

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0600.01 Conrad Imel x2313

**HOUSE BILL 26-1021**

**HOUSE SPONSORSHIP**

**Bradley and Brooks,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**  
101      **CONCERNING MEASURES TO PROTECT SECOND AMENDMENT RIGHTS.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill repeals various state laws related to firearms and other weapons. Specifically, the bill repeals provisions concerning:

- Unlawfully carrying a firearm at a polling location or drop box offense;
- The presumption that an individual engages in election-related intimidation if the individual carries a visible firearm, imitation firearm, or toy firearm while interacting with or observing specified election activities;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters or bold & italic numbers indicate new material to be added to existing law.*

*Dashes through the words or numbers indicate deletions from existing law.*

- Firearm industry standards of responsible conduct enacted in Senate Bill 23-168, enacted in 2023, and the bill restores the firearms product liability provisions that existed prior to the enactment of Senate Bill 23-168;
- Payment processing for retail sales of firearms;
- Designating as peace officers the following personnel of the firearms dealer division within the department of revenue: The director, deputy directors, agents in charge, criminal investigator supervisors, and criminal investigators;
- Including in a mandatory criminal protection order a requirement for a defendant to relinquish firearms and ammunition;
- The classification of a rapid-fire device as a dangerous weapon;
- Prohibitions on knowingly carrying a firearm in specified government buildings and licensed child care centers;
- Unlawfully carrying a concealed weapon;
- Unlawfully possessing explosive, incendiary, or other dangerous devices in certain legislative buildings;
- Unlawfully carrying a firearm at a licensed child care center; a public or private elementary, middle, junior high, high, or vocational school; or a public or private college or university;
- Requirements to store a firearm, including in a vehicle;
- The requirement for the department of public health and environment to conduct a firearms safe storage education campaign;
- Prohibitions on certain conduct involving an unserialized firearm, frame, or receiver;
- The requirement to conduct a background check on the transferee in a private firearm transfer;
- Setting the minimum age to buy a firearm at 21 years old;
- The 3-day waiting period for firearm sales;
- Certain prohibited activity involving semiautomatic firearms, including the prohibition on purchasing a firearm without having completed certain educational requirements, and the associated firearms training and safety course record system;
- Ammunition sales;
- Permitting local entities to prohibit carrying a concealed handgun in certain areas;
- Prohibiting the possession of certain ammunition magazines, and marking requirements on certain ammunition magazines manufactured in Colorado on or

- after July 1, 2013;
- The requirement to have a state permit to deal firearms in Colorado and the requirements for dealers and dealers' employees;
- Gun show regulations;
- Providing materials about gun violence prevention to parents with students in K-12 schools;
- The authority of the Colorado bureau of investigation to investigate particular illegal activity involving firearms statewide;
- The voluntary waiver of the right to purchase a firearm; and
- The authority of a local government to enact an ordinance, regulation, or other law governing or prohibiting the sale, purchase, transfer, or possession of a firearm, ammunition, or firearm component or accessory.

The bill repeals the office of gun violence prevention.

As part of the repeals described above, the firearms training and safety course cash fund is repealed and the voluntary waiver of the right to purchase a firearm program, which is funded by gifts, grants, and donations, is repealed. The bill directs the state treasurer to return the money in the firearms training and safety course cash fund to the persons who paid fees into the fund and to return to the grantors and donors the balance of the gifts, grants, and donations made in support of the voluntary waiver of the right to purchase a firearm program.

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1     *Be it enacted by the General Assembly of the State of Colorado:*

2             **SECTION 1. Short title.** The short title of this act is the "Second  
3             Amendment Protection Act".

4             **SECTION 2. Legislative declaration.** (1) The general assembly  
5             finds and declares that:

6                 (a) For more than 15 years, the state of Colorado and successive  
7             general assemblies have waged an unrelenting and deliberate assault on  
8             the constitutional right of the people to keep and bear arms. Under the  
9             false pretense of public safety, lawmakers have enacted a steady stream  
10            of punitive, ideologically driven gun control measures designed not to  
11            stop criminals but to exhaust, intimidate, and disarm law-abiding citizens.

14 (d) The second amendment does not exist for sport, recreation, or  
15 even personal defense alone. Its core purpose is to ensure that ultimate  
16 power remains with the people, not centralized in an overreaching  
17 government that believes itself immune from constitutional limits. Every  
18 attempt to weaken, regulate, or nullify rights protected by the second  
19 amendment is an attempt to consolidate power away from the citizenry  
20 and toward the state.

21 (2) The general assembly further finds that:

22 (a) An overwhelming majority of firearm restrictions enacted in  
23 Colorado since 2013 are incompatible with the text, history, and tradition  
24 of the second amendment, the constitutional standard affirmed by the  
25 United States supreme court in *N.Y. State Rifle & Pistol Association v.*  
26 *Bruen*, 597 U.S. 1 (2022). The legislators and lobbyists responsible for  
27 these laws have demonstrated either willful ignorance or outright

1 contempt for that standard.

2 (b) Colorado's legislative process has been captured by a  
3 well-funded out-of-state anti-gun lobby and its billionaire donors whose  
4 influence drowns out the voices of ordinary Coloradans and pressures  
5 lawmakers to advance unconstitutional policies regardless of their  
6 consequences;

7 (c) During the very period in which gun control laws have  
8 multiplied, Colorado has experienced a sustained and alarming rise in  
9 violent crime. The state has ranked first in the nation for motor vehicle  
10 theft and has ranked consistently among the most dangerous states in the  
11 country, which is clear evidence that disarming the law-abiding has not,  
12 and will not, stop criminal violence.

13 (d) Law-abiding firearm carriers stop thousands of crimes  
14 annually, with estimates ranging from 60,000 to 90,000 crimes stopped  
15 each year to estimates of as many as 1.6 to 2.5 million defensive actions  
16 per year involving firearms, based on self-reported surveys;

17 (e) The people of Colorado have been subjected to escalating  
18 lawlessness, organized criminal activity, and unchecked violence while  
19 simultaneously being stripped of their ability to defend themselves. They  
20 have been told to rely on a system that repeatedly fails them while their  
21 constitutional rights are treated as obstacles rather than guarantees.

22 (3) The general assembly further declares that:

23 (a) The laws repealed in this act are blatant violations of the  
24 second amendment; leave Coloradans more vulnerable to both domestic  
25 and foreign threats; embolden criminals while punishing the innocent;  
26 and represent a direct threat to the liberty, security, and self-determination  
27 of the people of this great state; and

4                   **SECTION 3.** In Colorado Revised Statutes, **repeal** 1-13-724,  
5                   1-13-726, article 27 of title 6, 16-2.5-121.5, 18-1-1001 (3)(a)(I)(C) and  
6                   (9), 18-12-105, 18-12-105.3, 18-12-105.5, 18-12-111.5, 18-12-112,  
7                   18-12-114, 18-12-114.5, 18-12-115, 18-12-116, 18-12-117, part 3 of  
8                   article 12 of title 18, 18-12-401 (6), 18-12-401.5, 18-12-405, 18-12-406,  
9                   18-12-407, part 5 of article 12 of title 18, 22-1-150, 24-33.5-424.7,  
10                  24-35-122, 25-1-131, part 12 of article 20.5 of title 25, and 33-9-115.

11                   **SECTION 4.** In Colorado Revised Statutes, 1-13-726, **repeal**  
12                   (2)(a), (2)(b), and (4) as follows:

13                   **1-13-726. Intimidation of voters or election officials - civil**  
14                   **enforcement - short title - definitions.**

15                   (2) **Definitions.** As used in this section, unless the context  
16                   otherwise requires:

17 (a) "Firearm" has the same meaning as set forth in section  
18 18-1-901 (3)(h).

