

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 25-0380.02 Alana Rosen x2606

SENATE BILL 25-158

SENATE SPONSORSHIP

Sullivan and Gonzales J., Amabile, Coleman, Cutter, Danielson, Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Wallace, Weissman

HOUSE SPONSORSHIP

Froelich and Brown,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING CREATING STATE PROCUREMENT POLICIES FOR STATE**
102 **AGENCIES IN THE TREATMENT OF CERTAIN ITEMS RELATED TO**
103 **WEAPONS.**

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 creates procurement practices for firearms, ammunition, and firearms accessories by the state. The bill applies to all bids the state solicits, enters into, awards, amends, renews, or extends on and after January 1, 2026, for procuring firearms, ammunition, or firearms accessories from a contractor or bidder. During a governmental body's

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.

SENATE
3rd Reading Unamended
April 17, 2025

SENATE
Amended 2nd Reading
April 16, 2025

contract solicitation process, request for proposal process, or request during the term of a contract, a contractor or bidder shall follow a procurement verification process (verification process) to confirm that the contractor or bidder engages in safe business practices.

The attorney general shall assist the department of personnel in developing processes and procedures to implement the verification process.

Each law enforcement agency shall destroy and dispose of:

- Service firearms that are retired, damaged, or declared surplus by the applicable law enforcement agency;
- Firearms purchased in a law enforcement agency buyback program;
- Firearms that are voluntarily surrendered to the law enforcement agency for destruction; and
- Any other firearms in the possession of the law enforcement agency that are not in use or subject to an investigation or criminal case.

If a peace officer receives one of these firearms, the peace officer shall give the firearm to the peace officer's employing law enforcement agency. The law enforcement agency may work with an organization or state agency it contracts with to destroy and dispose of the firearm.

The bill requires each law enforcement agency in the state, on or before September 5, 2025, to develop and maintain a policy on the destruction of firearms. The policy must include a process to:

- Identify and make a record of firearms that are required to be destroyed;
- Identify and make a record of firearms that are not required to be destroyed;
- Maintain the records of firearms to be destroyed; and
- Destroy and dispose of the firearms.

Upon the written order of a court or the district attorney that the retention of a firearm is necessary or proper in the pursuit of justice, the peace officer and the peace officer's employing law enforcement agency shall not destroy and dispose of the firearm. If the firearm is evidence in a criminal case, the firearm must be retained.

A law enforcement agency shall not destroy and dispose of a stolen firearm. Within 90 days after a recovered firearm is reported or identified as stolen, a peace officer shall restore the firearm to the lawful owner upon evidence of the lawful owner's identification of the firearm and proof of ownership. If the lawful owner's identity and address is reasonably ascertained and the lawful owner is given reasonable notice by certified mail that the firearm was recovered but the lawful owner does not respond within 60 days after the reasonable notice is given, the law enforcement agency may destroy and dispose of the firearm.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-103-906, **amend**
3 (1)(a) as follows:

4 **24-103-906. Bid preference - state contracts.** (1) (a) Except as
5 provided in subsection (1)(b) of this section and in ~~section 24-103-907~~
6 SECTIONS 24-103-907 AND 24-103-907.5, when a contract for
7 commodities or services is to be awarded to a bidder, a resident bidder
8 ~~shall be~~ IS allowed a preference against a nonresident bidder equal to the
9 preference given or required by the state in which the nonresident bidder
10 is a resident.

11 **SECTION 2.** In Colorado Revised Statutes, **add** 24-103-907.5 as
12 follows:

13 **24-103-907.5. State purchases of firearms and ammunition -**
14 **contractor or bidder - rules - legislative intent - definitions.**

15 (1) (a) THE GENERAL ASSEMBLY INTENDS THAT:

16 (I) THIS SECTION IS CREATED FOR THE DEVELOPMENT OF
17 PROCUREMENT PRACTICES BY THE STATE FOR FIREARMS AND ITEMS
18 REGULATED PURSUANT TO THE "NATIONAL FIREARMS ACT"; AND

19 (II) THIS SECTION APPLIES TO ALL BIDS THE STATE SOURCES,
20 ENTERS INTO, AWARDS, AMENDS, RENEWS, OR EXTENDS ON OR AFTER
21 JANUARY 1, 2026, CONDUCTED PURSUANT TO THE CODE, AS APPLICABLE,
22 FOR PROCURING FIREARMS OR ITEMS REGULATED PURSUANT TO THE
23 "NATIONAL FIREARMS ACT".

