

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

INTRODUCED

LLS NO. 25-0380.02 Alana Rosen x2606

SENATE BILL 25-158

SENATE SPONSORSHIP

Sullivan and Gonzales J.,

HOUSE SPONSORSHIP

Froelich and Brown,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING CREATING POLICIES FOR STATE AGENCIES IN THE**
102 **TREATMENT OF CERTAIN ITEMS RELATED TO WEAPONS, AND, IN**
103 **CONNECTION THEREWITH, CREATING STATE PROCUREMENT**
104 **PRACTICES FOR FIREARMS, AMMUNITION, AND FIREARMS**
105 **ACCESSORIES AND REQUIRING LAW ENFORCEMENT AGENCY**
106 **POLICIES REGARDING THE DISPOSAL AND DESTRUCTION OF**
107 **FIREARMS.**

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>.)

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.

The bill creates procurement practices for firearms, ammunition, and firearms accessories by the state. The bill applies to all bids the state solicits, enters into, awards, amends, renews, or extends on and after January 1, 2026, for procuring firearms, ammunition, or firearms accessories from a contractor or bidder. During a governmental body's contract solicitation process, request for proposal process, or request during the term of a contract, a contractor or bidder shall follow a procurement verification process (verification process) to confirm that the contractor or bidder engages in safe business practices.

The attorney general shall assist the department of personnel in developing processes and procedures to implement the verification process.

Each law enforcement agency shall destroy and dispose of:

- Service firearms that are retired, damaged, or declared surplus by the applicable law enforcement agency;
- Firearms purchased in a law enforcement agency buyback program;
- Firearms that are voluntarily surrendered to the law enforcement agency for destruction; and
- Any other firearms in the possession of the law enforcement agency that are not in use or subject to an investigation or criminal case.

If a peace officer receives one of these firearms, the peace officer shall give the firearm to the peace officer's employing law enforcement agency. The law enforcement agency may work with an organization or state agency it contracts with to destroy and dispose of the firearm.

The bill requires each law enforcement agency in the state, on or before September 5, 2025, to develop and maintain a policy on the destruction of firearms. The policy must include a process to:

- Identify and make a record of firearms that are required to be destroyed;
- Identify and make a record of firearms that are not required to be destroyed;
- Maintain the records of firearms to be destroyed; and
- Destroy and dispose of the firearms.

Upon the written order of a court or the district attorney that the retention of a firearm is necessary or proper in the pursuit of justice, the peace officer and the peace officer's employing law enforcement agency shall not destroy and dispose of the firearm. If the firearm is evidence in a criminal case, the firearm must be retained.

A law enforcement agency shall not destroy and dispose of a stolen firearm. Within 90 days after a recovered firearm is reported or identified as stolen, a peace officer shall restore the firearm to the lawful owner upon evidence of the lawful owner's identification of the firearm and proof of ownership. If the lawful owner's identity and address is

reasonably ascertained and the lawful owner is given reasonable notice by certified mail that the firearm was recovered but the lawful owner does not respond within 60 days after the reasonable notice is given, the law enforcement agency may destroy and dispose of the firearm.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-103-906, **amend**
3 (1)(a) as follows:

4 **24-103-906. Bid preference - state contracts.** (1) (a) Except as
5 provided in subsection (1)(b) of this section and in ~~section 24-103-907~~
6 SECTIONS 24-103-907 AND 24-103-907.5, when a contract for
7 commodities or services is to be awarded to a bidder, a resident bidder
8 ~~shall be~~ IS allowed a preference against a nonresident bidder equal to the
9 preference given or required by the state in which the nonresident bidder
10 is a resident.

11 **SECTION 2.** In Colorado Revised Statutes, **add** 24-103-907.5 as
12 follows:

13 **24-103-907.5. State purchases of firearms and ammunition -**
14 **contractor or bidder - rules - legislative intent - definitions.**

15 (1) (a) THE GENERAL ASSEMBLY INTENDS THAT:

16 (I) THIS SECTION IS CREATED FOR THE DEVELOPMENT OF
17 PROCUREMENT PRACTICES FOR FIREARMS, AMMUNITION, AND FIREARMS
18 ACCESSORIES BY THE STATE; AND

19 (II) THIS SECTION APPLIES TO ALL BIDS THE STATE SOLICITS,
20 ENTERS INTO, AWARDS, AMENDS, RENEWS, OR EXTENDS ON OR AFTER
21 JANUARY 1, 2026, FOR PROCURING FIREARMS, AMMUNITION, OR FIREARMS
22 ACCESSORIES.

