

CHAPTER 93

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 25-1238

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also SENATOR(S) Kipp and Danielson, Amabile, Bridges, Cutter, Daugherty, Gonzales J., Jodeh, Kolker, Michaelson Jenet, Sullivan, Wallace, Weissman, Winter F., Coleman.

AN ACT**CONCERNING REQUIREMENTS FOR GUN SHOWS.**

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Gun violence remains a significant threat to public safety in Colorado, causing harm to individuals, families, and communities across the state. Effectively addressing gun violence requires a comprehensive strategy that includes both preventing illegal firearm transfers and ensuring responsible ownership practices.

(b) Gun shows serve as important venues for the lawful sale and transfer of firearms. However, these events present unique challenges for regulating the movement of firearms and preventing illegal trafficking. While gun shows are lawful and cater primarily to responsible gun owners, they can also provide opportunities for firearms to be transferred without proper oversight, potentially leading to unlawful possession and misuse.

(c) It is essential for Colorado to implement strong regulatory measures at gun shows to mitigate the risks associated with unregulated or improper firearm transfers and the unlawful sale of large-capacity magazines, including magazines that are designed to be readily converted to accept more than 15 rounds of ammunition, and unserialized firearms or frames or receivers of a firearm. The regulatory measures include the requirement for gun show promoters and vendors to follow security protocols, conduct background checks, and ensure firearms are stored and handled safely.

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.

(d) This legislation requires gun show promoters to develop and implement security plans, secure liability coverage, and verify that firearms are sold or transferred in compliance with state and federal laws. In addition, vendors are required to comply with mandatory background checks and adhere to federal, state, and local firearm laws and proper firearm storage practices.

(e) By fostering responsible practices at gun shows, Colorado can reduce the potential for illegal firearm trafficking and decrease the likelihood that firearms will be misused in criminal acts or violence; and

(f) Reducing gun violence and ensuring the safe and lawful transfer of firearms is a shared responsibility between the state, local governments, and communities. This act represents a step toward ensuring the safety of all Coloradans, while balancing the rights of responsible gun owners.

(2) Therefore, the general assembly declares that regulating gun shows to ensure the safety, security, and lawful transfer of firearms is of both local and statewide concern, aimed at reducing gun violence and promoting responsible firearm ownership practices throughout Colorado.

SECTION 2. In Colorado Revised Statutes, **repeal and reenact, with amendments**, part 5 of article 12 of title 18 as follows:

PART 5
GUN SHOWS

18-12-501. Definitions. [Similar to former 18-12-506 introductory portion] AS USED IN THIS PART 5, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) **[Similar to former 18-12-506 (1)]** "COLLECTION" MEANS A TRADE, BARTER, OR IN-KIND EXCHANGE FOR ONE OR MORE FIREARMS.

(2) "GUN COLLECTORS SHOW" MEANS AN EVENT OR FUNCTION THAT IS SPONSORED TO FACILITATE THE PURCHASE, SALE, OFFER FOR SALE, OR COLLECTION OF ONLY CURIOS OR RELICS, AS DEFINED IN 27 CFR 478.11, OR ANTIQUE FIREARMS, AS DEFINED IN 18 U.S.C. SEC. 921 (a)(16), AND NOT ANY OTHER TYPE OF FIREARM. A GUN COLLECTORS SHOW MAY ALSO INCLUDE VENDORS THAT SELL PRODUCTS THAT ARE NOT FIREARMS.

(3) (a) **[Similar to former 18-12-506 (3)]** "GUN SHOW" MEANS THE ENTIRE PREMISES PROVIDED FOR AN EVENT OR FUNCTION, INCLUDING, BUT NOT LIMITED TO, PARKING AREAS FOR THE EVENT OR FUNCTION, EXCEPT FOR ADJACENT STREET PARKING, THAT IS SPONSORED TO FACILITATE, IN WHOLE OR IN PART, THE PURCHASE, SALE, OFFER FOR SALE, OR COLLECTION OF FIREARMS AT WHICH:

(I) TWENTY-FIVE OR MORE FIREARMS ARE OFFERED OR PUBLICLY EXHIBITED FOR SALE, TRANSFER, OR EXCHANGE; OR

(II) NOT LESS THAN THREE GUN SHOW VENDORS PUBLICLY EXHIBIT OR SELL, OFFER FOR SALE, TRANSFER, OR EXCHANGE FIREARMS.

(b) "GUN SHOW" DOES NOT INCLUDE A GUN COLLECTORS SHOW.

(4) "GUN SHOW PARKING AREA" MEANS THE PARKING AREA THAT IS ON THE SAME PROPERTY AS THE GUN SHOW VENUE OR THAT IS ADJACENT TO THE VENUE AND UNDER CONTROL OF THE COMPANY THAT OWNS OR OPERATES THE VENUE. "GUN SHOW PARKING AREA" DOES NOT INCLUDE ADJACENT STREET PARKING.

(5) [Similar to former 18-12-506 (4)] "GUN SHOW PROMOTER" MEANS A PERSON WHO ORGANIZES OR OPERATES A GUN SHOW.

(6) (a) [Similar to former 18-12-506 (5)] "GUN SHOW VENDOR" MEANS ANY PERSON WHO PUBLICLY EXHIBITS OR SELLS, OFFERS FOR SALE, TRANSFERS, OR EXCHANGES ANY FIREARM AT A GUN SHOW, REGARDLESS OF WHETHER THE PERSON ARRANGES WITH A GUN SHOW PROMOTER FOR A FIXED LOCATION FROM WHICH TO PUBLICLY EXHIBIT OR SELL, OFFER FOR SALE, TRANSFER, OR EXCHANGE ANY FIREARM.

(b) "GUN SHOW VENDOR" DOES NOT INCLUDE A PERSON WHO IS NOT A FEDERAL FIREARMS LICENSEE WHO SELLS, OFFERS FOR SALE, OR TRANSFERS A FIREARM TO, OR EXCHANGES A FIREARM WITH, A GUN SHOW VENDOR WHO IS A FEDERAL FIREARMS LICENSEE AT A GUN SHOW, INCLUDING TRANSFERRING A FIREARM TO A GUN SHOW VENDOR WHO IS A FEDERAL FIREARMS LICENSEE FOR SALE ON CONSIGNMENT OR TO FACILITATE A PRIVATE FIREARM TRANSFER.

(7) "LOCAL LAW ENFORCEMENT AGENCY WITH JURISDICTION OVER THE GUN SHOW" MEANS A TOWN MARSHAL'S OFFICE, POLICE DEPARTMENT, OR SHERIFF'S OFFICE WHOSE JURISDICTION INCLUDES THE AREA IN WHICH A GUN SHOW OCCURS.

(8) "STATE FIREARMS DEALER PERMIT" MEANS A STATE FIREARMS DEALER PERMIT DESCRIBED IN SECTION 18-12-401.5.

18-12-502. Gun show promoters - requirements - penalties. (1) (a) FOR EACH GUN SHOW ORGANIZED AND OPERATED BY A GUN SHOW PROMOTER, THE PROMOTER SHALL PREPARE A SECURITY PLAN. THE SECURITY PLAN MUST INCLUDE:

(I) A LIST OF GUN SHOW VENDORS WHO WILL PARTICIPATE IN THE GUN SHOW;

(II) THE ESTIMATED NUMBER OF ATTENDEES;

(III) THE NUMBER OF SECURITY PERSONNEL RETAINED BY THE GUN SHOW PROMOTER TO PROVIDE SECURITY AT THE GUN SHOW, INCLUDING THE NUMBER OF SECURITY PERSONNEL WHO ARE CERTIFIED BY THE PEACE OFFICER STANDARDS AND TRAINING BOARD CREATED IN SECTION 24-31-302; AND

(IV) A FLOOR PLAN OR LAYOUT OF THE EVENT THAT INCLUDES INFORMATION ABOUT THE LOCATION OF THE ENTRANCES AND EXITS AND THE LOCATION OF VIDEO CAMERAS THAT PROVIDE VIDEO SURVEILLANCE OF THE GUN SHOW.

(b) PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION, A GUN SHOW PROMOTER SHALL SUBMIT THE SECURITY PLAN TO EACH LOCAL LAW ENFORCEMENT AGENCY WITH JURISDICTION OVER THE GUN SHOW.

(2) (a) FOR EACH GUN SHOW ORGANIZED AND OPERATED BY A PROMOTER, THE PROMOTER SHALL:

(I) HAVE IN FULL FORCE AND EFFECT A LIABILITY INSURANCE POLICY THAT COVERS LOSSES OR DAMAGES OF AT LEAST ONE MILLION DOLLARS TO ALL PERSONS, ARISING FROM AN INCIDENT THAT RESULTS IN INJURY TO A PERSON OTHER THAN THE INSURED, WHILE THE PERSON IS IN ATTENDANCE AT THE GUN SHOW. THE LIABILITY INSURANCE POLICY MUST BE FROM AN INSURER AUTHORIZED TO DO BUSINESS IN COLORADO OR A NONADMITTED INSURER, AS DEFINED IN SECTION 10-5-101.2.

(II) NO LATER THAN FOURTEEN DAYS BEFORE THE GUN SHOW, SUBMIT THE SECURITY PLAN REQUIRED BY SUBSECTION (1) OF THIS SECTION TO EACH LOCAL LAW ENFORCEMENT AGENCY WITH JURISDICTION OVER THE GUN SHOW;

(III) OBTAIN, AT LEAST THREE DAYS BEFORE THE GUN SHOW, AND RETAIN FOR SIX MONTHS AFTER THE GUN SHOW A CERTIFICATION FROM EACH GUN SHOW VENDOR THAT COMPLIES WITH THE REQUIREMENTS OF SECTION 18-12-504;

(IV) ENSURE THAT ALL ENTRANCES AND EXITS, INCLUDING FIRE EXITS, ARE EITHER GUARDED BY SECURITY PERSONNEL OR EQUIPPED WITH AN ALARM SYSTEM;

(V) PROVIDE VIDEO SURVEILLANCE OF THE GUN SHOW PARKING AREA AND OF THE MAIN ENTRANCE AND MAIN EXIT DURING THE ENTIRE TIME A GUN SHOW PROMOTER HAS ACCESS TO THE VENUE, INCLUDING DURING VENDOR SETUP AND TAKEDOWN, AND MAINTAIN RECORDINGS OF THE SURVEILLANCE FOR SIX MONTHS AFTER THE GUN SHOW. IF THE VENUE CONDUCTS VIDEO SURVEILLANCE OF THE GUN SHOW PARKING AREA, THE GUN SHOW PROMOTER IS NOT REQUIRED TO PROVIDE ADDITIONAL VIDEO SURVEILLANCE, BUT THE PROMOTER MUST RETAIN THE VIDEO SURVEILLANCE RECORDINGS FOR SIX MONTHS AFTER THE GUN SHOW AS REQUIRED IN THIS SUBSECTION (2)(a)(V).

(VI) ENSURE THAT EACH FIREARM BROUGHT INTO THE GUN SHOW BY A PERSON OTHER THAN A GUN SHOW VENDOR, SECURITY PERSONNEL, OR THE GUN SHOW PROMOTER IS CHECKED AND TAGGED. THE TAG MUST STATE THAT ALL FIREARM TRANSFERS BETWEEN PRIVATE PARTIES AT THE SHOW MUST BE CONDUCTED THROUGH A LICENSED DEALER. IN ORDER TO BRING A FIREARM INTO A GUN SHOW, A PERSON MUST SIGN THE TAG AND THE TAG MUST REMAIN ON THE FIREARM FOR THE ENTIRE TIME THE FIREARM IS AT THE GUN SHOW.

(VII) PROHIBIT A PERSON UNDER THE AGE OF EIGHTEEN FROM ENTERING THE GUN SHOW UNLESS THE PERSON IS ACCOMPANIED BY A PARENT, GRANDPARENT, OR GUARDIAN; EXCEPT THAT A PROMOTER MAY ALLOW A MEMBER OF THE UNITED STATES ARMED FORCES OR COLORADO NATIONAL GUARD WHO IS ON ACTIVE DUTY AND WHO IS UNDER EIGHTEEN YEARS OF AGE TO ENTER THE GUN SHOW WITHOUT A PARENT, GRANDPARENT, OR GUARDIAN UPON THE MEMBER PRESENTING A VALID MILITARY IDENTIFICATION CARD THAT DEMONSTRATES THAT THE PERSON IS A MEMBER OF THE UNITED STATES ARMED FORCES OR COLORADO NATIONAL GUARD;

(VIII) FOR EACH CUSTOMER WHO LEAVES THE GUN SHOW WITH A PURCHASED FIREARM, CHECK THAT THE FIREARM WAS DELIVERED IN COMPLIANCE WITH THE WAITING PERIOD REQUIRED IN SECTION 18-12-115 BY REQUIRING A PERSON LEAVING

THE GUN SHOW WITH A PURCHASED FIREARM TO DEMONSTRATE THAT THE WAITING PERIOD WAS COMPLIED WITH OR THAT AN EXCEPTION APPLIES; AND

(IX) POST THE FOLLOWING NOTICES AT EACH ENTRANCE AND CONSPICUOUSLY AT LOCATIONS THROUGHOUT THE GUN SHOW:

(A) A NOTICE THAT STATES: "NO ONE MAY TRANSFER A FIREARM WITHOUT FIRST OBTAINING A BACKGROUND CHECK THROUGH A LICENSED GUN DEALER IF ANY PART OF THE TRANSACTION OCCURS ON THESE PREMISES, INCLUDING THE PARKING FACILITIES. SECTION 18-12-506, COLORADO REVISED STATUTES"; AND

(B) A NOTICE THAT A FIREARM LEFT IN AN UNATTENDED VEHICLE IS REQUIRED TO BE SECURED IN THE VEHICLE IN ACCORDANCE WITH SECTION 18-12-114.5.

(b) A GUN SHOW PROMOTER WHO VIOLATES A REQUIREMENT DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION COMMITS UNLAWFUL GUN SHOW MANAGEMENT. UNLAWFUL GUN SHOW MANAGEMENT IS A CLASS 2 MISDEMEANOR; EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE IS A CLASS 1 MISDEMEANOR AND, IN ADDITION TO A PENALTY IMPOSED IN ACCORDANCE WITH SECTION 18-1.3-501, THE PROMOTER IS ALSO PROHIBITED FROM ACTING AS A GUN SHOW PROMOTER FOR FIVE YEARS, BEGINNING ON THE DATE OF THE CONVICTION FOR THE SECOND OR SUBSEQUENT OFFENSE.

18-12-503. Gun show vendors - federal firearms license and state firearms dealer permit required - penalty. (1) (a) A GUN SHOW VENDOR MUST BE A FEDERAL FIREARMS LICENSEE AND HOLD A VALID STATE FIREARMS DEALER PERMIT. A PERSON WHO IS NOT A FEDERAL FIREARMS LICENSEE AND DOES NOT HOLD A VALID STATE FIREARMS DEALER PERMIT SHALL NOT PARTICIPATE IN A GUN SHOW AS A GUN SHOW VENDOR.

(b) A PERSON WHO HAS BEEN CONVICTED OF A SECOND OFFENSE OF UNLAWFUL GUN SHOW VENDOR ACTIVITY DESCRIBED IN SECTION 18-12-505 SHALL NOT PARTICIPATE IN A GUN SHOW AS A GUN SHOW VENDOR.

