



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 15, 2024)

Table with 4 columns: Drafting Number, Prime Sponsors, Date, Bill Status, Fiscal Analyst. Values include LLS 24-0860, Rep. Velasco; Garcia, Sen. Jaquez Lewis; Fields, April 2, 2024, Senate State Affairs, Clayton Mayfield | 303-866-5851, clayton.mayfield@coleg.gov

Bill Topic: SECURE FIREARM STORAGE IN A VEHICLE

Table with 2 columns: Summary of Fiscal Impact, and a list of categories with checkboxes: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity.

The bill requires secure storage of firearms in unattended vehicles. Starting in FY 2024-25, the bill minimally increases state revenue and state and local workload.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill requires secure storage of firearms left in unattended vehicles. Storage requirements are specified according to the type of firearm and vehicle. The penalty for a violation is a civil infraction punishable by a fine of up to \$500. Exceptions are provided for certain persons and activities.

Additionally, the bill updates limitations on local ordinances regarding firearms in private vehicles, concealed carry permits, notices firearms dealers must provide, the firearms safe storage campaign, and the defense for failure to report a lost or stolen firearm to reflect the requirements of the bill.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. Using Judicial Department data, the following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

- Unlawful storage of a firearm in a vehicle. This bill creates the new offense of unlawful storage of a firearm in a vehicle, a civil infraction. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of unlawful storage of a firearm,

a class 2 misdemeanor, as a comparable crime. From FY 2020-21 to FY 2022-23, 20 persons, or about 7 per year, were sentenced and convicted for this existing offense. Of the persons convicted, 14 were male and 6 were female. Demographically, 16 were white, 3 were Black/African-American, and 1 was Hispanic.

Based on the low average yearly convictions for the comparable crime, the fiscal note assumes that there will be minimal additional case filings and convictions for the new offense under the bill.

- **Failing to post notice.** This bill creates a new factual basis for the existing offense of firearm dealers failing to post notice, an unclassified misdemeanor, by requiring notices to include information about safe storage of firearms in vehicles. From FY 2020-21 to FY 2022-23, zero offenders have been sentenced and convicted for this offense.

The fiscal note assumes that there will continue to be no additional criminal case filings or convictions for this offense under the bill.

Visit [leg.colorado.gov/fiscalnotes](http://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## State Revenue

By creating a new civil infraction, the bill will increase state revenue from fines and court fees by a minimal amount beginning in FY 2024-25, credited to the Fines Collection Cash Fund, various other cash funds in the Judicial Department, and the General Fund. The fine penalty for this civil infraction is up to \$500. Additionally, court fees may be imposed on a case-by-case basis for a variety of court-related costs. Because the courts have the discretion when imposing a fine, a precise state revenue impact cannot be determined. Criminal fine and court fee revenue is subject to TABOR.

## State Expenditures

The bill increases workload in the Judicial Department and the Colorado Department of Public Health and Environment (CDPHE), as described below.

**Judicial Department.** This bill will increase workload and costs for the trial courts in the Judicial Department to process additional case filings. Workload and costs may also increase in the agencies that provide representation to indigent persons, including the Office of the State Public Defender and the Office of Alternate Defense Counsel. Overall, it is assumed these impacts can be accomplished within existing appropriations.

**Colorado Department of Public Health and Environment.** The bill increases CDPHE workload for FY 2024-25 only to update its materials and website concerning safe storage of firearms. This increase is expected to be minimal, and no change in appropriations is required.

## **Local Government**

Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute more offenses under the bill will be minimal. District attorney offices are funded by counties.

## **Effective Date**

The bill takes effect January 1, 2025, and applies to offenses committed on or after that date.

## **State and Local Government Contacts**

District Attorneys	Education	Judicial
Natural Resources	Public Health and Environment	Public Safety

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).