24 (b) THE GENERAL ASSEMBLY THEREFORE FINDS THAT A
25 CONTRACTOR, BIDDER, OR GOVERNMENTAL BODY SHALL COMPLY WITH
26 THIS SECTION DURING A CONTRACT SOURCING METHOD PROCESS

1 CONDUCTED PURSUANT TO THE CODE, AS APPLICABLE, INVOLVING
2 FIREARMS AND ITEMS REGULATED PURSUANT TO THE "NATIONAL
3 FIREARMS ACT" AND THROUGHOUT THE TERM OF THE CONTRACT.

4 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES:

6 ==
7 (a) "FEDERAL FIREARMS LICENSE" HAS THE SAME MEANING AS SET
8 FORTH IN SECTION 18-12-401.

9 (b) "FEDERAL FIREARMS LICENSEE" OR "LICENSEE" HAS THE SAME
10 MEANING AS SET FORTH IN SECTION 18-12-101 (1)(b.6).

11 (c) "FEDERALLY LICENSED FIREARM DEALER" HAS THE SAME
12 MEANING AS SET FORTH IN SECTION 18-12-101.

13 (d) "FIREARM" HAS THE SAME MEANING AS SET FORTH IN SECTION
14 18-12-101 (1)(b.7).

15 == ==
16 (e) "FIREARMS == BIDDER" OR "BIDDER" MEANS A BIDDER WHO
17 SUBMITS A BID IN RESPONSE TO AN INVITATION FOR BIDS FROM A
18 GOVERNMENTAL BODY FOR THE SALE OF FIREARMS OR ITEMS REGULATED
19 PURSUANT TO THE "NATIONAL FIREARMS ACT" PURSUANT TO THIS
20 SECTION.

21 (f) "FIREARMS == CONTRACTOR" OR "CONTRACTOR" MEANS A
22 CONTRACTOR WHO ENTERS INTO A CONTRACT OR AGREEMENT WITH A
23 GOVERNMENTAL BODY FOR THE SALE OF FIREARMS OR ITEMS REGULATED
24 PURSUANT TO THE "NATIONAL FIREARMS ACT" TO THE GOVERNMENTAL
25 BODY PURSUANT TO THIS SECTION.

26 (g) "NATIONAL FIREARMS ACT" MEANS THE FEDERAL "NATIONAL
27 FIREARMS ACT", 26 U.S.C. SEC. 5801 ET SEQ.

1 (3)(a) DURING A GOVERNMENTAL BODY'S CONTRACTING PROCESS,
2 A GOVERNMENTAL BODY'S SOURCING METHOD PROCESS CONDUCTED
3 PURSUANT TO THE CODE, AS APPLICABLE, ___ OR UPON REQUEST DURING
4 THE TERM OF A CONTRACT WITH A GOVERNMENTAL BODY RELATING TO
5 THE PROCUREMENT OF FIREARMS OR ITEMS REGULATED PURSUANT TO THE
6 "NATIONAL FIREARMS ACT", A FIREARMS ___ CONTRACTOR OR A FIREARMS
7 ___ BIDDER SHALL, IF APPLICABLE:

8 (I) COMPLY WITH THE REQUIREMENTS OF SECTION 18-12-401.5 (1)
9 TO ENGAGE IN THE BUSINESS OF DEALING IN FIREARMS IN THE STATE, IF
10 APPLICABLE;

11 (II) PROVIDE TO THE GOVERNMENTAL BODY PROOF AND COPIES OF
12 ALL REQUIRED LICENSES, INCLUDING A FEDERAL FIREARMS LICENSE,
13 PERMITS, AND CERTIFICATES;

14 (III) PROVIDE, IF THE CONTRACTOR OR BIDDER IS A FEDERALLY
15 LICENSED FIREARMS DEALER, TO THE GOVERNMENTAL BODY ANY
16 MATERIALS THAT ARE NOT CONFIDENTIAL DOCUMENTING ANY UNITED
17 STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES
18 TRACE REQUESTS THE CONTRACTOR OR BIDDER RECEIVED EACH YEAR FOR
19 THE PAST THREE CALENDAR YEARS BEFORE THE DATE OF THE CONTRACT
20 OR BID, THE NUMBER OF TRACE REQUESTS IN THE CALENDAR YEARS
21 BEFORE THE YEAR OF THE CONTRACT OR BID, IF APPLICABLE, AND THE
22 TIME BETWEEN THE SALE OF THE FIREARM SUBJECT TO THE TRACE
23 REQUEST AND THE CRIME THAT GENERATED THE TRACE REQUEST. IF THE
24 MATERIALS DESCRIBED IN THIS SUBSECTION (3)(a)(III) ARE NOT
25 AVAILABLE BECAUSE THE CONTRACTOR OR BIDDER DOES NOT MAINTAIN
26 THE MATERIALS, THE CONTRACTOR OR BIDDER SHALL SUBMIT A
27 STATEMENT CONFIRMING THE MATERIALS ARE NOT AVAILABLE BECAUSE

