

## CHAPTER 178

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**CRIMINAL LAW AND PROCEDURE**


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**HOUSE BILL 24-1348**

BY REPRESENTATIVE(S) Velasco and Garcia, Amabile, Bacon, Boesenecker, Brown, Duran, Epps, Froelich, Hernandez, Jodeh, Joseph, Kipp, Lindsay, Lindstedt, Mabrey, Marvin, McCormick, Parenti, Rutinel, Sirota, Weissman, Willford, Daugherty, deGruy Kennedy, Hamrick, Ricks;  
also SENATOR(S) Jaquez Lewis and Fields, Bridges, Cutter, Danielson, Hansen, Marchman, Michaelson Jenet, Sullivan.

**AN ACT****CONCERNING A REQUIREMENT TO SECURELY STORE A FIREARM IN A VEHICLE.**

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

**SECTION 1.** In Colorado Revised Statutes, **add** 18-12-114.5 as follows:

**18-12-114.5. Secure firearm storage in a vehicle - penalty - definition.**

(1) (a) A PERSON SHALL NOT KNOWINGLY LEAVE A HANDGUN IN AN UNATTENDED VEHICLE UNLESS THE HANDGUN IS IN A LOCKED HARD-SIDED CONTAINER THAT IS PLACED OUT OF PLAIN VIEW, INCLUDING A LOCKED CONTAINER THAT IS PERMANENTLY AFFIXED TO THE VEHICLE'S INTERIOR, AND THE CONTAINER IS IN ANY OF THE FOLLOWING:

- (I) A LOCKED VEHICLE;
- (II) THE LOCKED TRUNK OF A LOCKED VEHICLE; OR
- (III) A LOCKED RECREATIONAL VEHICLE, AS DEFINED IN SECTION 24-32-902.

(b) A PERSON SHALL NOT KNOWINGLY LEAVE A FIREARM THAT IS NOT A HANDGUN IN AN UNATTENDED VEHICLE UNLESS THE FIREARM IS IN A LOCKED HARD-SIDED OR LOCKED SOFT-SIDED CONTAINER, INCLUDING A LOCKED CONTAINER THAT IS PERMANENTLY AFFIXED TO THE VEHICLE'S INTERIOR, AND THE CONTAINER IS IN ANY OF THE FOLLOWING:

- (I) A LOCKED VEHICLE;

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*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.*

(II) THE LOCKED TRUNK OF A LOCKED VEHICLE; OR

(III) A LOCKED RECREATIONAL VEHICLE, AS DEFINED IN SECTION 24-32-902.

(c) A FIREARM THAT IS NOT A HANDGUN THAT IS STORED IN A SOFT-SIDED CONTAINER MUST HAVE A LOCKING DEVICE INSTALLED ON THE FIREARM WHILE THE FIREARM IS STORED IN THE SOFT-SIDED CONTAINER.

(d) FOR THE PURPOSES OF THIS SUBSECTION (1), A LOCKED GLOVE COMPARTMENT OR THE LOCKED CENTER CONSOLE OF A VEHICLE IS A LOCKED HARD-SIDED CONTAINER.

(2) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION COMMITS UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE. UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE IS A CIVIL INFRACTION.

(3) THIS SECTION DOES NOT APPLY TO:

(a) STORING AN ANTIQUE FIREARM, AS DEFINED IN 18 U.S.C. SEC. 921 (a)(16), AS AMENDED;

(b) STORING A FIREARM THAT IS A NOT A HANDGUN IN A VEHICLE THAT IS BEING USED FOR FARM OR RANCH OPERATIONS THAT IS ON THE PERSON'S PRIVATE FARM OR RANCH, INCLUDING A LEASED FARM OR RANCH. AS USED IN THIS SUBSECTION (3)(b), "FARM" AND "RANCH" HAVE THE SAME MEANINGS AS SET FORTH IN SECTION 39-1-102.

(c) A PERSON WHO LIVES IN A VEHICLE OR IN A RECREATIONAL VEHICLE, AS DEFINED IN SECTION 24-32-902, IN WHICH THE FIREARM IS STORED. A PERSON WHO LIVES IN A VEHICLE OR RECREATIONAL VEHICLE MUST STORE FIREARMS IN THE VEHICLE OR RECREATIONAL VEHICLE IN ACCORDANCE WITH THE STORAGE REQUIREMENT DESCRIBED IN SECTION 18-12-114.