23 (b) THE GENERAL ASSEMBLY THEREFORE FINDS THAT A

1 CONTRACTOR, BIDDER, OR GOVERNMENTAL BODY SHALL COMPLY WITH
2 THIS SECTION DURING A CONTRACT SOLICITATION PROCESS OR REQUEST
3 FOR PROPOSAL PROCESS INVOLVING FIREARMS, AMMUNITION, AND
4 FIREARMS ACCESSORIES AND THROUGHOUT THE TERM OF THE CONTRACT.

5 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES:

7 (a) "AMMUNITION" HAS THE SAME MEANING AS SET FORTH IN
8 SECTION 39-37-103.

9 (b) "FEDERAL FIREARMS LICENSE" HAS THE SAME MEANING AS SET
10 FORTH IN SECTION 18-12-401.

11 (c) "FEDERAL FIREARMS LICENSEE" OR "LICENSEE" HAS THE SAME
12 MEANING AS SET FORTH IN SECTION 18-12-101 (1)(b.6).

13 (d) "FIREARM" HAS THE SAME MEANING AS SET FORTH IN SECTION
14 18-12-101 (1)(b.7).

15 (e) "FIREARMS ACCESSORY" MEANS ANY SUPPLEMENTARY ITEM OR
16 COMPONENT DESIGNED TO ENHANCE THE FUNCTIONALITY, PERFORMANCE,
17 OR USER EXPERIENCE OF A FIREARM. FIREARMS ACCESSORIES MAY
18 INCLUDE PARTS THAT MODIFY A FIREARM OR EXTERNAL EQUIPMENT THAT
19 IS USED IN CONJUNCTION WITH THE FIREARM. FIREARMS ACCESSORIES
20 INCLUDE, BUT ARE NOT LIMITED TO:

21 (I) SIGHTS AND OPTICS;

22 (II) HOLSTERS;

23 (III) MAGAZINES;

24 (IV) GRIPS;

25 (V) SLINGS;

26 (VI) MUZZLE DEVICES, SUPPRESSORS, COMPENSATORS, AND FLASH
27 HIDERS;

- 1 (VII) BIPODS;
- 2 (VIII) TRIGGER UPGRADES AND CONVERSION DEVICES;
- 3 (IX) CLEANING KITS; OR
- 4 (X) AMMUNITION CARRIERS.

5 (f) "FIREARMS OR AMMUNITION BIDDER" OR "BIDDER" MEANS A
6 BIDDER WHO SUBMITS A BID IN RESPONSE TO AN INVITATION FOR BIDS
7 FROM A GOVERNMENTAL BODY FOR THE SALE OF FIREARMS, AMMUNITION,
8 OR FIREARMS ACCESSORIES PURSUANT TO THIS SECTION.

9 (g) "FIREARMS OR AMMUNITION CONTRACTOR" OR "CONTRACTOR"
10 MEANS A CONTRACTOR WHO ENTERS INTO A CONTRACT OR AGREEMENT
11 WITH A GOVERNMENTAL BODY FOR THE SALE OF FIREARMS, AMMUNITION,
12 OR FIREARMS ACCESSORIES TO THE GOVERNMENTAL BODY PURSUANT TO
13 THIS SECTION.

14 (3) (a) DURING A GOVERNMENTAL BODY'S CONTRACT
15 SOLICITATION PROCESS, A GOVERNMENTAL BODY'S REQUEST FOR
16 PROPOSAL PROCESS, OR UPON REQUEST DURING THE TERM OF A CONTRACT
17 WITH A GOVERNMENTAL BODY RELATING TO THE PROCUREMENT OF
18 FIREARMS, AMMUNITION, OR FIREARMS ACCESSORIES, A FIREARMS OR
19 AMMUNITION CONTRACTOR OR A FIREARMS OR AMMUNITION BIDDER
20 SHALL, IF APPLICABLE:

21 (I) COMPLY WITH THE REQUIREMENTS OF SECTION 18-12-401.5 (1)
22 TO ENGAGE IN THE BUSINESS OF DEALING IN FIREARMS IN THE STATE, IF
23 APPLICABLE;

24 (II) PROVIDE TO THE GOVERNMENTAL BODY PROOF AND COPIES OF
25 ALL REQUIRED LICENSES, INCLUDING A FEDERAL FIREARMS LICENSE,
26 PERMITS, AND CERTIFICATES;

27 (III) PROVIDE TO THE GOVERNMENTAL BODY MATERIALS

1 DOCUMENTING THE NUMBER OF UNITED STATES BUREAU OF ALCOHOL,
2 TOBACCO, FIREARMS, AND EXPLOSIVES TRACE REQUESTS THE
3 CONTRACTOR OR BIDDER RECEIVED EACH YEAR FOR THE PAST FIVE
4 CALENDAR YEARS BEFORE THE DATE OF THE CONTRACT OR BID AND, IF
5 APPLICABLE, THE TIME BETWEEN THE SALE OF THE FIREARM SUBJECT TO
6 THE TRACE REQUEST AND THE CRIME THAT GENERATED THE TRACE
7 REQUEST;

8 (IV) PROVIDE TO THE GOVERNMENTAL BODY MATERIALS
9 DOCUMENTING ANY THEFT OR LOSS OF FIREARMS, AMMUNITION, OR
10 FIREARMS ACCESSORIES FROM THE PREMISES OF THE CONTRACTOR OR
11 BIDDER WITHIN THE PAST FIVE CALENDAR YEARS BEFORE THE DATE OF THE
12 CONTRACT OR BID TO EVALUATE SECURITY CONCERNS;

13 (V) PROVIDE TO THE GOVERNMENTAL BODY A TRUE COPY OF THE
14 MOST RECENT INSPECTION REPORT OF ANY FIREARM, AMMUNITION, OR
15 FIREARMS ACCESSORIES INSPECTION CONDUCTED BY A STATE OR LOCAL
16 AGENCY, INCLUDING ANY ADDITIONAL MATERIALS DOCUMENTING
17 ADMINISTRATIVE ACTIONS TAKEN BY THE STATE OR LOCAL AGENCY, IF
18 APPLICABLE;

19 (VI) DISCLOSE TO THE GOVERNMENTAL BODY ANY VIOLATIONS
20 DISCOVERED FROM AN INSPECTION CONDUCTED BY A FEDERAL AGENCY
21 DURING THE LAST TWO FIREARMS, AMMUNITION, OR FIREARMS
22 ACCESSORIES INSPECTIONS, IF APPLICABLE, AND PROVIDE MATERIALS
23 DOCUMENTING THE CONTRACTOR'S OR BIDDER'S CORRECTIVE ACTIONS
24 TAKEN IN RESPONSE TO A FINDING OF NONCOMPLIANCE OR A VIOLATION OF
25 A FEDERAL FIREARM, AMMUNITION, OR FIREARMS ACCESSORIES LAW,
26 REGULATION, OR REQUIREMENT;

27 (VII) PROVIDE TO THE GOVERNMENTAL BODY IN WRITING ANY

1 PRACTICES OR POLICIES ADOPTED BY THE CONTRACTOR OR BIDDER,
2 INCLUDING ANY SUBSEQUENT AMENDMENTS MADE TO THE PRACTICES OR
3 POLICIES DURING THE SOLICITATION PROCESS AND CONTRACT TERM, TO:

4 (A) PREVENT, DETECT, AND SCREEN FOR THE TRANSFER OF
5 FIREARMS TO STRAW PURCHASERS OR FIREARM TRAFFICKERS;

6 (B) PREVENT, DETECT, AND SCREEN AGAINST SALES OF FIREARMS,
7 AMMUNITION, OR FIREARMS ACCESSORIES TO INDIVIDUALS PROHIBITED
8 FROM POSSESSING A FIREARM BY FEDERAL, STATE, OR LOCAL LAW, OR
9 COURT ORDER;

10 (C) PREVENT, DETECT, AND DOCUMENT THE THEFT OR LOSS OF
11 FIREARMS, AMMUNITION, OR FIREARMS ACCESSORIES;

12 (D) TRAIN EMPLOYEES AND SUBCONTRACTORS TO ENSURE
13 COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL
14 FIREARMS LAWS AND REGULATIONS;

15 (E) ASSIST LAW ENFORCEMENT AGENCIES IN THE INVESTIGATION
16 AND PREVENTION OF CRIMINAL ACCESS TO FIREARMS, AMMUNITION, OR
17 FIREARMS ACCESSORIES; AND

18 (F) OPERATE DIGITAL VIDEO SURVEILLANCE; AND

19 (VIII) COMPLY WITH ALL APPLICABLE FEDERAL, STATE, OR LOCAL
20 LAWS.