(c) A PERSON WHO HAS NOT COMPLETED THE CERTIFICATION TO THE GUN SHOW PROMOTER DESCRIBED IN SECTION 18-12-504, INCLUDING ATTACHING A COPY OF THE VENDOR'S FEDERAL FIREARMS LICENSE AND STATE FIREARMS DEALER PERMIT TO THE CERTIFICATION, SHALL NOT PARTICIPATE IN A GUN SHOW AS A GUN SHOW VENDOR.

(2) A PERSON WHO VIOLATES THIS SECTION COMMITS UNLAWFUL PARTICIPATION IN A GUN SHOW AS A GUN SHOW VENDOR. UNLAWFUL PARTICIPATION IN A GUN SHOW AS A GUN SHOW VENDOR IS A CLASS 2 MISDEMEANOR; EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE IS A CLASS 1 MISDEMEANOR.

18-12-504. Gun show vendor certification. (1) A GUN SHOW VENDOR SHALL CERTIFY THE FOLLOWING TO A GUN SHOW PROMOTER, IN A FORM DETERMINED BY THE GUN SHOW PROMOTER:

**GUN SHOW VENDOR
CERTIFICATION OF COMPLIANCE**

AS A VENDOR OF FIREARMS OR FIREARM COMPONENTS AT THE GUN SHOW OPERATED BY [PROMOTER'S NAME] TO BE HELD [DATE OR DATES OF GUN SHOW] IN [CITY OR TOWN, IF APPLICABLE], _____ COUNTY, COLORADO, I CERTIFY TO THE PROMOTER OF THE GUN SHOW THAT:

I AM A FEDERAL FIREARMS LICENSEE AND I AM PERMITTED BY THE STATE OF COLORADO TO SELL FIREARMS AT RETAIL.

I WILL DISPLAY A COPY OF THE FEDERAL LICENSE AND STATE PERMIT AT MY BOOTH AT THE GUN SHOW.

I HAVE NEVER BEEN CONVICTED OF ILLEGAL ACTIVITY INVOLVING FIREARMS.

I WILL ENSURE THAT ALL FIREARMS AND FRAMES OR RECEIVERS OF FIREARMS SOLD BY ME AT THE GUN SHOW WILL BE PRECEDED BY A BACKGROUND CHECK OF THE PURCHASER AND COMPLY WITH THE THREE-DAY WAITING PERIOD REQUIRED IN STATE LAW.

I WILL DISPLAY AND OFFER FOR SALE OR TRANSFER AMMUNITION IN COMPLIANCE WITH ANY APPLICABLE STATE OR FEDERAL LAW.

I WILL NOT SELL OR TRANSFER ANY WEAPONS OR AMMUNITION THAT I AM PROHIBITED FROM SELLING PURSUANT TO FEDERAL OR STATE LAW, INCLUDING, BUT NOT LIMITED TO:

AMMUNITION MAGAZINES THAT ALLOW FOR MORE THAN 15 ROUNDS OF AMMUNITION;

FIREARMS THAT HAVE FIXED MAGAZINES THAT ALLOW FOR MORE THAN 15 ROUNDS OF AMMUNITION;

FIREARMS OR FRAMES OR RECEIVERS OF A FIREARM, INCLUDING UNFINISHED FRAMES OR RECEIVERS, THAT ARE UNSERIALIZED; AND

DANGEROUS WEAPONS, AS DEFINED IN SECTION 18-12-102, C.R.S., AND ILLEGAL WEAPONS, AS DEFINED IN SECTION 18-12-102, C.R.S., UNLESS THE TRANSFEREE PRESENTS A VALID PERMIT FOR POSSESSION OF THE WEAPON.

FURTHERMORE, I AM AWARE OF ADDITIONAL PROHIBITED ITEMS IN THE CITY OR TOWN AND COUNTY IN WHICH THE GUN SHOW WILL BE HELD, AND I WILL NOT ENGAGE IN THE SALE OF THOSE ITEMS.