(d) A PEACE OFFICER;

(e) A PERSON WHO HOLDS A VALID RESIDENT OR OUT-OF-STATE HUNTING LICENSE WHO IS ENGAGED IN LAWFUL HUNTING ACTIVITIES;

(f) A PERSON ENGAGED IN THE INSTRUCTION OF HUNTER EDUCATION COURSES AND OUTREACH OFFERED BY THE DIVISION OF PARKS AND WILDLIFE; AND

(g) AN ACTIVE MEMBER OF THE UNITED STATES ARMED FORCES WHILE ON DUTY.

(4) NOTWITHSTANDING THE REQUIREMENT IN SUBSECTION (1) OF THIS SECTION TO STORE A FIREARM IN A LOCKED HARD-SIDED CONTAINER, A PERSON WHO IS CONSIDERED TO HAVE A DISABILITY, AS DEFINED IN 42 U.S.C. SEC. 12102, WHO STORES A FIREARM IN A LOCKED SOFT-SIDED CONTAINER DOES NOT VIOLATE THIS SECTION WITH RESPECT TO THE STORAGE OF THE FIREARM THAT IS IN THE LOCKED SOFT-SIDED CONTAINER.

(5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "VEHICLE" HAS THE SAME MEANING AS SET FORTH IN SECTION 42-1-102.

**SECTION 2.** In Colorado Revised Statutes, 18-12-113, **amend** (5) as follows:

**18-12-113. Failure to report a lost or stolen firearm - exception.** (5) A person who reports a lost or stolen firearm pursuant to subsection (1) of this section is immune from criminal prosecution for an offense in this part 1 related to the storage of firearms AND FROM PROSECUTION FOR THE CIVIL INFRACTION OF UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE AS DESCRIBED IN SECTION 18-12-114.5.

**SECTION 3.** In Colorado Revised Statutes, 18-12-105.6, **amend** (2)(a) as follows:

**18-12-105.6. Limitation on local ordinances regarding firearms in private vehicles.** (2) (a) Based on the findings specified in subsection (1) of this section, the general assembly concludes that the carrying of weapons in private automobiles or other private means of conveyance for hunting or for lawful protection of a person's or another's person or property while traveling into, through, or within a municipal, county, or city and county jurisdiction, regardless of the number of times the person stops in a jurisdiction, is a matter of statewide concern and, EXCEPT AS DESCRIBED IN SECTION 18-12-114.5, is not an offense.

**SECTION 4.** In Colorado Revised Statutes, 18-12-214, **amend** (3)(a) as follows:

**18-12-214. Authority granted by permit - carrying restrictions - local authority.** (3) A permit issued pursuant to this part 2 does not authorize a person to carry a concealed handgun onto the real property, or into any improvements erected thereon, of a public elementary, middle, junior high, or high school; except that:

(a) A permittee may have a handgun on the real property of the public school so long as the handgun remains in ~~his or her~~ THE PERMITTEE'S vehicle and, if the permittee ~~is not in the vehicle, the handgun is in a compartment within the vehicle and the vehicle is locked~~ LEAVES THE VEHICLE UNATTENDED, THE PERMITTEE STORES THE FIREARM PURSUANT TO SECTION 18-12-114.5;

**SECTION 5.** In Colorado Revised Statutes, 18-12-405, **amend** (2) as follows:

**18-12-405. Locking device required - penalty.** (2) Every licensed gun dealer shall post, in a conspicuous location on its premises and at any other location at which the dealer sells a firearm, either the notice developed as part of the firearms safe storage education campaign described in section 25-1-131 (2) or the following notice, in writing, on a printed card, with each letter at a minimum of one inch in height:

NOTICE

Unlawful storage of a firearm ON PREMISES YOU OWN OR CONTROL may result in imprisonment or fine. UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE MAY RESULT IN A FINE.

**SECTION 6.** In Colorado Revised Statutes, 25-1-131, **amend** (1)(a)(I) and (2) as follows:

**25-1-131. Firearms safe storage education campaign.** (1) (a) The office of suicide prevention within the department shall include on a public page of the department's website information about the following:

(I) The unlawful storage of a firearm offense described in section 18-12-114 AND THE UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE OFFENSE DESCRIBED IN SECTION 18-12-114.5;

(2) The department shall develop a notice intended to be displayed on the premises of a licensed gun dealer, and designed to be printed with each letter at a minimum of one inch in height, that informs firearms purchasers that unlawful storage of a firearm, INCLUDING IN A VEHICLE, may result in imprisonment or fine. The department shall make electronic copies of the notice publicly available for download from its website without charge.

**SECTION 7. Effective date - applicability.** This act takes effect January 1, 2025, and applies to offenses committed on or after said date.

**SECTION 8. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 15, 2024