

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Van Winkle

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

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

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

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

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