

**NOTE:** This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 25-1171

BY REPRESENTATIVE(S) Bird and Boesenecker, Armagost, Duran, Lindstedt, Lukens, McCormick, Smith, Woodrow, McCluskie;  
also SENATOR(S) Hinrichsen and Michaelson Jenet, Bridges, Marchman.

CONCERNING ADDING MOTOR VEHICLE THEFT TO THE LIST OF OFFENSES  
THAT APPLY TO THE OFFENSE OF POSSESSION OF WEAPONS BY  
PREVIOUS OFFENDERS.

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

**SECTION 1.** In Colorado Revised Statutes, 18-12-108, **add** (3.5) and (7)(n.5) as follows:

**18-12-108. Possession of weapons by previous offenders.**  
(3.5) (a) IF AT LEAST TEN YEARS HAVE PASSED SINCE THE DATE OF THE FINAL DISPOSITION OF ALL CRIMINAL PROCEEDINGS AGAINST THE PERSON FOR THE CONVICTION OF MOTOR VEHICLE THEFT IN THE FIRST DEGREE IN VIOLATION OF SECTION 18-4-409 (2) OR THE CONVICTION OF ATTEMPT OR CONSPIRACY TO COMMIT MOTOR VEHICLE THEFT IN THE FIRST DEGREE, OR SINCE THE RELEASE OF THE PERSON FROM SUPERVISION FOR THE CONVICTION OF MOTOR VEHICLE THEFT IN THE FIRST DEGREE IN VIOLATION OF SECTION 18-4-409 (2) OR THE RELEASE OF THE PERSON FROM SUPERVISION FOR THE

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*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.*

CONVICTION OF ATTEMPT OR CONSPIRACY TO COMMIT A MOTOR VEHICLE THEFT IN THE FIRST DEGREE, WHICHEVER IS LATER, THEN THE PERSON MAY PETITION THE COURT FOR AN ORDER DETERMINING THAT SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO THE PERSON IF THE PERSON LEGALLY POSSESSES, USES, OR CARRIES UPON THEIR PERSON A FIREARM AS DEFINED IN SECTION 18-1-901 (3)(h) OR ANY OTHER WEAPON THAT IS SUBJECT TO THIS ARTICLE 12.

(b) A COURT SHALL ENTER AN ORDER DETERMINING THAT SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO A PERSON DESCRIBED IN SUBSECTION (3.5)(a) OF THIS SECTION UPON THE PROPER REQUEST OF THE PERSON PURSUANT TO SUBSECTION (3.5)(a) OF THIS SECTION.

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

(n.5) MOTOR VEHICLE THEFT IN THE FIRST DEGREE IN VIOLATION OF SECTION 18-4-409;

**SECTION 2. Applicability.** This act applies to offenses committed on or after the effective date of this act.

**SECTION 3. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO