

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0364.01 Richard Sweetman x4333

SENATE BILL 18-051

SENATE SPONSORSHIP

Merrifield,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING CRIMES RELATED TO MULTI-BURST TRIGGER
102 ACTIVATORS, AND, IN CONNECTION THEREWITH, MAKING AN
103 APPROPRIATION.

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>.)

Under current law, possession of a dangerous weapon is a class 5 felony for a first offense and a class 4 felony for each subsequent offense. The bill amends the definition of "dangerous weapon" to include a "multi-burst trigger activator", which the bill defines as:

! A device that attaches to a semiautomatic firearm and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

allows the firearm to discharge 2 or more shots in a burst when the device is activated; or

- ! A manual or power-driven trigger-activating device that, when attached to a semiautomatic firearm, increases the rate of fire of that firearm.

The bill also provides that a person who sells a multi-burst trigger activator to another person, or who purchases a multi-burst trigger activator from another person, commits a class 5 felony; except that each subsequent violation by the same person is a class 4 felony.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-101, **add**
3 (1)(g.5) as follows:

4 **18-12-101. Definitions - peace officer affirmative defense.**

5 (1) As used in this article 12, unless the context otherwise requires:

6 (g.5) "MULTI-BURST TRIGGER ACTIVATOR" MEANS:

7 (I) A DEVICE THAT ATTACHES TO A SEMIAUTOMATIC FIREARM AND
8 ALLOWS THE FIREARM TO DISCHARGE TWO OR MORE SHOTS IN A BURST
9 WHEN THE DEVICE IS ACTIVATED; OR

10 (II) A MANUAL OR POWER-DRIVEN TRIGGER-ACTIVATING DEVICE
11 THAT, WHEN ATTACHED TO A SEMIAUTOMATIC FIREARM, INCREASES THE
12 RATE OF FIRE OF THAT FIREARM.

13 **SECTION 2.** In Colorado Revised Statutes, 18-12-102, **amend**
14 (1) as follows:

15 **18-12-102. Possessing a dangerous or illegal weapon -**
16 **affirmative defense - definitions.** (1) As used in this section, the term
17 "dangerous weapon" means a firearm silencer, machine gun, short
18 shotgun, short rifle, ~~or~~ ballistic knife, OR MULTI-BURST TRIGGER
19 ACTIVATOR.

20 **SECTION 3.** In Colorado Revised Statutes, **add** 18-12-113 as

1 follows:

2 **18-12-113. Multi-burst trigger activators - sale and purchase**

3 **prohibited.** (1) A PERSON WHO SELLS A MULTI-BURST TRIGGER
4 ACTIVATOR TO ANOTHER PERSON COMMITS A CLASS 5 FELONY; EXCEPT
5 THAT EACH SUBSEQUENT VIOLATION OF THIS SUBSECTION (1) BY THE SAME
6 PERSON IS A CLASS 4 FELONY.

7 (2) A PERSON WHO PURCHASES A MULTI-BURST TRIGGER
8 ACTIVATOR FROM ANOTHER PERSON COMMITS A CLASS 5 FELONY; EXCEPT
9 THAT EACH SUBSEQUENT VIOLATION OF THIS SUBSECTION (2) BY THE SAME
10 PERSON IS A CLASS 4 FELONY.

11 **SECTION 4. Potential appropriation.** Pursuant to section
12 2-2-703, C.R.S., any bill that results in a net increase in periods of
13 imprisonment in state correctional facilities must include an appropriation
14 of money that is sufficient to cover any increased capital construction, any
15 operational costs, and increased parole costs that are the result of the bill
16 for the department of corrections in each of the first five years following
17 the effective date of the bill. Because this act may increase periods of
18 imprisonment, this act may require a five-year appropriation.

19 **SECTION 5. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2018 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.