I UNDERSTAND THAT IF I SELL PROHIBITED ITEMS OR CONDUCT SALES IN DANGEROUS OR ILLEGAL WEAPONS WITHOUT THE TRANSFEREE PRESENTING A VALID PERMIT, I MAY BE SUBJECT TO CRIMINAL PENALTIES UNDER FEDERAL,

STATE, OR LOCAL LAWS AND MAY BE PROHIBITED FROM PARTICIPATING IN FUTURE GUN SHOWS IN THE STATE OF COLORADO.

VENDOR PRINTED NAME: _____

VENDOR SIGNATURE: _____

DATE: _____

(2) A GUN SHOW VENDOR SHALL ATTACH A COPY OF THE VENDOR'S FEDERAL FIREARMS LICENSE AND STATE FIREARMS DEALER PERMIT TO THE CERTIFICATION.

18-12-505. Gun show vendors - requirements - penalties. (1) WHILE PARTICIPATING IN A GUN SHOW, A GUN SHOW VENDOR SHALL:

(a) PROMINENTLY DISPLAY A COPY OF THE VENDOR'S FEDERAL FIREARMS LICENSE AND A COPY OF THE VENDOR'S STATE FIREARMS DEALER PERMIT AT THE VENDOR'S PRIMARY PLACE OF BUSINESS AT THE GUN SHOW;

(b) KEEP ALL FIREARMS IN THE VENDOR'S POSSESSION UNLOADED AND SECURELY AFFIXED TO THE VENDOR'S COUNTERTOP OR WALL BY USE OF A PLASTIC TIE OR ELECTRONICALLY MONITORED WIRE;

(c) DISPLAY AND OFFER FOR SALE OR TRANSFER AMMUNITION IN COMPLIANCE WITH ANY APPLICABLE STATE OR FEDERAL LAW; AND

(d) INCLUDE WITH EACH SOLD FIREARM THE FOLLOWING INFORMATION, IN WRITING:

FIREARMS STORAGE AND REPORTING REQUIREMENTS:

FIREARMS MUST BE RESPONSIBLY AND SECURELY STORED WHEN THEY ARE NOT IN USE TO PREVENT ACCESS BY UNSUPERVISED JUVENILES AND OTHER UNAUTHORIZED USERS. SECTION 18-12-114, C.R.S.

FIREARMS LEFT IN AN UNATTENDED VEHICLE MUST BE STORED IN ACCORDANCE WITH STATE LAW. SECTION 18-12-114.5, C.R.S.

IF A FIREARM IS LOST OR STOLEN, THE OWNER OF THE FIREARM MUST REPORT THE LOSS OR THEFT TO A LAW ENFORCEMENT AGENCY NOT MORE THAN FIVE DAYS AFTER DISCOVERING THAT THE FIREARM HAS BEEN LOST OR STOLEN. SECTION 18-12-113, C.R.S.

(2) A GUN SHOW VENDOR WHO VIOLATES THIS SECTION COMMITS UNLAWFUL GUN SHOW VENDOR ACTIVITY. UNLAWFUL GUN SHOW VENDOR ACTIVITY IS A CLASS 2 MISDEMEANOR; EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE IS A CLASS 1 MISDEMEANOR AND, PURSUANT TO SECTION 18-12-503 (1)(b), THE PERSON WHO HAS COMMITTED A SECOND OR SUBSEQUENT OFFENSE OF UNLAWFUL GUN SHOW VENDOR ACTIVITY IS PROHIBITED FROM PARTICIPATING AS A VENDOR AT A GUN SHOW.

18-12-506. Background checks at gun shows - records - fees - notice posted by promoter - penalties - definition. (1) (a) [Similar to former 18-12-501

(1)] BEFORE A GUN SHOW VENDOR TRANSFERS OR ATTEMPTS TO TRANSFER A FIREARM AT A GUN SHOW, THE VENDOR SHALL:

(I) REQUIRE THAT A BACKGROUND CHECK, IN ACCORDANCE WITH SECTION 24-33.5-424, BE CONDUCTED OF THE PROSPECTIVE TRANSFEREE; AND

(II) OBTAIN APPROVAL OF A TRANSFER FROM THE COLORADO BUREAU OF INVESTIGATION AFTER A BACKGROUND CHECK HAS BEEN REQUESTED BY A LICENSED GUN DEALER, IN ACCORDANCE WITH SECTION 24-33.5-424.

