

CHAPTER 89

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 25-1133

BY REPRESENTATIVE(S) Duran and Gilchrist, Bacon, Boesecker, Brown, Camacho, Froelich, Garcia, Jackson, Lindsay, Lindstedt, Mabrey, Rutinel, Sirota, Stewart R., Story, Woodrow, Zokaie, Joseph;
 also SENATOR(S) Amabile and Kipp, Cutter, Danielson, Daugherty, Gonzales J., Jodeh, Kolker, Michaelson Jenet, Sullivan, Wallace, Weissman, Winter F., Coleman.

AN ACT

CONCERNING REQUIREMENTS FOR THE RETAIL SALE OF AMMUNITION FOR FIREARMS, AND, IN CONNECTION THEREWITH, ESTABLISHING REQUIREMENTS FOR THE DELIVERY OF AMMUNITION SOLD AT RETAIL.

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

SECTION 1. In Colorado Revised Statutes, 18-12-101, **add** (1)(a.2) as follows:

18-12-101. Peace officer affirmative defense - definitions. (1) As used in this article 12, unless the context otherwise requires:

(a.2) "AMMUNITION" MEANS AN AMMUNITION OR CARTRIDGE CASE, PRIMER, BULLET, OR PROPELLANT POWDER DESIGNED FOR USE IN A FIREARM. THE TERM "AMMUNITION" DOES NOT INCLUDE:

(I) A SHOTGUN SHOT OR PELLET NOT DESIGNED FOR USE AS THE SINGLE, COMPLETE PROJECTILE LOAD FOR ONE SHOTGUN HULL OR CASING; OR

(II) AN UNLOADED, NONMETALLIC SHOTGUN HULL OR CASING THAT DOES NOT HAVE A PRIMER.

SECTION 2. In Colorado Revised Statutes, **add** 18-12-117 as follows:

18-12-117. Ammunition sales - sales requirements - minimum purchase age - exceptions - ammunition delivery requirements - penalties - definitions - repeal. (1) (a) A RETAIL AMMUNITION VENDOR SHALL NOT SELL, OFFER FOR SALE, OR DISPLAY FOR SALE OR TRANSFER AMMUNITION IN A MANNER THAT ALLOWS THE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

AMMUNITION TO BE ACCESSIBLE TO A PURCHASER OR TRANSFEREE WITHOUT THE ASSISTANCE OF THE VENDOR OR AN EMPLOYEE OF THE VENDOR. AMMUNITION DISPLAYED IN AN ENCLOSED DISPLAY CASE OR BEHIND A COUNTER OR OTHER CUSTOMER ACCESS PREVENTION DEVICE IS NOT CONSIDERED ACCESSIBLE FOR THE PURPOSES OF THIS SUBSECTION (1)(a).

(b) (I) A RETAIL AMMUNITION VENDOR SHALL NOT SELL AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE. PRIOR TO COMPLETING A SALE OF AMMUNITION AT AN IN-PERSON TRANSACTION, THE RETAIL AMMUNITION VENDOR, OR AN EMPLOYEE OF THE VENDOR, SHALL VERIFY THAT THE PURCHASER IS AT LEAST TWENTY-ONE YEARS OF AGE BY REQUIRING THE PURCHASER TO PRODUCE A VALID GOVERNMENT-ISSUED PHOTO IDENTIFICATION.

(II) (A) NOTWITHSTANDING THE PROHIBITION ON SELLING AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE DESCRIBED IN SUBSECTION (1)(b)(I) OF THIS SECTION, A RETAIL AMMUNITION VENDOR IS NOT PROHIBITED FROM SELLING AMMUNITION TO A PERSON EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE WHO WAS BORN ON OR BEFORE JANUARY 28, 2007.

(B) THIS SUBSECTION (1)(b)(II) IS REPEALED, EFFECTIVE JANUARY 28, 2028.

