

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0787.02 Owen Hatch x2698

HOUSE BILL 26-1265

HOUSE SPONSORSHIP

Rutinel and Clifford,

SENATE SPONSORSHIP

Wallace,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A LAW ENFORCEMENT AGENCY'S USE OF THE UNITED
102 STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND
103 EXPLOSIVES' NATIONAL ELECTRONIC TRACING SYSTEM.

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>.)

The bill requires each law enforcement agency to register for the United States bureau of alcohol, tobacco, firearms, and explosives national electronic tracing system and transmit to the electronic tracing system information about each firearm it recovers or confiscates.

The law enforcement agency is required to share with the Colorado

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.

bureau of investigation all information shared with and received from the electronic tracing system.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Effective law enforcement often depends on the timely
5 exchange of reliable information among agencies in different
6 jurisdictions. This is especially true in gun crime investigations, where
7 firearms regularly move across city and state lines before being recovered
8 by police. Comprehensive tracing data enables investigators to track
9 firearm movement, identify sources of illegal diversion, and respond to
10 rising trafficking activity.

11 (b) Strengthening investigative tools available to law enforcement
12 by requiring agencies to utilize the United States bureau of alcohol,
13 tobacco, firearms, and explosives' electronic tracing system, participate
14 in its collective data-sharing features, and submit identifying information
15 for firearms recovered or confiscated in connection with criminal activity
16 is crucial as a means for law enforcement agencies to quickly share
17 reliable information;

18 (c) Standardizing the reporting and sharing of information about
19 firearms connected with criminal activity will improve real-time
20 collaboration among local, state, tribal, and federal partners, enabling
21 investigators to detect crime patterns, link related cases, and identify
22 trafficking networks and cross-jurisdictional offenders more efficiently;
23 and

24 (d) Public safety is enhanced by supporting evidence-based
25 policing, improving coordination among law enforcement agencies, and

1 ensuring that investigators have access to critical tracing and intelligence
2 data needed to solve gun crimes and hold offenders accountable.

3 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-412, **amend**
4 (5)(a); and **add** (5)(c) and (5)(d) as follows:

5 **24-33.5-412. Functions of bureau - legislative review -**
6 **interagency cooperation with reporting functions - processing time**
7 **for criminal history record checks - computer crime - synthetic**
8 **cannabinoids enforcement.**

9 (5) (a) To assist the bureau in its operation of the uniform crime
10 reporting program, every law enforcement agency in ~~this~~ THE state shall
11 furnish ~~such~~ information to the bureau concerning crimes, arrests, and
12 stolen and recovered property as is necessary for uniform compilation of
13 statewide reported crime, arrest, and recovered property statistics. THE
14 INFORMATION FURNISHED TO THE BUREAU MUST INCLUDE ALL
15 INFORMATION PROVIDED TO AND RECEIVED FROM THE UNITED STATES
16 BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES NATIONAL
17 TRACING CENTER'S ELECTRONIC TRACING SYSTEM, AS REQUIRED BY
18 SUBSECTION (5)(c) OF THIS SECTION. In cases involving child abuse or
19 sexual assault on a child and in all other cases involving murder, sexual
20 assault, or robbery, the law enforcement agency shall furnish information
21 to the bureau concerning the modus operandi of ~~such~~ THE crimes in order
22 to facilitate the identification of cross-jurisdictional offenders.
23 Information required to be submitted pursuant to this section ~~shall~~ MUST
24 be submitted in a form specified by the bureau; except that the bureau
25 shall adopt a form and reporting standards consistent with the
26 development of the strategic plan for an integrated criminal justice
27 information system, in accordance with article 20.5 of title 16, that ~~shall~~

1 MUST be consistent with applicable federal and state laws and regulations
2 such as the national criminal justice information system standards. The
3 cost to the law enforcement agency of furnishing ~~such~~ THE information
4 ~~shall~~ MUST be reimbursed out of appropriations made ~~therefor~~ by the
5 general assembly; except that the general assembly shall ~~make no such~~
6 ~~reimbursement~~ NOT REIMBURSE THE LAW ENFORCEMENT AGENCY if ~~said~~
7 THE cost was incurred in a fiscal year during which the Colorado crime
8 information center was funded exclusively by state or federal funds.

9 (c) (I) ON OR BEFORE SEPTEMBER 1, 2026, EACH LAW
10 ENFORCEMENT AGENCY SHALL REGISTER FOR THE UNITED STATES BUREAU
11 OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES NATIONAL
12 ELECTRONIC TRACING SYSTEM AND SHALL OPT IN TO THE SYSTEM'S
13 COLLECTIVE DATA-SHARING FEATURE.

14 (II) WHEN A LAW ENFORCEMENT AGENCY RECOVERS OR
15 CONFISCATES A FIREARM, THE AGENCY SHALL, AS SOON AS PRACTICABLE,
16 BUT NO LATER THAN NINETY DAYS AFTER THE AGENCY RECOVERS OR
17 CONFISCATES THE FIREARM, TRANSMIT THE RELEVANT INFORMATION
18 REGARDING THE FIREARM TO THE NATIONAL TRACING CENTER'S
19 ELECTRONIC TRACING SYSTEM.

20 (d) AS USED IN THIS SUBSECTION (5), UNLESS THE CONTEXT
21 OTHERWISE REQUIRES:

22 (I) "LAW ENFORCEMENT AGENCY" MEANS:

23 (A) A MUNICIPAL POLICE DEPARTMENT;

24 (B) A SHERIFF'S OFFICE OF A COUNTY OR CITY AND COUNTY;

25 (C) A DIVISION OF THE DEPARTMENT DESCRIBED IN SECTION
26 24-33.5-103 (2);

27 (D) A TRIBAL POLICE DEPARTMENT;

1 (E) A CAMPUS POLICE DEPARTMENT;
2 (F) A TOWN MARSHAL'S OFFICE; AND
3 (G) ANY OTHER AGENCY OR OTHER INSTRUMENTALITY OF A
4 GOVERNMENT ENTITY THAT IS AUTHORIZED BY LAW, REGULATION, OR
5 GOVERNMENTAL POLICY TO ENGAGE IN OR SUPERVISE THE PREVENTION,
6 DETECTION, INVESTIGATION, OR PROSECUTION OF A VIOLATION OF
7 CRIMINAL LAW.

8 (II) "RECOVER OR CONFISCATE" MEANS:

9 (A) A LAW ENFORCEMENT AGENCY OBTAINING AN ITEM FROM A
10 CRIME SCENE OR AN ITEM IN CONNECTION WITH A CRIMINAL
11 INVESTIGATION;

12 (B) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON
13 FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION
14 WITH A CRIMINAL PROCEEDING, INVESTIGATION, OR CONVICTION;

15 (C) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON
16 FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION
17 WITH A CRIME THAT HAS AN UNDERLYING FACTUAL BASIS OF DOMESTIC
18 VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1);

19 (D) A LAW ENFORCEMENT AGENCY ACQUIRING AN ABANDONED OR
20 DISCARDED FIREARM;

21 (E) RELATING TO THE UNLAWFUL DISCHARGE OF A FIREARM; OR

22 (F) A LAW ENFORCEMENT AGENCY OTHERWISE OBTAINING AN ITEM
23 BELIEVED TO BE CONNECTED WITH A CRIME.

24 **SECTION 3. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2026 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.