permit holders are compliant with the bill.

Assuming 1 percent of permit holders violate the provisions of the bill, this results in a minimal and absorbable impact to the DOR from any additional enforcement actions that may occur as a result of this bill.

Local Government

Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute more offenses, or for county jails to imprison more individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

District Attorneys	Personnel
Judicial	Public Safety
Natural Resources	Revenue

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).