

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

INTRODUCED

LLS NO. 25-0242.01 Anna Petrini x5497

HOUSE BILL 25-1314

HOUSE SPONSORSHIP

Lindstedt and Sirota,

SENATE SPONSORSHIP

Roberts,

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PEACE OFFICER STATUS FOR CERTAIN DEPARTMENT OF**
102 **REVENUE EMPLOYEES.**

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>.)

Current law grants peace officer status to an auto industry investigator and the director of the auto industry division within the department of revenue (department). Current law limits the scope of peace officer authority for these 2 positions to certain investigative and enforcement functions. The bill expands the peace officer authority for the auto industry investigator and auto industry division director positions

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.

to include enforcement of all the laws of the state and requires the investigators and director to be peace officers standards and training board (P.O.S.T. board) certified. The bill extends peace officer status, along with the expanded authority and P.O.S.T. board certification requirement, to agents in charge, criminal investigator supervisors, and criminal investigators within the auto industry division.

House Bill 24-1353 created a new firearms dealer division (division) within the department. The bill designates the division director and deputy directors as peace officers who may be P.O.S.T.-board-certified. The bill makes agents in charge, criminal investigator supervisors, and criminal investigators in the division peace officers who must be P.O.S.T.-board-certified.

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

SECTION 1. In Colorado Revised Statutes, **amend** 16-2.5-102 as follows:

16-2.5-102. Certified peace officer - P.O.S.T. certification required. The following peace officers shall meet all the standards imposed by law on a peace officer and shall be certified by the peace officers standards and training board, referred to in this article as the "P.O.S.T. board": A chief of police; a police officer; a sheriff; an undersheriff; a deputy sheriff; a Colorado state patrol officer; a town marshal; a deputy town marshal; a reserve police officer; a reserve deputy sheriff; a reserve deputy town marshal; a police officer or reserve police officer employed by a state institution of higher education; A DEPARTMENT OF REVENUE AUTO INDUSTRY DIVISION EMPLOYEE IDENTIFIED IN SECTION 16-2.5-122; A DEPARTMENT OF REVENUE FIREARMS DEALER DIVISION EMPLOYEE IDENTIFIED IN SECTION 16-2.5-121.5 (2); a Colorado wildlife officer; a Colorado parks and recreation officer; a Colorado police administrator or police officer employed by the Colorado mental health institute at Pueblo; an attorney general criminal investigator; a community parole officer; a public transit officer; a

1 municipal court marshal; and the department of corrections inspector
2 general.

3 **SECTION 2.** In Colorado Revised Statutes, **add** 16-2.5-121.5 as
4 follows:

5 **16-2.5-121.5. Firearms dealer division director - deputy**
6 **director - agent in charge - criminal investigator supervisor -**
7 **criminal investigator.** (1) THE DIRECTOR OF THE FIREARMS DEALER
8 DIVISION OR A DEPUTY DIRECTOR OF THE FIREARMS DEALER DIVISION IS A
9 PEACE OFFICER WHILE ENGAGED IN THE PERFORMANCE OF THEIR DUTIES
10 AND WHILE ACTING UNDER PROPER ORDERS OR RULES WHOSE PRIMARY
11 AUTHORITY IS THE ENFORCEMENT OF PART 4 OF ARTICLE 12 OF TITLE 18,
12 AND WHOSE AUTHORITY ALSO INCLUDES THE ENFORCEMENT OF ALL THE
13 LAWS OF THE STATE OF COLORADO, AND WHO MAY BE CERTIFIED BY THE
14 P.O.S.T. BOARD.

15 (2) AN AGENT IN CHARGE IN THE FIREARMS DEALER DIVISION, A
16 CRIMINAL INVESTIGATOR SUPERVISOR IN THE FIREARMS DEALER DIVISION,
17 OR A CRIMINAL INVESTIGATOR IN THE FIREARMS DEALER DIVISION IS A
18 PEACE OFFICER WHILE ENGAGED IN THE PERFORMANCE OF THEIR DUTIES,
19 AND WHILE ACTING UNDER PROPER ORDERS OR RULES, WHOSE PRIMARY
20 AUTHORITY IS THE ENFORCEMENT OF PART 4 OF ARTICLE 12 OF TITLE 18,
21 AND WHOSE AUTHORITY ALSO INCLUDES THE ENFORCEMENT OF ALL THE
22 LAWS OF THE STATE OF COLORADO, AND WHO MUST BE CERTIFIED BY THE
23 P.O.S.T. BOARD.

24 **SECTION 3.** In Colorado Revised Statutes, **amend** 16-2.5-122
25 as follows:

26 **16-2.5-122. Auto industry director - deputy director - agent in**
27 **charge - criminal investigator supervisor - criminal investigator.** The

1 director of the auto industry division ~~or an auto industry investigator is a~~
2 ~~peace officer~~ AND A DEPUTY DIRECTOR, AGENT IN CHARGE, CRIMINAL
3 INVESTIGATOR SUPERVISOR, OR CRIMINAL INVESTIGATOR IN THE AUTO
4 INDUSTRY DIVISION, ARE PEACE OFFICERS while engaged in the
5 performance of ~~his or her~~ THEIR duties whose PRIMARY authority is
6 ~~limited to the enforcement of section 44-20-105 (3)~~ SECTION 44-20-105,
7 AND WHOSE AUTHORITY ALSO INCLUDES THE ENFORCEMENT OF ALL THE
8 LAWS OF THE STATE OF COLORADO, AND WHO MUST BE CERTIFIED BY THE
9 P.O.S.T. BOARD.

10 **SECTION 4. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.