19 (b) "Imitation firearm" means an object or device reasonably  
20 capable of being mistaken for a firearm or for a weapon that uses  
21 compressed air or another gas to fire a projectile:

#### 22 (4) Presumption of engaging in election-related intimidation:

(b) The presumption specified in subsection (4)(a) of this section does not apply to a law enforcement officer acting within the scope of the officer's official duties or to a uniformed security guard employed by a contract security agency, as defined in section 24-33.5-415.4, acting within the scope of the authority granted by and in the performance of a contractual agreement for the provision of security services with a person or entity that owns or controls the facility, building, or location subject to this section. Accordingly, a plaintiff must allege more than such a law enforcement officer's or uniformed security guard's possession of a holstered firearm to state a claim under this section; except that a court may consider a law enforcement officer's or uniformed security guard's possession of a firearm in determining whether the law enforcement officer or uniformed security guard violated subsection (3) of this section.

14                   **SECTION 5.** In Colorado Revised Statutes, **recreate and**  
15                   **reenact, with amendments**, part 5 of article 21 of title 13 as follows:

## PART 5

## PRODUCT LIABILITY ACTIONS - FIREARMS AND AMMUNITION

**13-21-501. Legislative declaration.**

20 (1) THE GENERAL ASSEMBLY DECLares THAT IT IS THE POLICY IN  
21 THIS STATE THAT PRODUCT LIABILITY FOR INJURY, DAMAGE, OR DEATH  
22 CAUSED BY THE DISCHARGE OF A FIREARM OR AMMUNITION MUST BE  
23 BASED ONLY UPON AN ACTUAL DEFECT IN THE DESIGN OR MANUFACTURE  
24 OF THE FIREARM OR AMMUNITION AND NOT UPON THE INHERENT  
25 POTENTIAL OF A FIREARM OR AMMUNITION TO CAUSE INJURY, DAMAGE, OR  
26 DEATH WHEN DISCHARGED.

27 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT IT IS THE

1 POLICY OF THIS STATE THAT A CIVIL ACTION IN TORT FOR ANY REMEDY  
2 ARISING FROM PHYSICAL OR EMOTIONAL INJURY, PHYSICAL DAMAGE, OR  
3 DEATH CAUSED BY THE DISCHARGE OF A FIREARM OR AMMUNITION MUST  
4 BE BASED ONLY UPON AN ACTUAL DEFECT IN THE DESIGN OR  
5 MANUFACTURE OF THE FIREARM OR AMMUNITION OR UPON THE  
6 COMMISSION OF A VIOLATION OF A STATE OR FEDERAL STATUTE OR  
7 REGULATION AND NOT UPON ANY OTHER THEORY OF LIABILITY. THE  
8 GENERAL ASSEMBLY ALSO FINDS THAT A FIREARMS OR AMMUNITION  
9 MANUFACTURER, IMPORTER, OR DEALER SHALL NOT BE HELD LIABLE FOR  
10 THE ACTIONS OF ANOTHER PERSON UNDER ANY THEORY OF LIABILITY.

11 **13-21-502. Product liability action - definition.**

12 AS USED IN THIS PART 5, UNLESS THE CONTEXT OTHERWISE  
13 REQUIRES, "PRODUCT LIABILITY ACTION" MEANS A CLAIM FOR DAMAGES  
14 BROUGHT AGAINST A MANUFACTURER, DISTRIBUTOR, IMPORTER, OR  
15 SELLER OF FIREARMS OR AMMUNITION ALLEGING A DEFECT IN THE DESIGN  
16 OR MANUFACTURE OF A FIREARM OR AMMUNITION.

17 **13-21-503. Determination of defect - burden of proof.**

18 (1) IN A PRODUCT LIABILITY ACTION, WHETHER A FIREARM OR  
19 AMMUNITION IS DEEMED DEFECTIVE IN DESIGN MUST NOT BE BASED UPON  
20 ITS POTENTIAL TO CAUSE INJURY, DAMAGE, OR DEATH WHEN DISCHARGED.

21 (2) THE PLAINTIFF HAS THE BURDEN TO PROVE, IN ADDITION TO  
22 ANY OTHER ELEMENTS REQUIRED TO BE PROVEN:

23 (a) IN A PRODUCT LIABILITY ACTION ALLEGING A DESIGN DEFECT,  
24 THAT THE ACTUAL DESIGN WAS DEFECTIVE AND THAT THE DEFECTIVE  
25 DESIGN WAS THE PROXIMATE CAUSE OF THE INJURY, DAMAGE, OR DEATH;  
26 AND

27 (b) IN A PRODUCT LIABILITY ACTION ALLEGING A DEFECT IN

1 MANUFACTURE, THAT THE FIREARM OR AMMUNITION WAS MANUFACTURED  
2 AT VARIANCE FROM ITS DESIGN AND THAT THE DEFECTIVE MANUFACTURE  
3 WAS THE PROXIMATE CAUSE OF THE INJURY, DAMAGE, OR DEATH.

4 (3) THE INHERENT POTENTIAL OF A FIREARM OR AMMUNITION TO  
5 CAUSE INJURY, DAMAGE, OR DEATH WHEN DISCHARGED IS NOT A BASIS FOR  
6 A FINDING THAT THE PRODUCT IS DEFECTIVE IN DESIGN OR MANUFACTURE.

7 **13-21-504. Proximate cause.**

8 (1) IN A PRODUCT LIABILITY ACTION, THE ACTUAL DISCHARGE OF  
9 A FIREARM OR AMMUNITION MUST BE THE PROXIMATE CAUSE OF INJURY,  
10 DAMAGE, OR DEATH RESULTING FROM THE USE OF THE PRODUCT AND NOT  
11 THE INHERENT CAPABILITY OF THE PRODUCT TO CAUSE INJURY, DAMAGE,  
12 OR DEATH.

13 (2) THE MANUFACTURER'S, IMPORTER'S, OR DISTRIBUTOR'S  
14 PLACEMENT OF A FIREARM OR AMMUNITION IN THE STREAM OF COMMERCE,  
15 EVEN IF THE PLACEMENT IS FOUND TO BE FORESEEABLE, IS NOT CONDUCT  
16 DEEMED SUFFICIENT TO CONSTITUTE THE PROXIMATE CAUSE OF INJURY,  
17 DAMAGE, OR DEATH RESULTING FROM A THIRD PARTY'S USE OF THE  
18 PRODUCT.

19 (3) IN A PRODUCT LIABILITY ACTION CONCERNING THE  
20 ACCIDENTAL DISCHARGE OF A FIREARM, THE MANUFACTURER'S,  
21 IMPORTER'S, OR DISTRIBUTOR'S PLACEMENT OF THE PRODUCT IN THE  
22 STREAM OF COMMERCE IS NOT CONDUCT DEEMED SUFFICIENT TO  
23 CONSTITUTE PROXIMATE CAUSE, EVEN IF ACCIDENTAL DISCHARGE IS  
24 FOUND TO BE FORESEEABLE.

25 (4) IN ADDITION TO ANY LIMITATION OF AN ACTION SET FORTH IN  
26 SECTION 13-80-119, IN A PRODUCT LIABILITY ACTION BROUGHT BY THE  
27 PERSON WHO COMMITTED A CRIMINAL ACT, IT IS AN ABSOLUTE DEFENSE

1 THAT THE INJURY, DAMAGE, OR DEATH IMMEDIATELY RESULTED FROM THE  
2 USE OF THE FIREARM OR AMMUNITION DURING THE COMMISSION OF THE  
3 CRIMINAL ACT THAT IS A FELONY OR MISDEMEANOR.

4 **13-21-505. Limitations on actions - award of fees.**

5 (1) AN INDIVIDUAL OR PUBLIC OR PRIVATE ENTITY MAY NOT BRING  
6 AN ACTION IN TORT, OTHER THAN A PRODUCT LIABILITY ACTION, AGAINST  
7 A FIREARMS OR AMMUNITION MANUFACTURER, IMPORTER, OR DEALER FOR  
8 ANY REMEDY ARISING FROM PHYSICAL OR EMOTIONAL INJURY, PHYSICAL  
9 DAMAGE, OR DEATH CAUSED BY THE DISCHARGE OF A FIREARM OR  
10 AMMUNITION.

11 (2) A FIREARMS OR AMMUNITION MANUFACTURER, IMPORTER, OR  
12 DEALER SHALL NOT, IN ANY TYPE OF ACTION, BE HELD LIABLE AS A THIRD  
13 PARTY FOR THE ACTIONS OF ANOTHER PERSON.

14 (3) THE COURT, UPON THE FILING OF A MOTION TO DISMISS  
15 PURSUANT TO RULE 12 (b) OF THE COLORADO RULES OF CIVIL PROCEDURE,  
16 SHALL DISMISS ANY ACTION BROUGHT AGAINST A FIREARMS OR  
17 AMMUNITION MANUFACTURER, IMPORTER, OR DEALER THAT THE COURT  
18 DETERMINES IS PROHIBITED BY SUBSECTION (1) OR (2) OF THIS SECTION.  
19 UPON DISMISSAL PURSUANT TO THIS SUBSECTION (3), THE COURT SHALL  
20 AWARD REASONABLE ATTORNEY FEES, IN ADDITION TO COSTS, TO EACH  
21 DEFENDANT NAMED IN THE ACTION.

22 (4) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, A  
23 FIREARMS OR AMMUNITION MANUFACTURER, IMPORTER, OR DEALER MAY  
24 BE SUED IN TORT FOR ANY DAMAGES PROXIMATELY CAUSED BY AN ACT OF  
25 THE MANUFACTURER, IMPORTER, OR DEALER IN VIOLATION OF A STATE OR  
26 FEDERAL STATUTE OR REGULATION. IN ANY ACTION BROUGHT PURSUANT  
27 TO THIS SUBSECTION (4), THE PLAINTIFF HAS THE BURDEN OF PROVING BY

1 CLEAR AND CONVINCING EVIDENCE THAT THE DEFENDANT VIOLATED THE  
2 STATE OR FEDERAL STATUTE OR REGULATION.

3 **13-21-506. Applicability of this part 5.**

4 THIS PART 5 DOES NOT BAR RECOVERY WHEN THE PLAINTIFF  
5 PROVES THAT THE PROXIMATE CAUSE OF AN INJURY, DAMAGE, OR DEATH  
6 WAS A FIREARM OR AMMUNITION THAT CONTAINED A DEFECT IN  
7 MANUFACTURE CAUSING THE FIREARM OR AMMUNITION TO BE AT  
8 VARIANCE FROM ITS DESIGN OR THAT THE FIREARM OR AMMUNITION WAS  
9 DESIGNED SO THAT IT DID NOT FUNCTION IN THE MANNER REASONABLY  
10 EXPECTED BY THE ORDINARY CONSUMER OF THE PRODUCT.

11 **SECTION 6.** In Colorado Revised Statutes, **amend 16-2.5-102**  
12 as follows:

13 **16-2.5-102. Certified peace officer - P.O.S.T. certification**  
14 **required.**

15 The following peace officers shall meet all the standards imposed  
16 by law on a peace officer and shall be certified by the P.O.S.T. board: A  
17 chief of police, a police officer, a sheriff, an undersheriff, a deputy  
18 sheriff, a Colorado state patrol officer, a town marshal, a deputy town  
19 marshal, a reserve police officer, a reserve deputy sheriff, a reserve  
20 deputy town marshal, a police officer or reserve police officer employed  
21 by a state institution of higher education, a department of revenue auto  
22 industry division employee identified in section 16-2.5-122, ~~a department~~  
23 ~~of revenue firearms dealer division employee identified in section~~  
24 ~~16-2.5-121.5 (2)~~, a Colorado wildlife officer, a Colorado parks and  
25 recreation officer, a Colorado police administrator or police officer  
26 employed by the Colorado mental health institute at Pueblo, an attorney  
27 general criminal investigator, a community parole officer, a public transit

1       officer, a municipal court marshal, administrators of judicial security, the  
2       department of corrections inspector general, and a Colorado ranger.

3           **SECTION 7.** In Colorado Revised Statutes, 18-12-102, **amend**  
4       (1) as follows:

5           **18-12-102. Possessing a dangerous or illegal weapon -**  
6       **affirmative defense - definition.**

7           (1) As used in this section, the term "dangerous weapon" means  
8       a firearm silencer, machine gun, ~~rapid-fire device~~, short shotgun, or short  
9       rifle.

10           **SECTION 8.** In Colorado Revised Statutes, 18-12-112.5, **amend**  
11       (1)(b) and (3)(a); and **repeal** (1)(a.3), (1)(a.5), and (1)(c) as follows:

12           **18-12-112.5. Firearms transfers by licensed dealers - sale and**  
13       **purchase - background check required - penalty - definitions.**

14           (1) (a.3) ~~A person who is a licensed gun dealer shall not make or~~  
15       ~~facilitate the sale of a firearm to a person who is less than twenty-one~~  
16       ~~years of age.~~

17           (a.5) ~~It is unlawful for a person who is less than twenty-one years~~  
18       ~~of age to purchase a firearm. This subsection (1)(a.5) and subsection~~  
19       ~~(1)(a.3) of this section do not apply if:~~

20           (I) ~~The person is an active member of the United States armed~~  
21       ~~forces while on duty and serving in conformance with the policies of the~~  
22       ~~United States armed forces; or~~

23           (II) ~~The person is a peace officer, as described in section~~  
24       ~~16-2.5-101, while on duty and serving in conformance with the policies~~  
25       ~~of the employing agency, as set forth in section 16-2.5-101 and section~~  
26       ~~16-2.5-135; or~~

27           (III) ~~An individual certified by the P.O.S.T. board pursuant to~~

1        ~~section 16-2.5-102.~~

2            (b) Transferring ~~or selling~~ a firearm in violation of this subsection

3            (1) is a class 1 misdemeanor.

4            (c) ~~Purchasing a firearm in violation of this subsection (1) is a~~  
5 ~~class 2 misdemeanor.~~

6            (3) As used in this section, unless the context otherwise requires:

7            (a) ~~"Licensed gun dealer" has the same meaning set forth in~~  
8 ~~section 18-12-506~~ MEANS A FEDERAL FIREARMS LICENSEE AS DEFINED IN  
9 SECTION 18-12-101.

10           **SECTION 9.** In Colorado Revised Statutes, 18-12-201, **amend**  
11 (1)(a), (1)(c), (1)(d), (1)(e), and (2); and **recreate and reenact, with**  
12 **amendments,** (1)(b) as follows:

13           **18-12-201. Legislative declaration.**

14           (1) The general assembly finds that:

15           (a) There exists a widespread inconsistency among jurisdictions  
16 within the state with regard to the issuance of permits to carry concealed  
17 handguns ~~AND IDENTIFICATION OF AREAS OF THE STATE WHERE IT IS~~  
18 ~~LAWFUL TO CARRY CONCEALED HANDGUNS;~~

19           (b) ~~THIS INCONSISTENCY AMONG JURISDICTIONS CREATES PUBLIC~~  
20 ~~UNCERTAINTY REGARDING THE AREAS OF THE STATE IN WHICH IT IS~~  
21 ~~LAWFUL TO CARRY CONCEALED HANDGUNS;~~

22           (c) ~~Inconsistency regarding issuance of permits results in the~~  
23 ~~arbitrary and capricious denial of permits to carry concealed handguns~~  
24 ~~based on the jurisdiction of residence rather than the qualifications for~~  
25 ~~obtaining a permit;~~

26           (d) ~~Officials of local governments are uniquely equipped to make~~  
27 ~~determinations as to where concealed handguns can be carried in their~~

1 local jurisdictions; and THE CRITERIA AND PROCEDURES FOR THE LAWFUL  
2 CARRYING OF CONCEALED HANDGUNS HISTORICALLY HAS BEEN  
3 REGULATED BY STATE STATUTE AND SHOULD BE CONSISTENT  
4 THROUGHOUT THE STATE TO ENSURE CONSISTENT IMPLEMENTATION OF  
5 STATE LAW; AND

6 (e) It is necessary that the state occupy the field of regulation of  
7 ~~issuing~~ BEARING CONCEALED HANDGUNS SINCE THE ISSUANCE OF A  
8 concealed handgun ~~permits because~~ PERMIT IS BASED ON AN INDIVIDUAL'S  
9 CONSTITUTIONAL RIGHT OF SELF-PROTECTION AND there is a prevailing  
10 state interest in ensuring that ~~no~~ A citizen is NOT arbitrarily denied a  
11 concealed handgun permit AND THAT THE LAWS CONTROLLING THE USE OF  
12 THE PERMIT ARE CONSISTENT THROUGHOUT THE STATE.

13 (2) Based on the findings specified in subsection (1) of this  
14 section, the general assembly concludes that:

15 (a) ~~The criteria and procedures for issuing permits to carry~~  
16 PERMITTING AND CARRYING OF concealed handguns is a matter of  
17 statewide concern; AND

18 (b) It is necessary to provide statewide uniform standards for  
19 issuing permits to carry concealed handguns for self-defense. ~~and~~

20 (c) ~~Whether concealed handguns can be carried in a specific area~~  
21 ~~is a matter of state and local concern.~~

22 **SECTION 10.** In Colorado Revised Statutes, 18-12-214, **amend**  
23 (1)(a) and (3)(a); and **repeal** (1)(c), (2.5), and (3.5) as follows:

24 **18-12-214. Authority granted by permit - carrying restrictions**  
25 **- local authority.**

26 (1) (a) A permit to carry a concealed handgun authorizes the  
27 permittee to carry a concealed handgun in all areas of the state, except as

1 specifically limited in this section. A permit does not authorize the  
2 permittee to use a handgun in a manner that would violate a provision of  
3 state law. A LOCAL GOVERNMENT DOES NOT HAVE AUTHORITY TO ADOPT  
4 OR ENFORCE AN ORDINANCE OR RESOLUTION THAT CONFLICTS WITH THIS  
5 PART 2.

6 (c) (I) ~~A local government, including a special district, or the~~  
7 ~~governing board of an institution of higher education, including the board~~  
8 ~~of directors of the Auraria higher education center, may enact an~~  
9 ~~ordinance, resolution, rule, or other regulation that prohibits a permittee~~  
10 ~~from carrying a concealed handgun in a building or specific area within~~  
11 ~~the local government's or governing board's jurisdiction, or for a special~~  
12 ~~district, in a building or specific area under the direct control or~~  
13 ~~management of the district, including a building or facility managed~~  
14 ~~pursuant to an agreement between the district and a contractor. An~~  
15 ~~ordinance, resolution, or other regulation prohibiting a permittee from~~  
16 ~~carrying a concealed handgun may only impose a civil penalty for a~~  
17 ~~violation and require the person to leave the premises. For a first offense,~~  
18 ~~the ordinance, resolution, or other regulation may not impose a fine that~~  
19 ~~exceeds fifty dollars and may not impose a sentence of incarceration. A~~  
20 ~~person who does not leave the premises when required may be subject to~~  
21 ~~criminal penalties.~~

22 (II) ~~If a local government or governing board prohibits carrying~~  
23 ~~a concealed handgun in a building or specific area, the local government~~  
24 ~~or governing board shall post signs at the public entrances to the building~~  
25 ~~or specific area informing persons that carrying a concealed handgun is~~  
26 ~~prohibited in the building or specific area. The notice required by this~~  
27 ~~section may be included on a sign describing open carry restrictions~~

1 posted in accordance with section 29-11.7-104.

2 (2.5) ~~A permit issued pursuant to this part 2 does not authorize a~~  
3 ~~person to carry a concealed handgun into a place where the carrying of~~  
4 ~~concealed handguns is prohibited by a local ordinance, resolution, rule,~~  
5 ~~or other regulation.~~

6 (3) A permit issued pursuant to this part 2 does not authorize a  
7 person to carry a concealed handgun onto the real property, or into any  
8 improvements erected thereon, of a public elementary, middle, junior  
9 high, or high school; except that:

10 (a) A permittee may have a handgun on the real property of the  
11 public school so long as the handgun remains in the permittee's vehicle  
12 and, if the permittee ~~leaves the vehicle unattended, the permittee stores~~  
13 ~~the firearm pursuant to section 18-12-114.5~~ IS NOT IN THE VEHICLE, THE  
14 HANDGUN IS IN A COMPARTMENT WITHIN THE VEHICLE AND THE VEHICLE  
15 IS LOCKED;

16 (3.5) ~~A permit issued pursuant to this part 2 does not authorize a~~  
17 ~~person to carry a concealed handgun.~~

18 (a) ~~Onto the real property, or into any improvements erected~~  
19 ~~thereon, of a licensed child care center, as defined in section 18-12-105.5,~~  
20 ~~or a public or private college, university, or seminary in violation of~~  
21 ~~section 18-12-105.5;~~

22 (b) ~~In a government building in violation of section 18-12-105.3,~~  
23 ~~or~~

24 (c) ~~At a polling location, drop box, or central count facility, in~~  
25 ~~violation of section 1-13-724.~~

26 **SECTION 11.** In Colorado Revised Statutes, 24-33.5-412,  
27 amend (1)(r); and **repeal** (1)(t) and (10) as follows:

1                   **24-33.5-412. Functions of bureau - legislative review -**  
2                   **interagency cooperation with reporting functions - processing time**  
3                   **for criminal history record checks - computer crime - synthetic**  
4                   **cannabinoids enforcement.**

5                   (1) The bureau has the following authority:

6                   (r) To conduct criminal history records checks pursuant to section  
7 24-72-305.3; AND

8                   (t) ~~To investigate throughout the state criminal activity involving~~  
9 ~~firearms described in article 12 of title 18, including investigating illegal~~  
10 ~~firearm transfers and attempts, as described in section 18-2-101, to~~  
11 ~~illegally obtain a firearm. The bureau shall communicate with the~~  
12 ~~appropriate local law enforcement agency to deconflict investigative~~  
13 ~~operations and determine investigative responsibilities prior to taking~~  
14 ~~investigative or enforcement action and shall collaborate with the local~~  
15 ~~district attorney in the jurisdiction where the bureau is conducting an~~  
16 ~~investigation in the beginning stages of the investigation. This subsection~~  
17 ~~(1)(t) does not authorize the bureau to investigate other criminal activity~~  
18 ~~encountered during a firearms-related investigation without consent from,~~  
19 ~~or in collaboration with, the local law enforcement agency as required by~~  
20 ~~law.~~

