

AMENDMENT TO REPORT OF THE COMMITTEE OF THE WHOLE

SB003_S.003

DATE 3/13/2024

Senator Van Winkle moved to amend the Report of the Committee of the Whole to show that the following Van Winkle floor amendment, (L.005) to SB24-003, did not pass.

Amend the Judiciary Committee Report, dated February 5, 2024, page 2, strike lines 1 through 13 and substitute:

""(t) (I) TO INVESTIGATE CASES INVOLVING ILLEGAL FIREARM PURCHASES. AN INVESTIGATION CONDUCTED BY THE BUREAU PURSUANT TO THIS SUBSECTION (1)(t) IS LIMITED TO AN INVESTIGATION OF AN INDIVIDUAL WHO HAS RECEIVED A DENIAL OF A FIREARM TRANSFER FOLLOWING A CHECK OF THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM, AS DESCRIBED IN SECTION 24-33.5-424. THIS SECTION DOES NOT AUTHORIZE THE BUREAU TO INVESTIGATE FEDERAL FIREARM LICENSEES, AS DEFINED IN SECTION 18-12-101. THE BUREAU SHALL NOT INITIATE AN INVESTIGATION PURSUANT TO THIS SUBSECTION (1)(t) WITHOUT PROBABLE CAUSE, AS DESCRIBED IN SUBSECTION (1)(t)(II) OF THIS SECTION.

(II) THE BUREAU HAS PROBABLE CAUSE TO INITIATE AN INVESTIGATION OF AN INDIVIDUAL PURSUANT TO THIS SUBSECTION (1)(t) ONLY IF THERE IS A RECORD THAT THE INDIVIDUAL WAS DENIED A FIREARM TRANSFER FOLLOWING A CHECK OF THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM OR, IF THE INDIVIDUAL IS PROHIBITED FROM POSSESSING A FIREARM, EVIDENCE OF A VIOLENT CRIME INVOLVING THE INDIVIDUAL. PROBABLE CAUSE DOES NOT INCLUDE VERBAL TIPS OR SOCIAL MEDIA POSTS.

(III) PRIOR TO BEGINNING AN INVESTIGATION PURSUANT TO THIS SUBSECTION (1)(t), THE BUREAU SHALL OBTAIN APPROVAL FROM THE SHERIFF AND DISTRICT ATTORNEY WITH JURISDICTION IN THE COUNTY IN WHICH THE INVESTIGATION WILL TAKE PLACE."".

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