1 THE CONTRACTOR OR BIDDER DOES NOT KEEP OR MAINTAIN THE
2 MATERIALS.

3 (IV) PROVIDE TO THE GOVERNMENTAL BODY MATERIALS
4 DOCUMENTING ANY THEFT OR LOSS OF FIREARMS OR ITEMS REGULATED
5 PURSUANT TO THE "NATIONAL FIREARMS ACT" FROM THE PREMISES OF
6 THE CONTRACTOR OR BIDDER WITHIN THE PAST THREE CALENDAR YEARS
7 BEFORE THE DATE OF THE CONTRACT OR BID TO EVALUATE POTENTIAL
8 SECURITY CONCERNS;

9 (V) PROVIDE TO THE GOVERNMENTAL BODY A TRUE COPY OF THE
10 MOST RECENT INSPECTION REPORT OF ANY FIREARM INSPECTION
11 CONDUCTED BY A STATE OR LOCAL AGENCY, INCLUDING ANY ADDITIONAL
12 MATERIALS DOCUMENTING ADMINISTRATIVE ACTIONS TAKEN BY THE
13 STATE OR LOCAL AGENCY, IF APPLICABLE;

14 (VI) DISCLOSE TO THE GOVERNMENTAL BODY ANY VIOLATIONS
15 DISCOVERED FROM AN INSPECTION CONDUCTED BY A FEDERAL AGENCY
16 DURING THE LAST TWO FIREARM INSPECTIONS, IF APPLICABLE, AND
17 PROVIDE MATERIALS DOCUMENTING THE CONTRACTOR'S OR BIDDER'S
18 CORRECTIVE ACTIONS TAKEN IN RESPONSE TO A FINDING OF
19 NONCOMPLIANCE OR A VIOLATION OF A FEDERAL FIREARM LAW,
20 REGULATION, OR REQUIREMENT;

21 (VII) PROVIDE TO THE GOVERNMENTAL BODY IN WRITING ANY
22 PRACTICES OR POLICIES ADOPTED BY THE CONTRACTOR OR BIDDER,
23 INCLUDING ANY SUBSEQUENT AMENDMENTS MADE TO THE PRACTICES OR
24 POLICIES DURING THE SOURCING METHOD PROCESS CONDUCTED PURSUANT
25 TO THE CODE, AS APPLICABLE, AND CONTRACT TERM, TO:

26 (A) PREVENT, DETECT, AND SCREEN FOR THE TRANSFER OF
27 FIREARMS TO STRAW PURCHASERS OR FIREARM TRAFFICKERS;

1 (B) PREVENT, DETECT, AND SCREEN AGAINST SALES OF FIREARMS
2 OR ITEMS REGULATED PURSUANT TO THE "NATIONAL FIREARMS ACT" TO
3 INDIVIDUALS PROHIBITED FROM POSSESSING A FIREARM BY FEDERAL,
4 STATE, OR LOCAL LAW, OR COURT ORDER;

5 (C) PREVENT, DETECT, AND DOCUMENT THE THEFT OR LOSS OF
6 FIREARMS OR ITEMS REGULATED PURSUANT TO THE "NATIONAL FIREARMS
7 ACT";

8 (D) TRAIN EMPLOYEES TO ENSURE COMPLIANCE WITH ALL
9 APPLICABLE FEDERAL, STATE, AND LOCAL FIREARMS LAWS AND
10 REGULATIONS; AND

11 (E) ASSIST LAW ENFORCEMENT AGENCIES IN THE INVESTIGATION
12 AND PREVENTION OF CRIMINAL ACCESS TO FIREARMS OR ITEMS
13 REGULATED PURSUANT TO THE "NATIONAL FIREARMS ACT"; AND

14

15 (VIII) COMPLY WITH ALL APPLICABLE FEDERAL, STATE, OR LOCAL
16 LAWS.