21                   (10) ~~An agent or other employee of the bureau who is a peace~~  
22 ~~officer shall wear and activate a body-worn camera in accordance with~~  
23 ~~section 24-31-902 when conducting any public-facing part of an~~  
24 ~~investigation pursuant to subsection (1)(t) of this section.~~

25                   **SECTION 12.** In Colorado Revised Statutes, 29-11.7-101,  
26 **amend** (1) introductory portion, (1)(d), (1)(e), and (2); and **recreate and**  
27 **reenact, with amendments,** (1)(f) and (1)(g) as follows:

1                   **29-11.7-101. Legislative declaration.**

2                   (1) The general assembly ~~hereby~~ finds that:

3                   (d) ~~The state has an interest in the regulation of firearms due to~~  
4 ~~the ease of transporting firearms between local jurisdictions; and THERE~~  
5 ~~EXISTS A WIDESPREAD INCONSISTENCY AMONG JURISDICTIONS WITHIN THE~~  
6 ~~STATE WITH REGARD TO FIREARMS REGULATIONS;~~

7                   (e) ~~Officials of local governments are uniquely equipped to make~~  
8 ~~determinations as to regulations necessary in their local jurisdictions. THE~~  
9 ~~INCONSISTENCY AMONG LOCAL LAWS REGULATING LAWFUL FIREARM~~  
10 ~~POSSESSION AND OWNERSHIP HAS AN EXTRATERRITORIAL IMPACT ON~~  
11 ~~STATE CITIZENS AND THE GENERAL PUBLIC BY SUBJECTING THEM TO~~  
12 ~~CRIMINAL AND CIVIL PENALTIES IN SOME JURISDICTIONS FOR CONDUCT~~  
13 ~~WHOLLY LAWFUL IN OTHER JURISDICTIONS;~~

14                   (f) INCONSISTENCY AMONG LOCAL GOVERNMENTS' LAWS  
15 REGULATING THE POSSESSION AND OWNERSHIP OF FIREARMS RESULTS IN  
16 INDIVIDUALS BEING TREATED DIFFERENTLY UNDER THE LAW SOLELY ON  
17 THE BASIS OF WHERE THEY RESIDE, AND AN INDIVIDUAL'S RESIDENCE IN A  
18 PARTICULAR COUNTY OR CITY OR CITY AND COUNTY IS NOT A RATIONAL  
19 CLASSIFICATION WHEN IT IS THE BASIS FOR DENIAL OF EQUAL TREATMENT  
20 UNDER THE LAW;

21                   (g) THE INCONSISTENCY AMONG LOCAL LAW PLACES CITIZENS IN  
22 THE POSITION OF NOT KNOWING WHEN THEY MAY BE VIOLATING THE  
23 LOCAL LAWS AND THEREFORE BEING UNABLE TO AVOID VIOLATING THE  
24 LAW AND BECOMING SUBJECT TO CRIMINAL AND OTHER PENALTIES.

25                   (2) Based on the findings specified in subsection (1) of this  
26 section, the general assembly concludes that: ~~the regulation of firearms~~  
27 ~~is a matter of state and local concern.~~

7                   **SECTION 13.** In Colorado Revised Statutes, amend 29-11.7-103  
8                   as follows:

**29-11.7-103. Local regulations governing firearms permitted.**

27 (2) Nothing in this section requires the Colorado bureau of

1 investigation to consider anything other than state or federal law in its  
2 background approval process and determinations.

3 (3) Nothing in this section authorizes a local government to  
4 restrict the manufacture or sale of items pursuant to a United States  
5 military or law enforcement procurement contract.

6 **SECTION 14.** In Colorado Revised Statutes, **add** 24-36-125 as  
7 follows:

8 **24-36-125. Return of money from repealed firearms training  
9 and safety course cash fund - return of gifts, grants, and donations  
10 made for repealed voluntary waiver of the right to purchase a  
11 firearm program - repeal.**

12 (1) THE STATE TREASURER SHALL TRANSFER THE BALANCE OF THE  
13 FIREARMS TRAINING AND SAFETY COURSE CASH FUND CREATED IN SECTION  
14 33-9-115 (5)(b), AS IT EXISTED PRIOR TO ITS REPEAL IN 2026, AS FOLLOWS:

15 (a) ON OR BEFORE DECEMBER 31, 2026, THE STATE TREASURER  
16 SHALL RETURN ANY FEES PAID INTO THE FUND TO THE INDIVIDUAL WHO  
17 PAID THE FEE. THE STATE TREASURER SHALL WORK WITH THE DIVISION OF  
18 PARKS AND WILDLIFE CREATED IN SECTION 33-9-104 TO IDENTIFY FEE  
19 PAYERS, AND THE DIVISION OF PARKS AND WILDLIFE SHALL ASSIST THE  
20 STATE TREASURER IN CARRYING OUT THIS SUBSECTION (1)(a).

21 (b) ON JANUARY 15, 2027, THE STATE TREASURER SHALL  
22 TRANSFER THE REMAINING BALANCE OF THE FUND TO THE PARKS AND  
23 OUTDOOR RECREATION CASH FUND CREATED IN SECTION 33-10-111(1), UP  
24 TO THE AMOUNT TRANSFERRED FROM THE PARKS AND OUTDOOR  
25 RECREATION CASH FUND TO THE FIREARMS TRAINING AND SAFETY COURSE  
26 CASH FUND PURSUANT TO SECTION 33-9-115 (5)(c), AS IT EXISTED PRIOR  
27 TO ITS REPEAL IN 2026.

19 (b) IF ON FEBRUARY 1, 2027, AFTER RETURNING MONEY TO  
20 GRANTORS AND DONORS PURSUANT TO SUBSECTION (2)(a) OF THIS  
21 SECTION, THERE IS UNEXPENDED AND UNENCUMBERED MONEY REMAINING  
22 FROM THE BALANCE OF GIFTS, GRANTS, AND DONATIONS MADE IN SUPPORT  
23 OF THE VOLUNTARY WAIVER OF THE RIGHT TO PURCHASE A FIREARM  
24 PROGRAM, THE STATE TREASURER SHALL TRANSFER ALL OF THE  
25 REMAINING UNEXPENDED AND UNENCUMBERED MONEY TO THE GENERAL  
26 FUND.

27 (3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2027.

1                   **SECTION 15.** In Colorado Revised Statutes, **repeal** 11-30-127  
2 as follows:

3                   **11-30-127. Merchant code for firearms.**

4                   ~~A payment card network, as defined in section 6-27-201 (7), or a~~  
5 ~~merchant acquirer, as defined in section 6-27-201 (5), shall comply with~~  
6 ~~part 2 of article 27 of title 6.~~

7                   **SECTION 16.** In Colorado Revised Statutes, **repeal** 11-105-211  
8 as follows:

9                   **11-105-211. Merchant code for firearms.**

10                   ~~A payment card network, as defined in section 6-27-201 (7), or a~~  
11 ~~merchant acquirer, as defined in section 6-27-201 (5), shall comply with~~  
12 ~~part 2 of article 27 of title 6.~~

13                   **SECTION 17.** In Colorado Revised Statutes, 13-14-105.5,  
14 **amend** (4)(c) and (9)(a) introductory portion; and **repeal** (8)(a) and (8)(c)  
15 as follows:

16                   **13-14-105.5. Civil protection orders - prohibition on**  
17 **possessing or purchasing a firearm.**

18                   **(4) Relinquishment options.** To satisfy the requirement in  
19 subsection (2) of this section, the respondent shall either:

20                   (c) Sell or otherwise transfer the firearm or ammunition to a  
21 private party who may legally possess the firearm or ammunition. ~~except~~  
22 ~~that a respondent who sells or transfers a firearm pursuant to this~~  
23 ~~subsection (4)(c) shall satisfy all of the provisions of section 18-12-112~~  
24 ~~concerning private firearms transfers, including but not limited to the~~  
25 ~~performance of a criminal background check of the transferee.~~

26                   **(8) Relinquishment to a private party.**

27                   (a) ~~If a respondent sells or otherwise transfers a firearm or~~

1 ammunition to a private party who may legally possess the firearm or  
2 ammunition, as described in subsection (4)(c) of this section, the  
3 respondent shall acquire:

4 (I) From the federally licensed firearms dealer, a written receipt  
5 and signed declaration memorializing the transfer, which receipt must be  
6 dated and signed by the respondent, the transferee, and the federally  
7 licensed firearms dealer; and

8 (II) From the federally licensed firearms dealer who requests from  
9 the bureau a criminal background check of the transferee, as described in  
10 section 18-12-112, a written statement of the results of the criminal  
11 background check.

12 (c) Notwithstanding section 18-12-112, if a private party elects to  
13 store a firearm for a respondent pursuant to this section, the private party  
14 shall not return the firearm to the respondent unless the private party  
15 acquires from the federally licensed firearms dealer who requests from  
16 the bureau a background check of the respondent, a written statement of  
17 the results of the background check authorizing the return of the firearm  
18 to the respondent.

19 (9) **Requirement to file signed declaration.**

20 (a) The respondent shall file a copy of the signed declaration  
21 issued pursuant to subsection (6) OR (7)(a)(III) or (8)(a)(I) of this section  
22 and, if applicable, the written statement of the results of a criminal  
23 background check performed on the respondent, as described in  
24 subsection (8)(a)(H) of this section, with the court as proof of the  
25 relinquishment at the same time the respondent files the signed affidavit  
26 pursuant to subsection (5)(b) of this section. The signed declaration and  
27 written statement filed pursuant to this subsection (9) are IS only available

1 for inspection by the court and the parties to the proceeding. If a  
2 respondent fails to timely transfer or sell a firearm or file the signed  
3 declaration or written statement as described in this subsection (9):

4 **SECTION 18.** In Colorado Revised Statutes, 18-6-801, **amend**  
5 (8)(d)(III), (8)(e)(III), and (8)(i)(I); and **repeal** (8)(h)(I) and (8)(h)(III) as  
6 follows:

7 **18-6-801. Domestic violence - sentencing.**

8 (8) (d) **Relinquishment options.** To satisfy the requirement in  
9 subsection (8)(b) of this section, the defendant shall either:

10 (III) Sell or otherwise transfer the firearm or ammunition to a  
11 private party who may legally possess the firearm or ammunition. ~~except~~  
12 that a defendant who sells or transfers a firearm pursuant to this  
13 subsection (8)(d)(III) shall satisfy all of the provisions of section  
14 18-12-112 concerning private firearms transfers, including but not limited  
15 to the performance of a criminal background check of the transferee.

16 (e) **Compliance hearing and affidavit.**

17 (III) If the defendant possessed a firearm at the time of the  
18 qualifying incident giving rise to the duty to relinquish the firearm  
19 pursuant to this section but transferred or sold the firearm to a private  
20 party prior to sentencing, the defendant shall disclose the sale or transfer  
21 of the firearm to the private party in the affidavit described in subsection  
22 (8)(e)(II) of this section. The defendant, within seven business days after  
23 sentencing, shall acquire a written receipt and signed declaration ~~that~~  
24 ~~complies with subsection (8)(h)(I)(A) of this section~~ MEMORIALIZING THE  
25 SALE OR TRANSFER, and the defendant shall file the signed declaration at  
26 the same time the defendant files the affidavit pursuant to subsection  
27 (8)(e)(II) of this section.

**(h) Relinquishment to a private party.**

(I) If a defendant sells or otherwise transfers a firearm or ammunition to a private party who may legally possess the firearm or ammunition, as described in subsection (8)(d)(III) of this section, the defendant shall acquire:

6 (A) From the federally licensed firearms dealer, a written receipt  
7 and signed declaration memorializing the transfer, which receipt must be  
8 dated and signed by the defendant, the transferee, and the federally  
9 licensed firearms dealer; and

10 (B) From the federally licensed firearms dealer who requests from  
11 the bureau a criminal background check of the transferee, as described in  
12 section 18-12-112, a written statement of the results of the criminal  
13 background check.

21 (i) Requirement to file signed declaration.

22 (I) The defendant shall file a copy of the signed declaration issued  
23 pursuant to subsection (8)(f) OR (8)(g)(I)(C) or (8)(h)(I)(A) of this section  
24 and, if applicable, the written statement of the results of a criminal  
25 background check performed on the defendant, as described in subsection  
26 (8)(h)(I)(B) of this section, with the court as proof of the relinquishment  
27 at the same time the defendant files the signed affidavit pursuant to

1 subsection (8)(e)(II) of this section. The signed declaration ~~and written~~  
2 statement filed pursuant to this subsection (8)(i) ~~are~~ IS only available for  
3 inspection by the court and the parties to the proceeding. If a defendant  
4 fails to timely transfer or sell a firearm or file the signed declaration ~~or~~  
5 ~~written statement~~ as described in this subsection (8)(i)(I):

6 **SECTION 19.** In Colorado Revised Statutes, 18-6-803.5, **amend**  
7 (1)(c)(II) as follows:

8 **18-6-803.5. Crime of violation of a protection order - penalty**  
9 **- peace officers' duties - definitions.**

10 (1) A person commits the crime of violation of a protection order  
11 if, after the person has been personally served with a protection order that  
12 identifies the person as a restrained person or otherwise has acquired from  
13 the court or law enforcement personnel actual knowledge of the contents  
14 of a protection order that identifies the person as a restrained person, the  
15 person:

16 (c) (II) Violates a mandatory protection order issued pursuant to  
17 section 18-1-1001, PRIOR TO THE REPEAL OF SECTION 18-1-1001 (9) IN  
18 2026, that includes terms required by section 18-1-1001 (9) by:

19 (A) Possessing or attempting to purchase or receive a firearm or  
20 ammunition while the protection order is in effect; or

21 (B) Failing to timely file a signed affidavit or written statement  
22 with the court as described in section 18-1-1001 (9)(i), PRIOR TO ITS  
23 REPEAL IN 2026, or 18-6-801 (8)(i).

24 **SECTION 20.** In Colorado Revised Statutes, 18-12-105.6,  
25 **amend** (1)(a) and (2)(a) as follows:

26 **18-12-105.6. Limitation on local ordinances regarding**  
27 **firearms in private vehicles.**

1 (1) The general assembly hereby finds that:

17                   **SECTION 21.** In Colorado Revised Statutes, **amend** 18-12-107  
18                   as follows:

19                   **18-12-107. Penalty for second offense.**

20 Any person who has within five years previously been convicted  
21 of a violation under section 18-12-103 ~~18-12-105~~, or 18-12-106 shall,  
22 upon conviction for a second or subsequent offense under the same  
23 section, be guilty of a class 5 felony.