21 (b) THE CONTRACTOR OR BIDDER SHALL AFFIRM AT THE TIME OF
22 THE BID THAT THE CONTRACTOR OR BIDDER SHALL NOT SELL
23 UNSERIALIZED GUN BUILD KITS OR FIREARM PRECURSOR PARTS, AS
24 DEFINED IN SECTION 39-37-103, INCLUDING UNSERIALIZED FIREARMS,
25 UNSERIALIZED UNFINISHED FRAMES, OR UNFINISHED RECEIVERS THROUGH
26 THE DURATION OF THE CONTRACT. THE CONTRACTOR OR BIDDER SHALL
27 PROVIDE DOCUMENTATION TO PROVE COMPLIANCE WITH APPLICABLE

1 FEDERAL, STATE, OR LOCAL LAWS RELATED TO FIREARM PRECURSOR
2 PARTS.

3 (c) THE CONTRACTOR OR BIDDER SHALL SUBMIT TO THE
4 DEPARTMENT A CERTIFICATION STATEMENT, SIGNED AND AFFIRMED
5 UNDER PENALTY OF PERJURY, AS DEFINED IN SECTION 18-8-503, STATING
6 THAT THE MATERIALS PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION
7 ARE TRUE AND COMPLETE.

8 (4) (a) THE ATTORNEY GENERAL SHALL ASSIST THE DEPARTMENT
9 IN DEVELOPING PROCESSES AND PROCEDURES TO IMPLEMENT THIS
10 SECTION, INCLUDING A PROCESS TO ADMINISTER AND ASSESS A
11 CONTRACTOR'S OR BIDDER'S COMPLIANCE WITH THE REQUIREMENTS OF
12 THIS SECTION. THE PROCESS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

13 (I) DEVELOPING A PREQUALIFICATION PROCESS TO PREQUALIFY
14 POTENTIAL CONTRACTORS OR BIDDERS AS SET FORTH IN SECTION
15 24-103-402;

16 (II) DEVELOPING A SCORING SYSTEM TO EVALUATE A POTENTIAL
17 CONTRACTOR'S OR BIDDER'S RECORD OF SAFE BUSINESS PRACTICES THAT
18 IS USED IN AWARDING CONTRACTS OR PURCHASES; AND

19 (III) TERMINATING CONTRACTS WITH CONTRACTORS OR BIDDERS
20 FOUND TO BE NONCOMPLIANT WITH THE TERMS OF THIS SECTION DURING
21 THE TERM OF THE CONTRACT AS SET FORTH IN SECTION 24-106-101 (3)(c)
22 AND (3)(d).

23 (b) THE DEPARTMENT SHALL REJECT A BID OR PROPOSAL FOR A
24 FIREARMS, AMMUNITION, OR FIREARMS ACCESSORIES CONTRACT OR SALE
25 IF:

26 (I) A CONTRACTOR OR BIDDER HAS NOT SUBMITTED THE REQUIRED
27 DOCUMENTATION SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION;

1 (II) THE CONTRACTOR'S OR BIDDER'S REQUIRED DOCUMENTATION
2 DOES NOT MEET THE STANDARDS SET FORTH IN SUBSECTION (3)(a) OF THIS
3 SECTION; OR

4 (III) THE DEPARTMENT DETERMINES THE BIDDER OR CONTRACTOR
5 IS NOT ENGAGING IN SAFE BUSINESS PRACTICES.

6 (5) A GOVERNMENTAL BODY SHALL NOT WAIVE THE
7 REQUIREMENTS OF THIS SECTION OR MAKE EXIGENT OR EMERGENCY
8 PURCHASES OF FIREARMS, AMMUNITION, OR FIREARMS ACCESSORIES TO
9 SUBVERT THIS SECTION.

10 (6) THE DEPARTMENT MAY ADOPT RULES TO IMPLEMENT THIS
11 SECTION.

12 (7) A RESIDENT BIDDER AND NONRESIDENT BIDDER ARE TREATED
13 EQUALLY FOR PURPOSES OF THIS SECTION. A RESIDENT BIDDER SHALL NOT
14 RECEIVE A BID PREFERENCE AGAINST A NONRESIDENT BIDDER FOR THE
15 PURCHASE OF FIREARMS, AMMUNITION, OR FIREARMS ACCESSORIES AS SET
16 FORTH IN SECTION 24-103-906 (1)(a).