(c) (I) NOTWITHSTANDING THE PROHIBITION ON SELLING AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, THE OPERATOR OF A SHOOTING RANGE THAT PROVIDES OPPORTUNITIES FOR THE PUBLIC TO ENGAGE IN SHOOTING SPORTS OR EDUCATION MAY SELL AMMUNITION TO A PERSON WHO IS EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE FOR USE ONLY AT THE SHOOTING RANGE. PRIOR TO COMPLETING THE SALE OF AMMUNITION, THE SELLER SHALL VERIFY THAT THE PURCHASER IS AT LEAST EIGHTEEN YEARS OF AGE BY REQUIRING THE PURCHASER TO PRODUCE A VALID GOVERNMENT-ISSUED PHOTO IDENTIFICATION.

(II) NOTWITHSTANDING THE PROHIBITION ON SELLING AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, A RETAIL AMMUNITION VENDOR MAY SELL AMMUNITION TO A MEMBER OR VETERAN OF THE UNITED STATES MILITARY OR COLORADO NATIONAL GUARD WHO IS EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE. PRIOR TO COMPLETING THE SALE OF AMMUNITION DURING AN IN-PERSON TRANSACTION TO A MEMBER OR VETERAN OF THE UNITED STATES MILITARY OR COLORADO NATIONAL GUARD WHO IS UNDER TWENTY-ONE YEARS OF AGE, THE RETAIL AMMUNITION VENDOR, OR AN EMPLOYEE OF THE VENDOR, SHALL VERIFY THAT THE PURCHASER IS A MEMBER OR VETERAN BY REQUIRING THE PURCHASER TO PRODUCE A VALID MILITARY IDENTIFICATION CARD THAT DEMONSTRATES THAT THE PERSON IS A MEMBER OR VETERAN OF THE UNITED STATES MILITARY OR COLORADO NATIONAL GUARD.

(III) NOTWITHSTANDING THE PROHIBITION ON SELLING AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, A RETAIL AMMUNITION VENDOR MAY SELL AMMUNITION TO A PERSON WHO IS EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE WHO DEMONSTRATES HAVING OBTAINED HUNTER EDUCATION CERTIFICATION BY PRESENTING:

(A) A VALID HUNTER EDUCATION CERTIFICATE RECOGNIZED BY THE DIVISION OF PARKS AND WILDLIFE; OR

(B) AN EXPIRED OR UNEXPIRED HUNTING LICENSE ISSUED BY THE DIVISION OF PARKS AND WILDLIFE THAT HAS A VERIFIED HUNTER EDUCATION CERTIFICATION.

(IV) (A) NOTWITHSTANDING THE PROHIBITION ON SELLING AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, A RETAIL AMMUNITION VENDOR MAY SELL AMMUNITION TO A PERSON WHO IS EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE AND WHO IS IDENTIFIED AS A PROTECTED PERSON IN A PROTECTION ORDER THAT IS IN EFFECT. PRIOR TO COMPLETING THE SALE OF AMMUNITION TO A PROTECTED PERSON, THE RETAIL AMMUNITION VENDOR, OR AN EMPLOYEE OF THE VENDOR, SHALL VERIFY THAT THE PURCHASER IS A PROTECTED PERSON BY REQUIRING THE PURCHASER TO PRODUCE A COPY OF THE PROTECTION ORDER IDENTIFYING THE PURCHASER AS A PROTECTED PERSON AND REQUIRING THE PERSON TO ATTEST THAT THE PROTECTION ORDER IS IN EFFECT.

(B) AS USED IN THIS SUBSECTION (1)(c)(IV), "PROTECTED PERSON" MEANS A PERSON IDENTIFIED IN A PROTECTION ORDER, AS DESCRIBED IN SECTION 18-6-803.5 (1.5)(a.5), AS A PERSON FOR WHOSE BENEFIT THE PROTECTION ORDER WAS ISSUED.

(V) NOTWITHSTANDING THE PROHIBITION ON SELLING AMMUNITION TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, A RETAIL AMMUNITION VENDOR MAY SELL AMMUNITION TO A PERSON WHO IS A PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101, WHILE THE OFFICER IS ON DUTY AND SERVING IN CONFORMANCE WITH THE POLICIES OF THE OFFICER'S EMPLOYING AGENCY, AS SET FORTH IN SECTION 16-2.5-101 AND SECTION 16-2.5-135.