## 26 18-12-108. Possession of weapons by previous offenders.

27 (7) In addition to a conviction for felony crime as defined in

1 section 24-4.1-302 (1), a felony conviction or adjudication for one of the  
2 following felonies prohibits a person from possessing, using, or carrying  
3 upon the person a firearm, as defined in section 18-1-901 (3)(h), or any  
4 other weapon that is subject to this article 12 pursuant to subsection (1)  
5 or (3) of this section:

6 (ss) ~~Unlawfully carrying a weapon in violation of section~~  
7 ~~18-12-105.5;~~

8 (aaa) ~~Possessing a large-capacity magazine during the commission~~  
9 ~~of a crime of violence in violation of section 18-12-302 (1)(c);~~

10 (ggg) A special offender in violation of section 18-18-407  
11 (1)(d)(II); AND

12 (iii) ~~Unlawful conduct involving an unserialized firearm, frame,~~  
13 ~~or receiver, as described in section 18-12-111.5; and~~

14 (jjj) ~~Unlawful manufacture, distribution, transfer, sale, or purchase~~  
15 ~~of a specified semiautomatic firearm, as described in section 18-12-116.~~

16 **SECTION 23.** In Colorado Revised Statutes, 18-12-111, repeal  
17 (3) and (4) as follows:

18 **18-12-111. Unlawful purchase of firearms - report to law**  
19 **enforcement - unlawful attempted purchase while subject to a**  
20 **voluntary waiver - penalties.**

21 (3) (a) ~~If a firearms dealer who holds a state permit to deal~~  
22 ~~firearms pursuant to section 18-12-401.5 reasonably believes, knows or~~  
23 ~~should know, or becomes aware after a transfer, that a person, including~~  
24 ~~an employee, purchased or attempted to purchase a firearm in violation~~  
25 ~~of subsection (1) of this section, the dealer shall report that information~~  
26 ~~to a law enforcement agency with jurisdiction over the dealer's place of~~  
27 ~~business.~~

1 (b) Failure to make the report required by this subsection (3)  
2 within forty-eight hours after the dealer becomes aware of an unlawful  
3 firearm purchase or attempted firearm purchase is a violation of state law  
4 concerning the sale of firearms and is subject to the penalties described  
5 in section 18-12-401.5 (7).

6 (4) (a) A person who attempts to purchase a firearm while subject  
7 to a voluntary waiver of the right to purchase a firearm described in  
8 section 24-33.5-424.7 commits unlawful attempted firearm purchase  
9 while subject to a voluntary waiver. Unlawful attempted firearm purchase  
10 while subject to a voluntary waiver is a civil infraction and shall be  
11 punished by a fine of up to twenty-five dollars.

12 (b) Section 18-2-101 does not apply to conduct that constitutes a  
13 civil infraction pursuant to this subsection (4).

14                   **SECTION 24.** In Colorado Revised Statutes, 18-12-113, amend  
15                   (3); and **repeal** (5) as follows:

16                   **18-12-113. Failure to report a lost or stolen firearm -**  
17                   **exception.**

25                   **SECTION 25.** In Colorado Revised Statutes, 18-12-202.5,  
26    **amend** (3)(d) as follows:

27 18-12-202.5. Concealed handgun training class - refresher

1       **class - rules.**

2               (3) A concealed handgun training class must include the following  
3       elements:

4               (d) Instruction regarding federal and state laws pertaining to the  
5       lawful purchase, ownership, transportation, use, and possession of  
6       firearms, including instruction on extreme risk protection orders  
7       described in article 14.5 of title 13, requirements for reporting lost or  
8       stolen firearms described in section 18-12-113, ~~secure firearms storage~~  
9       ~~requirements described in section 18-12-114~~, and any other state law  
10      enacted within five years before the class that pertains to the purchase,  
11      ownership, transportation, use, and possession of firearms;

12               **SECTION 26.** In Colorado Revised Statutes, 18-12-204, **repeal**

13       (3)(b) as follows:

14               **18-12-204. Permit contents - validity - carrying requirements.**

15               (3)(b) ~~The provisions of this subsection (3) shall not be construed~~  
16       to authorize the carrying of a handgun in violation of the provisions of  
17       section 18-12-105 or 18-12-105.5.

18               **SECTION 27.** In Colorado Revised Statutes, 18-12-206, **amend**

19       (3)(c) as follows:

20               **18-12-206. Sheriff - issuance or denial of permits - report.**

21               (3)(c) ~~Except for suspected violations of sections 18-12-105 and~~  
22       ~~18-12-105.5~~, A peace officer may not use or search a database of  
23       permittees maintained by a law enforcement agency to establish  
24       reasonable suspicion for a traffic stop, or when contacting an individual,  
25       to justify probable cause for a search or seizure of a person or a person's  
26       vehicle or property.

27               **SECTION 28.** In Colorado Revised Statutes, **amend** 18-12-403

1 as follows:

2 **18-12-403. Record - failure to make - penalty.**

3 Every individual, firm, or corporation ~~who~~ THAT fails to keep the  
4 record required pursuant to section 18-12-402 ~~or section 18-12-111.5~~  
5 ~~(7)(b)~~; or ~~who~~ THAT refuses to exhibit the record when requested by a  
6 police officer, and any purchaser, lessee, or exchanger of a pistol or  
7 revolver who, in connection with the making of ~~such~~ THE record, gives  
8 false information, commits a class 2 misdemeanor.

9 **SECTION 29.** In Colorado Revised Statutes, 19-2.5-304, **amend**  
10 (2) introductory portion as follows:

11 **19-2.5-304. Limitations on detention.**

12 (2) A juvenile court shall not order a juvenile who is ten years ~~of~~  
13 ~~age~~ OLD and older but less than thirteen years ~~of age~~ OLD to detention  
14 unless the juvenile has been arrested for a felony or weapons charge  
15 pursuant to section 18-12-102; 18-12-105, AS IT EXISTED PRIOR TO ITS  
16 REPEAL IN 2026; 18-12-106; or 18-12-108.5. A preadjudication service  
17 program created pursuant to section 19-2.5-606 shall evaluate a juvenile  
18 described in this subsection (2). The evaluation may result in the juvenile:

19 **SECTION 30.** In Colorado Revised Statutes, 19-2.5-305, **amend**  
20 (3)(a)(V) introductory portion and (3)(a)(V)(C) as follows:

21 **19-2.5-305. Detention and shelter - hearing - time limits -**  
22 **findings - review - guardian ad litem appointed - confinement with**  
23 **adult offenders - restrictions.**

24 (3) (a) (V) A court shall not order further detention for a juvenile  
25 who is ten years ~~of age~~ OLD and older but less than thirteen years ~~of age~~  
26 OLD unless the juvenile has been arrested or adjudicated for a felony or  
27 weapons charge pursuant to section 18-12-102; 18-12-105, AS IT EXISTED

1       PRIOR TO ITS REPEAL IN 2026; 18-12-106; or 18-12-108.5. The court shall  
2       receive any information having probative value regardless of its  
3       admissibility under the rules of evidence. In determining whether a  
4       juvenile requires detention, the court shall consider the results of the  
5       detention screening instrument. There is a rebuttable presumption that a  
6       juvenile poses a substantial risk of serious harm to others if:

7                   (C) The juvenile is alleged to have committed possessing a  
8       dangerous or illegal weapon, as described in section 18-12-102;  
9       possession of a defaced firearm, as described in section 18-12-103;  
10      unlawfully carrying a concealed weapon, as described in section  
11     18-12-105, AS IT EXISTED PRIOR TO ITS REPEAL IN 2026; unlawfully  
12     carrying a concealed weapon on school, college, or university grounds,  
13     as described in section 18-12-105.5, AS IT EXISTED PRIOR TO ITS REPEAL  
14     IN 2026; prohibited use of weapons, as described in section 18-12-106;  
15     illegal discharge of a firearm, as described in section 18-12-107.5; or  
16     illegal possession of a handgun by a juvenile, as described in section  
17     18-12-108.5.