17 **SECTION 3.** In Colorado Revised Statutes, **add** part 6 to article
18 2.5 of title 16 as follows:

19 PART 6

20 TREATMENT OF FIREARMS

21 BY LAW ENFORCEMENT AGENCIES

22 **16-2.5-601. Definitions.** AS USED IN THIS PART 6, UNLESS THE
23 CONTEXT OTHERWISE REQUIRES:

24 (1) "DESTROY" MEANS TO DESTROY A FIREARM IN ITS ENTIRETY BY
25 SMELTING, SHREDDING, CRUSHING, OR CUTTING ALL PARTS OF THE
26 FIREARM, INCLUDING THE FRAME OR RECEIVER, BARREL, BOLT, OR GRIP OF
27 A FIREARM, AND ANY ATTACHMENTS, IF APPLICABLE, INCLUDING A SIGHT,

1 SCOPE, SILENCER, OR SUPPRESSOR.

2 (2) "FIREARM" HAS THE SAME MEANING AS SET FORTH IN SECTION
3 18-12-101 (1)(b.7).

4 (3) "LAW ENFORCEMENT AGENCY" MEANS ANY AGENCY OF THE
5 STATE OR ITS POLITICAL SUBDIVISION THAT IS RESPONSIBLE FOR
6 ENFORCING THE LAWS OF THIS STATE. "LAW ENFORCEMENT AGENCY"
7 INCLUDES:

8 (a) THE COLORADO STATE PATROL CREATED PURSUANT TO
9 SECTION 24-33.5-201;

10 (b) THE COLORADO BUREAU OF INVESTIGATION CREATED
11 PURSUANT TO SECTION 24-33.5-401;

12 (c) A COUNTY SHERIFF'S OFFICE;

13 (d) A MUNICIPAL POLICE DEPARTMENT;

14 (e) A TOWN MARSHAL'S OFFICE; OR

15 (f) ANY OTHER STATE OR LOCAL LAW ENFORCEMENT AGENCY.

16 **16-2.5-602. Destruction of firearms - policy.** (1) (a) EACH LAW
17 ENFORCEMENT AGENCY SHALL DESTROY AND DISPOSE OF:

18 (I) SERVICE FIREARMS THAT ARE RETIRED, DAMAGED, OR
19 DECLARED SURPLUS BY THE APPLICABLE LAW ENFORCEMENT AGENCY;

20 (II) FIREARMS PURCHASED IN A LAW ENFORCEMENT AGENCY
21 BUYBACK PROGRAM;

22 (III) FIREARMS THAT ARE VOLUNTARILY SURRENDERED TO THE
23 LAW ENFORCEMENT AGENCY FOR DESTRUCTION; AND

24 (IV) ANY OTHER FIREARMS IN THE POSSESSION OF THE LAW
25 ENFORCEMENT AGENCY THAT ARE NOT IN USE NOR SUBJECT TO AN
26 INVESTIGATION OR CRIMINAL CASE AS DESCRIBED IN SUBSECTION (2)(b) OF
27 THIS SECTION.

1 (b) EACH LAW ENFORCEMENT AGENCY MAY CONTRACT WITH AN
2 ORGANIZATION OR A STATE AGENCY TO DESTROY AND DISPOSE OF THE
3 FIREARMS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION.

4 (2) (a) IF A PEACE OFFICER RECEIVES A FIREARM AS DESCRIBED IN
5 SUBSECTION (1)(a) OF THIS SECTION, THE PEACE OFFICER SHALL GIVE THE
6 FIREARM TO THE PEACE OFFICER'S EMPLOYING LAW ENFORCEMENT
7 AGENCY. THE LAW ENFORCEMENT AGENCY SHALL WORK WITH THE
8 ORGANIZATION OR STATE AGENCY THE LAW ENFORCEMENT AGENCY
9 CONTRACTS WITH PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION TO
10 DESTROY AND DISPOSE OF THE FIREARM. THE LAW ENFORCEMENT AGENCY
11 SHALL SUBMIT PROOF TO THE COURT OF THE DESTRUCTION AND DISPOSAL
12 OF THE FIREARM.

13 (b) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION TO
14 THE CONTRARY, UPON THE WRITTEN ORDER OF A JUDGE OF A COURT OF
15 RECORD OR THE DISTRICT ATTORNEY THAT THE RETENTION OF A FIREARM
16 IS NECESSARY OR PROPER IN THE PURSUIT OF JUSTICE, THE PEACE OFFICER
17 AND THE PEACE OFFICER'S EMPLOYING LAW ENFORCEMENT AGENCY SHALL
18 NOT DESTROY AND DISPOSE OF THE FIREARM. IF THE FIREARM IS EVIDENCE
19 IN A CRIMINAL CASE, THE FIREARM MUST BE RETAINED AS REQUIRED BY
20 PART 4 OF ARTICLE 1 OF TITLE 18 AND THE COLORADO RULES OF CRIMINAL
21 PROCEDURE.