(d) THE PROVISIONS IN SUBSECTION (1)(c) OF THIS SECTION THAT PERMIT THE SALE OF AMMUNITION TO A PERSON EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS OF AGE ONLY APPLY TO THE SALE OF AMMUNITION DURING AN IN-PERSON TRANSACTION AT WHICH THE SALE IS COMPLETED AND THE AMMUNITION IS DELIVERED TO THE PURCHASER.

(e) THIS SUBSECTION (1) DOES NOT APPLY TO THE SALE OF RIMFIRE AMMUNITION.

(f) A RETAIL AMMUNITION VENDOR THAT VIOLATES THIS SUBSECTION (1) COMMITS UNLAWFUL SALE OF AMMUNITION. UNLAWFUL SALE OF AMMUNITION IS A CIVIL INFRACTION; EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE IS A CLASS 1 MISDEMEANOR.

(2) (a) A RETAIL AMMUNITION VENDOR DELIVERING A PACKAGE CONTAINING AMMUNITION TO A RETAIL AMMUNITION DELIVERER FOR PURPOSES OF TRANSPORT SHALL USE A DELIVERY SERVICE THAT ENSURES THAT THE PERSON RECEIVING THE AMMUNITION IS TWENTY-ONE YEARS OF AGE OR OLDER THROUGH AGE VERIFICATION.

(b) A RETAIL AMMUNITION DELIVERER MUST COMPLY WITH 49 CFR 173.63 (b)(1)(i) RELATED TO THE LABELING AND PACKAGING FOR DELIVERY OF AMMUNITION.

(3)(a) WHEN DELIVERING A PACKAGE CONTAINING AMMUNITION SOLD AT RETAIL, A RETAIL AMMUNITION DELIVERER SHALL:

(I) VERIFY THAT THE PERSON RECEIVING THE AMMUNITION DELIVERY IS TWENTY-ONE YEARS OF AGE OR OLDER BY REQUIRING THE PERSON TO PRESENT A VALID GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION TO THE PERSON MAKING THE DELIVERY; AND

(II) OBTAIN WRITTEN ACKNOWLEDGMENT OF RECEIPT OF THE AMMUNITION DELIVERY FROM THE RECIPIENT OF THE DELIVERY.

(b) (I) NOTWITHSTANDING THE REQUIREMENT TO VERIFY THAT THE PERSON RECEIVING AMMUNITION IS TWENTY-ONE YEARS OF AGE OR OLDER DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS SECTION, A RETAIL AMMUNITION DELIVERER SHALL VERIFY THAT THE PERSON RECEIVING AMMUNITION WAS BORN ON OR BEFORE JANUARY 28, 2007.

(II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JANUARY 28, 2028.

(c) THIS SECTION DOES NOT APPLY TO A RETAIL AMMUNITION DELIVERER THAT DOES NOT KNOW THAT THE PACKAGE CONTAINS AMMUNITION BECAUSE THE SENDER FAILED TO NOTIFY THE DELIVERER THAT THE PACKAGE CONTAINS AMMUNITION.

(4) THIS SECTION DOES NOT APPLY TO THE SALE OR OFFER TO SELL AMMUNITION AT WHOLESALE OR THE DELIVERY OF AMMUNITION SOLD AT WHOLESALE.

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

(a) "RETAIL AMMUNITION DELIVERER" MEANS AN ENTITY THAT DELIVERS, BY MOTOR VEHICLE, AMMUNITION SOLD AT RETAIL TO THE PURCHASER AT A LOCATION IN THIS STATE. "RETAIL AMMUNITION DELIVERER" INCLUDES A RETAIL AMMUNITION VENDOR THAT DELIVERS TO A LOCATION OTHER THAN THE VENDOR'S PLACE OF BUSINESS AMMUNITION SOLD BY THE VENDOR AT RETAIL TO THE PURCHASER.

(b) "RETAIL AMMUNITION VENDOR" MEANS A PERSON WHO SELLS AMMUNITION AT RETAIL. "RETAIL AMMUNITION VENDOR" INCLUDES A VENDOR NOT LOCATED IN COLORADO WHEN THE VENDOR SELLS OR OFFERS TO SELL AMMUNITION AT RETAIL FOR DELIVERY TO A PURCHASER LOCATED IN COLORADO.

SECTION 3. Act subject to petition - effective date. This act takes effect July 1, 2026; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 18, 2025