18                   **SECTION 31.** In Colorado Revised Statutes, 19-2.5-1123,  
19       amend (2) introductory portion as follows:

20                   **19-2.5-1123. Sentencing - mandatory detention - weapons and  
21       crimes of violence.**

22                   (2) A juvenile who is less than thirteen years ~~of age~~ OLD may not  
23       be sentenced to detention unless the juvenile has been adjudicated for a  
24       felony or weapons charge pursuant to section 18-12-102; 18-12-105, AS  
25       IT EXISTED PRIOR TO ITS REPEAL IN 2026; 18-12-106; or 18-12-108.5. As  
26       an alternative, the juvenile probation department may conduct a  
27       presentence investigation pursuant to section 19-2.5-1101. The

1 investigation may result in the juvenile:

2 **SECTION 32.** In Colorado Revised Statutes, 19-2.5-1511,

3 **amend** (1)(c) as follows:

4 **19-2.5-1511. Juvenile detention services and facilities to be**  
5 **provided by department of human services - education - expenses -**  
6 **definition.**

7 (1) (c) The department of human services is not required to  
8 receive and provide care for any juvenile who is ten years ~~of age~~ OLD and  
9 older but less than thirteen years ~~of age~~ OLD, unless such juvenile has  
10 been arrested or adjudicated for a felony or weapons charge pursuant to  
11 section 18-12-102; 18-12-105, AS IT EXISTED PRIOR TO ITS REPEAL IN  
12 2026; 18-12-106; or 18-12-108.5.

13 **SECTION 33.** In Colorado Revised Statutes, 24-33.5-424,  
14 **amend** (3)(b.3)(X); and **repeal** (3)(b)(III), (3)(b.3)(XII), and  
15 (3)(b.3)(XIII) as follows:

16 **24-33.5-424. National instant criminal background check**  
17 **system - state point of contact - fee - grounds for denial of firearm**  
18 **transfer - appeal - rule-making - unlawful acts - instant criminal**  
19 **background check cash fund - creation.**

20 (3) (b) (III) ~~In addition to the grounds for denial specified in~~  
21 ~~subsections (3)(a), (3)(b)(I), and (3)(b.3) of this section, the bureau shall~~  
22 ~~deny a transfer of a firearm to a person who has voluntarily waived the~~  
23 ~~right to purchase a firearm, as described in section 24-33.5-424.7, while~~  
24 ~~the waiver is in effect.~~

25 (b.3) In addition to the grounds for denial specified in subsections  
26 (3)(a) and (3)(b) of this section, the bureau shall deny a transfer of a  
27 firearm if the prospective transferee has been convicted of any of the

1 following offenses committed on or after June 19, 2021, if the offense is  
2 classified as a misdemeanor, or if the prospective transferee has been  
3 convicted in another state or jurisdiction, including a military or federal  
4 jurisdiction, of an offense that, if committed in Colorado, would  
5 constitute any of the following offenses classified as a misdemeanor  
6 offense, within five years prior to the transfer:

7 (X) Possession of an illegal weapon, as described in section  
8 18-12-102 (4); OR

9 (XII) ~~Unlawful conduct involving an unserialized firearm, frame,~~  
10 ~~or receiver, as described in section 18-12-111.5; or~~

11 (XIII) ~~Unlawful manufacture, distribution, transfer, sale, or~~  
12 ~~purchase of a specified semiautomatic firearm, as described in section~~  
13 ~~18-12-116.~~

14 **SECTION 34.** In Colorado Revised Statutes, 24-103-907.5,  
15 **repeal** (3)(a)(I) as follows:

16 **24-103-907.5. State purchases of firearms and ammunition -**  
17 **contractor or bidder - rules - legislative intent - definitions.**

18 (3) (a) During a governmental body's contracting process, a  
19 governmental body's sourcing method process conducted pursuant to the  
20 code, as applicable, or upon request during the term of a contract with a  
21 governmental body relating to the procurement of firearms or items  
22 regulated pursuant to the "National Firearms Act", a firearms contractor  
23 or a firearms bidder shall, if applicable:

24 (I) ~~Comply with the requirements of section 18-12-401.5 (1) to~~  
25 ~~engage in the business of dealing in firearms in the state, if applicable;~~

26 **SECTION 35.** In Colorado Revised Statutes, 24-33.5-2706,  
27 **repeal** (5)(a)(I)(C) as follows:

1                   **24-33.5-2706. Trauma-informed practices for school safety**  
2                   **drills - work group - creation - purpose - membership - notice to**  
3                   **revisor of statutes - definitions - repeal.**

4                   (5) (a) (I) The work group consists of the following nonvoting  
5                   members:

6                   (C) ~~A representative from the office of gun violence prevention~~  
7                   created in section 25-20.5-1202, appointed by the executive director of  
8                   the department of public health and environment;

9                   **SECTION 36.** In Colorado Revised Statutes, 29-11.7-105,  
10                  amend (4); and **repeal** (5) as follows:

11                  **29-11.7-105. Firearm serial number check - procedure -**  
12                  **processing fee - penalty.**

13                  (4) If the federal government allows a federal firearms licensee to  
14                  access the federal government's firearm tracing program to allow the  
15                  federal firearms licensee to perform a firearm serial number check, the  
16                  federal firearms licensee may perform the firearms serial number check  
17                  themselves. ~~The federal firearms licensee is still subject to the reporting~~  
18                  requirements described in subsection (5) of this section. This subsection  
19                  (4) will take effect as soon as the technology and infrastructure for a  
20                  federal firearms licensee to perform a firearm serial number search is  
21                  available.

22                  (5) (a) ~~If a firearms dealer who holds a state permit to deal~~  
23                  ~~firearms pursuant to section 18-12-401.5 reasonably believes, knows or~~  
24                  ~~should know, or becomes aware that a person sold or attempted to sell a~~  
25                  ~~firearm that is stolen, lost, or involved in an open criminal investigation,~~  
26                  ~~the dealer shall report that information to a law enforcement agency with~~  
27                  ~~jurisdiction over the dealer's place of business.~~

1                   **(b) Failure to make the report as required by this subsection (5)**  
2                   **within forty-eight hours after the dealer reasonably believes, knows or**  
3                   **should know, or becomes aware of the firearm being stolen, lost, or**  
4                   **involved in an open criminal investigation is subject to the penalties**  
5                   **described in section 18-12-401.5 (7).**

6                   **SECTION 37.** In Colorado Revised Statutes, 39-37-103, **amend**  
7                   **(8) as follows:**

8                   **39-37-103. Definitions.**

9                   As used in this article 37, unless the context otherwise requires:

10                   (8) "Firearms dealer" or "gun dealer" means any person who is a  
11                   federally licensed firearms dealer as defined in section 18-12-101 (1)(g)  
12                   or a licensed gun dealer as defined in section 18-12-506 (6), AS IT  
13                   EXISTED PRIOR TO ITS REPEAL IN 2026.

14                   **SECTION 38. Safety clause.** The general assembly finds,  
15                   determines, and declares that this act is necessary for the immediate  
16                   preservation of the public peace, health, or safety or for appropriations for  
17                   the support and maintenance of the departments of the state and state  
18                   institutions.