22 (3) (a) ON OR BEFORE SEPTEMBER 5, 2025, EACH LAW
23 ENFORCEMENT AGENCY SHALL DEVELOP, FINALIZE, AND MAINTAIN A
24 POLICY ON THE DESTRUCTION OF FIREARMS AS REQUIRED PURSUANT TO
25 SUBSECTION (1)(a) OF THIS SECTION. THE POLICY MUST INCLUDE A
26 PROCESS TO:

27 (I) IDENTIFY AND MAKE A RECORD OF FIREARMS THAT ARE

1 REQUIRED TO BE DESTROYED AS DESCRIBED IN SUBSECTION (1)(a) OF THIS
2 SECTION;

3 (II) IDENTIFY AND MAKE A RECORD OF FIREARMS THAT ARE NOT
4 REQUIRED TO BE DESTROYED;

5 (III) MAINTAIN THE RECORDS DESCRIBED IN SUBSECTIONS (3)(a)(I)
6 AND (3)(a)(II) OF THIS SECTION; AND

7 (IV) DESTROY AND DISPOSE OF THE FIREARMS DESCRIBED IN
8 SUBSECTION (1)(a) OF THIS SECTION.

9 (b) IN THE RECORDS DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS
10 SECTION, EACH LAW ENFORCEMENT AGENCY SHALL INCLUDE THE NAME OF
11 THE ORGANIZATION OR STATE AGENCY THAT THE LAW ENFORCEMENT
12 AGENCY CONTRACTS WITH FOR THE DESTRUCTION AND DISPOSAL OF
13 FIREARMS. IN THE POLICY DESCRIBED IN SUBSECTION (3)(a) OF THIS
14 SECTION, EACH LAW ENFORCEMENT AGENCY SHALL OUTLINE THE
15 RESPONSIBILITIES OF THE LAW ENFORCEMENT AGENCY AND THE
16 ORGANIZATION OR STATE AGENCY THE LAW ENFORCEMENT AGENCY
17 CONTRACTS WITH FOR THE DESTRUCTION AND DISPOSAL OF FIREARMS.

18 (c) EACH LAW ENFORCEMENT AGENCY SHALL POST THE POLICY
19 DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION ON ITS WEBSITE WITHIN
20 SEVEN CALENDAR DAYS AFTER THE POLICY IS FINALIZED. IF THE LAW
21 ENFORCEMENT AGENCY UPDATES ITS POLICY, IT SHALL POST THE UPDATED
22 POLICY ON ITS WEBSITE WITHIN SEVEN CALENDAR DAYS AFTER THE
23 UPDATED POLICY IS FINALIZED.

24 (4) (a) A LAW ENFORCEMENT AGENCY SHALL NOT DESTROY AND
25 DISPOSE OF A STOLEN FIREARM. WITHIN NINETY DAYS AFTER A
26 RECOVERED FIREARM IS REPORTED OR IDENTIFIED AS STOLEN, A PEACE
27 OFFICER SHALL RETURN THE FIREARM TO THE LAWFUL OWNER UPON

1 EVIDENCE OF THE LAWFUL OWNER'S IDENTIFICATION OF THE FIREARM AND
2 PROOF OF OWNERSHIP.

3 (b) NOTWITHSTANDING THE PROHIBITION IN SUBSECTION (4)(a) OF
4 THIS SECTION ON DESTROYING RECOVERED STOLEN FIREARMS, IF THE
5 IDENTITY AND ADDRESS OF A LAWFUL OWNER OF A RECOVERED STOLEN
6 FIREARM IS REASONABLY ASCERTAINED AND THE LAWFUL OWNER IS GIVEN
7 REASONABLE NOTICE BY CERTIFIED MAIL THAT THE FIREARM WAS
8 RECOVERED BUT THE LAWFUL OWNER DOES NOT RESPOND WITHIN SIXTY
9 DAYS AFTER THE REASONABLE NOTICE IS RECEIVED BY THE LAWFUL
10 OWNER, THE LAW ENFORCEMENT AGENCY MAY DESTROY AND DISPOSE OF
11 THE FIREARM.

12 **SECTION 4. Act subject to petition - effective date.** Sections
13 1 and 2 of this act take effect January 1, 2026, and the remainder of this
14 act takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2026 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.