

An Act

SENATE BILL 24-003

BY SENATOR(S) Sullivan, Bridges, Cutter, Exum, Fields, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Mullica, Rodriguez, Winter F., Zenzinger, Fenberg;
also REPRESENTATIVE(S) Froelich and Duran, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Hamrick, Jodeh, Kipp, Lindsay, Lindstedt, Parenti, Valdez, Weissman, Woodrow, McCluskie.

CONCERNING THE AUTHORITY OF THE COLORADO BUREAU OF INVESTIGATION TO INVESTIGATE ILLEGAL ACTIVITY INVOLVING FIREARMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative intent - legislative findings. (1) It is the intent of the general assembly that the Colorado bureau of investigation investigate:

- (a) Egregious attempts to purchase firearms by previously convicted felons who are identified through the Instacheck unit denial process;
- (b) Unlawful activity involving illegal firearm components and

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

accessories; and

(c) Tips and information relating to firearms violations as they are received, specifically focusing on straw purchases and personally manufactured firearms, commonly known as ghost guns.

(2) (a) The general assembly finds that the Colorado bureau of investigation has operated in partnership with local law enforcement agencies on criminal investigations and that the bureau maintains a robust operating directive that outlines how investigators will, as soon as practicable after an investigation begins, communicate with local law enforcement agencies to determine the nature and extent of a firearm-related investigation.

(b) The general assembly intends that the Colorado bureau of investigation communicate with local law enforcement and the local district attorney in the jurisdiction where the bureau is conducting an investigation into illegal activity involving firearms.

SECTION 2. In Colorado Revised Statutes, 24-33.5-412, **amend** (1)(r); and **add** (1)(t) and (10) as follows:

24-33.5-412. Functions of bureau - legislative review - interagency cooperation with reporting functions - processing time for criminal history record checks - computer crime - synthetic cannabinoids enforcement. (1) The bureau has the following authority:

(r) To conduct criminal history records checks pursuant to section 24-72-305.3; **and**

(t) TO INVESTIGATE THROUGHOUT THE STATE CRIMINAL ACTIVITY INVOLVING FIREARMS DESCRIBED IN ARTICLE 12 OF TITLE 18, INCLUDING INVESTIGATING ILLEGAL FIREARM TRANSFERS AND ATTEMPTS, AS DESCRIBED IN SECTION 18-2-101, TO ILLEGALLY OBTAIN A FIREARM. THE BUREAU SHALL COMMUNICATE WITH THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY TO DECONFLICT INVESTIGATIVE OPERATIONS AND DETERMINE INVESTIGATIVE RESPONSIBILITIES PRIOR TO TAKING INVESTIGATIVE OR ENFORCEMENT ACTION AND SHALL COLLABORATE WITH THE LOCAL DISTRICT ATTORNEY IN THE JURISDICTION WHERE THE BUREAU IS CONDUCTING AN INVESTIGATION IN THE BEGINNING STAGES OF THE INVESTIGATION. THIS

SUBSECTION (1)(t) DOES NOT AUTHORIZE THE BUREAU TO INVESTIGATE OTHER CRIMINAL ACTIVITY ENCOUNTERED DURING A FIREARMS-RELATED INVESTIGATION WITHOUT CONSENT FROM, OR IN COLLABORATION WITH, THE LOCAL LAW ENFORCEMENT AGENCY AS REQUIRED BY LAW.

(10) AN AGENT OR OTHER EMPLOYEE OF THE BUREAU WHO IS A PEACE OFFICER SHALL WEAR AND ACTIVATE A BODY-WORN CAMERA IN ACCORDANCE WITH SECTION 24-31-902 WHEN CONDUCTING ANY PUBLIC-FACING PART OF AN INVESTIGATION PURSUANT TO SUBSECTION (1)(t) OF THIS SECTION.

SECTION 3. Appropriation. (1) For the 2024-25 state fiscal year, \$1,477,127 is appropriated to the department of public safety. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$1,079,356 for use by the Colorado bureau of investigation for personal services related to laboratory and investigative services, which amount is based on an assumption that the bureau will require an additional 10.1 FTE;

(b) \$351,068 for use by the Colorado bureau of investigation for operating costs related to laboratory and investigative services; and

(c) \$46,703 for use by the executive director's office for leased space.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO