

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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

4 **SECTION 2.** In Colorado Revised Statutes, **add** 29-11.7-106 as
5 follows:

6 **29-11.7-106. Law enforcement use of a national electronic**
7 **tracing system for recovered firearms - definitions.**

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

13 (b) THIS SECTION DOES NOT APPLY TO A LAW ENFORCEMENT
14 AGENCY THAT HAS A PREEXISTING RELATIONSHIP WITH ANOTHER LAW
15 ENFORCEMENT AGENCY THAT ALLOWS THE LAW ENFORCEMENT AGENCY
16 TO SUBMIT A FIREARM TO THE ELECTRONIC TRACING SYSTEM, INCLUDING
17 THE SYSTEM'S COLLECTIVE DATA-SHARING FEATURE, THE COLORADO
18 STATE PATROL, OR THE COLORADO BUREAU OF INVESTIGATION.

19 (2) (a) WHEN A LAW ENFORCEMENT AGENCY RECOVERS OR
20 CONFISCATES A FIREARM, THE AGENCY SHALL, AS SOON AS PRACTICABLE,
21 BUT NO LATER THAN NINETY DAYS AFTER THE AGENCY RECOVERS OR
22 CONFISCATES THE FIREARM, TRANSMIT THE RELEVANT INFORMATION
23 REGARDING THE FIREARM TO THE NATIONAL TRACING CENTER'S
24 ELECTRONIC TRACING SYSTEM.

25 (b) A LAW ENFORCEMENT AGENCY THAT RECEIVES A
26 VOLUNTARILY RELINQUISHED FIREARM OR RECOVERS A FIREARM THAT THE
27 AGENCY DETERMINES IS NOT CONNECTED WITH A CRIMINAL

1 INVESTIGATION OR CRIMINAL ACTIVITY DOES NOT NEED TO TRANSMIT THE
2 RELEVANT INFORMATION REGARDING THE FIREARM TO THE ELECTRONIC
3 TRACING SYSTEM.

4 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES:

6 (a) "LAW ENFORCEMENT AGENCY" MEANS A LAW ENFORCEMENT
7 ENTITY HAVING ORIGINAL JURISDICTION OVER A FIREARMS-RELATED
8 CRIME INVESTIGATION, INCLUDING:

9 (I) A MUNICIPAL POLICE DEPARTMENT;

10 (II) A SHERIFF'S OFFICE OF A COUNTY OR CITY AND COUNTY;

11 (III) A CAMPUS POLICE DEPARTMENT;

12 (IV) A TOWN MARSHAL'S OFFICE; AND

13 (V) A POLICE OFFICER EMPLOYED PURSUANT TO ARTICLE 9 OF
14 TITLE 32.

15 (b) "RECOVER OR CONFISCATE" MEANS:

16 (I) A LAW ENFORCEMENT AGENCY OBTAINING AN ITEM FROM A
17 CRIME SCENE OR AN ITEM IN CONNECTION WITH A CRIMINAL
18 INVESTIGATION;

19 (II) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON
20 FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION
21 WITH A CRIMINAL PROCEEDING, INVESTIGATION, OR CONVICTION;

22 (III) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON
23 FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION
24 WITH A CRIME THAT HAS AN UNDERLYING FACTUAL BASIS OF DOMESTIC
25 VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1);

26 (IV) A LAW ENFORCEMENT AGENCY ACQUIRING AN ABANDONED
27 OR DISCARDED FIREARM; OR

1 (V) A LAW ENFORCEMENT AGENCY OTHERWISE OBTAINING AN
2 ITEM BELIEVED TO BE CONNECTED WITH A CRIME.

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2026 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.