17 (b) THE CONTRACTOR OR BIDDER SHALL AFFIRM AT THE TIME OF
18 THE BID THAT THE CONTRACTOR OR BIDDER SHALL NOT SELL
19 UNSERIALIZED GUN BUILD KITS, UNSERIALIZED FIREARMS, UNSERIALIZED
20 UNFINISHED FRAMES, OR UNFINISHED RECEIVERS THROUGH THE DURATION
21 OF THE CONTRACT. THE CONTRACTOR OR BIDDER SHALL PROVIDE
22 DOCUMENTATION TO PROVE COMPLIANCE WITH APPLICABLE FEDERAL,
23 STATE, OR LOCAL LAWS RELATED TO UNSERIALIZED FIREARMS,
24 UNSERIALIZED UNFINISHED FRAMES, OR UNFINISHED RECEIVERS.

25 (c) THE CONTRACTOR OR BIDDER SHALL SUBMIT TO THE
26 DEPARTMENT A CERTIFICATION STATEMENT, SIGNED AND AFFIRMED
27 UNDER PENALTY OF PERJURY, AS DEFINED IN SECTION 18-8-503, STATING

1 THAT THE MATERIALS PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION
2 ARE TRUE AND COMPLETE.

3 (4) (a) THE ATTORNEY GENERAL MAY ASSIST THE DEPARTMENT IN
4 DEVELOPING PROCESSES AND PROCEDURES TO IMPLEMENT THIS SECTION,
5 INCLUDING A PROCESS TO ADMINISTER AND ASSESS A CONTRACTOR'S OR
6 BIDDER'S COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION. THE
7 PROCESS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

8 (I) DEVELOPING A PREQUALIFICATION PROCESS TO PREQUALIFY
9 POTENTIAL CONTRACTORS OR BIDDERS AS SET FORTH IN SECTION
10 24-103-402;

11 (II) DEVELOPING A SCORING SYSTEM TO EVALUATE A POTENTIAL
12 CONTRACTOR'S OR BIDDER'S RECORD OF SAFE BUSINESS PRACTICES THAT
13 IS USED IN AWARDING CONTRACTS OR PURCHASES; AND

14 (III) TERMINATING CONTRACTS WITH CONTRACTORS OR BIDDERS
15 FOUND TO BE NONCOMPLIANT WITH THE TERMS OF THIS SECTION DURING
16 THE TERM OF THE CONTRACT AS SET FORTH IN SECTION 24-106-101 (3)(c)
17 AND (3)(d).

18 (b) THE DEPARTMENT SHALL REJECT A BID OR PROPOSAL FOR A
19 CONTRACT OR SALE OF FIREARMS OR ITEMS REGULATED PURSUANT TO THE
20 "NATIONAL FIREARMS ACT" IF:

21 (I) A CONTRACTOR OR BIDDER HAS NOT SUBMITTED THE REQUIRED
22 DOCUMENTATION SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION;

23 (II) THE CONTRACTOR'S OR BIDDER'S REQUIRED DOCUMENTATION
24 DOES NOT MEET THE STANDARDS SET FORTH IN SUBSECTION (3)(a) OF THIS
25 SECTION; OR

26 (III) THE DEPARTMENT DETERMINES THE BIDDER OR CONTRACTOR
27 IS NOT ENGAGING IN SAFE BUSINESS PRACTICES.

1 (5) A GOVERNMENTAL BODY SHALL NOT WAIVE THE
2 REQUIREMENTS OF THIS SECTION OR MAKE EXIGENT OR EMERGENCY
3 PURCHASES OF FIREARMS OR ITEMS REGULATED PURSUANT TO THE
4 "NATIONAL FIREARMS ACT" TO SUBVERT THIS SECTION.

5 (6) THE DEPARTMENT MAY ADOPT RULES TO IMPLEMENT THIS
6 SECTION.

7 (7) A RESIDENT BIDDER AND NONRESIDENT BIDDER ARE TREATED
8 EQUALLY FOR PURPOSES OF THIS SECTION. A RESIDENT BIDDER SHALL NOT
9 RECEIVE A BID PREFERENCE AGAINST A NONRESIDENT BIDDER FOR THE
10 PURCHASE OF FIREARMS OR ITEMS REGULATED PURSUANT TO THE
11 "NATIONAL FIREARMS ACT" AS SET FORTH IN SECTION 24-103-906 (1)(a).

12 == == ==

13 **SECTION 3. Act subject to petition - effective date.** Sections
14 1 and 2 of this act take effect January 1, 2026, and the remainder of this
15 act takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2026 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.