



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 25-034: VOLUNTARY DO-NOT-SELL FIREARMS WAIVER

Prime Sponsors:

Sen. Kipp
Rep. Boesenecker

Fiscal Analyst:

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Fiscal note status: The revised fiscal note reflects the introduced bill, as amended by the Senate State Affairs Committee.

Summary Information

Overview. The bill establishes a process for a person to voluntarily waive their right to purchase firearms and requires the Department of Public Safety to develop an online portal for these waivers, conditional on receiving gifts, grants, or donations. It also creates a related civil infraction.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis starting in FY 2025-26:

- State Revenue
- State Expenditures
- Local Government

Appropriations. No appropriation is required.

**Table 1
State Fiscal Impacts**

Type of Impact ¹	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$209,853	\$0
State Expenditures	\$209,853	\$26,000
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

¹ Fund sources for these impacts are shown in the tables below.

**Table 1A
State Revenue**

Fund Source	Budget Year FY 2025-26	Out Year FY 2026-27
General Fund	\$0	\$0
Cash Funds (Gifts, Grants, and Donations)	\$209,853	\$0
Total Revenue	\$209,853	\$0

**Table 1B
State Expenditures**

Fund Source	Budget Year FY 2025-26	Out Year FY 2026-27
General Fund	\$0	\$26,000
Cash Funds (Gifts, Grants, and Donations)	\$209,853	\$0
Federal Funds	\$0	\$0
Centrally Appropriated	\$0	\$0
Total Expenditures	\$209,853	\$26,000
Total FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill establishes a process to allow a person to voluntarily waive their right to purchase a firearm. Waivers must be submitted to the Colorado Bureau of Investigation in the Department of Public Safety (CDPS). The CDPS must develop an online portal for waiver submission and verify the identity of persons submitting waivers. The CDPS must also update any state or federal computer-based systems used to identify prohibited purchasers of firearms to reflect the status of the waiver, such that when waivers are in effect, firearm transfers to a person with a waiver are denied. It is a civil infraction punishable by a fine of up to \$25 for a person with a waiver in effect to attempt to purchase a firearm.

During waiver submission, a person may designate one or more contact persons. The CDPS must notify contact persons when a person with a waiver attempts to purchase a firearm, and if the person with a waiver revokes the waiver. Waivers may be revoked after filing with the CDPS. A waiver remains in effect for 30 days after the CDPS receives a revocation request, after which the CDPS must update relevant computer-based systems and destroy all records of the waiver.

Finally, implementation of the bill is dependent on receipt of sufficient gifts, grants, and donations.

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. 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.

Prior Conviction Data and Assumptions

This bill creates the new offense of unlawful attempted firearm purchase while subject to a voluntary waiver, a civil infraction. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of unlawful purchase of a firearm under the age of 21, a class 2 misdemeanor, as a comparable crime. From FY 2021-22 to FY 2023-24, one White male has been sentenced and convicted for this existing offense. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

The bill potentially increases state revenue to the CDPS from gifts, grants, and donations; however, no sources have been identified at this time. The bill's implementation is dependent on the CDPS receiving at least \$200,000 in gifts, grants, and donations. It is unknown at this time when the CDPS may receive sufficient funding for implementation, but for informational purposes this fiscal note shows revenue in FY 2025-26 only. Gifts, grants, and donations are exempt from TABOR revenue limits.

State Expenditures

The bill increases state expenditures in the CDPS by about \$210,000 to implement the bill. It is unknown when these expenditures may occur; the fiscal note assumes costs incurred in FY 2025-26 and FY 2026-27 for informational purposes. These costs are assumed to be paid from gifts, grants, and donations in the first fiscal year of implementation and paid from the General Fund in future years. Costs are summarized in Table 2 and discussed below.

Table 2
State Expenditures
Department of Public Safety

Cost Component	Budget Year FY 2025-26	Out Year FY 2026-27
Waiver Portal and Maintenance	\$130,000	\$26,000
OIT Project Management	\$79,853	\$0
Total Costs	\$209,853	\$26,000

Department of Public Safety

The CDPS requires \$210,000 in the first year of implementation for development of a waiver portal, and for payments to the Office of Information Technology (OIT) for project management services. Starting after the first year of implementation, the CDPS requires \$26,000 for portal support and maintenance payments to a vendor. This amount is estimated to increase by 3 percent annually in future years. Workload in the CDPS will increase to seek gifts, grants, and donations, to actively use the portal, and to manage the waiver process. This workload can be absorbed with existing resources and no additional appropriations are required for this effort.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

District Attorneys	Public Safety
Information Technology	Revenue
Judicial	

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](#).