(b) [Similar to former 18-12-501 (2)] A GUN SHOW PROMOTER SHALL ARRANGE FOR THE SERVICES OF ONE OR MORE LICENSED GUN DEALERS ON THE PREMISES OF THE GUN SHOW TO OBTAIN THE BACKGROUND CHECKS REQUIRED BY THIS SECTION.

(c) [Similar to former 18-12-501 (3)] IF ANY PART OF A FIREARM TRANSACTION TAKES PLACE AT A GUN SHOW, THE TRANSFEROR SHALL NOT TRANSFER THE FIREARM UNLESS A BACKGROUND CHECK HAS BEEN OBTAINED BY A LICENSED GUN DEALER.

(d) [Similar to former 18-12-501 (4)] A PERSON WHO VIOLATES THIS SUBSECTION (1) COMMITS A CLASS 1 MISDEMEANOR.

(2) [Similar to former 18-12-502] (a) A LICENSED GUN DEALER WHO OBTAINS A BACKGROUND CHECK ON A PROSPECTIVE TRANSFEREE SHALL RECORD THE TRANSFER, AS REQUIRED IN SECTION 18-12-402, AND RETAIN THE RECORDS, AS REQUIRED IN SECTION 18-12-403, IN THE SAME MANNER AS WHEN CONDUCTING A SALE, RENTAL, OR EXCHANGE AT RETAIL.

(b) ANY INDIVIDUAL WHO KNOWINGLY GIVES FALSE INFORMATION IN CONNECTION WITH THE MAKING OF THE RECORDS DESCRIBED IN THIS SUBSECTION (2) COMMITS A CLASS 1 MISDEMEANOR.

(3) RESERVED.

(4) [Similar to former 18-12-504] (a) A GUN SHOW PROMOTER SHALL PROMINENTLY POST A NOTICE, IN A FORM TO BE PRESCRIBED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SETTING FORTH THE REQUIREMENT FOR A BACKGROUND CHECK REQUIRED IN THIS SECTION.

(b) A GUN SHOW PROMOTER WHO VIOLATES THIS SUBSECTION (4) COMMITS A CLASS 2 MISDEMEANOR.

(5) [Similar to former 18-12-505] THIS SECTION DOES NOT APPLY TO THE TRANSFER OF AN ANTIQUE FIREARM, AS DEFINED IN 18 U.S.C. SEC. 921(a)(16), OR A CURIO OR RELIC, AS DEFINED IN 27 CFR SEC. 478.11.

(6) [Similar to former 18-12-506 (6)] AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "LICENSED GUN DEALER" MEANS ANY PERSON WHO IS A LICENSED IMPORTER, LICENSED MANUFACTURER, OR DEALER LICENSED PURSUANT TO 18 U.S.C. SEC. 923, AS A FEDERALLY LICENSED FIREARMS DEALER.

(7) **[Similar to former 18-12-507]** THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY AS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 3. In Colorado Revised Statutes, 18-12-406, **amend as it will become effective July 1, 2025**, (3)(a) as follows:

18-12-406. Requirements for firearms dealers - training - securing firearms - sale outside of business hours prohibited - rules - penalty. (3) A dealer shall not sell or transfer a firearm:

(a) Outside of the dealer's posted business hours; except that a dealer may sell or transfer a firearm at a gun show, as defined in ~~section 18-12-506~~ SECTION 18-12-501, outside of the dealer's posted business hours; or

SECTION 4. In Colorado Revised Statutes, 39-37-103, **amend** (6) as follows:

39-37-103. Definitions. As used in this article 37, unless the context otherwise requires:

(6) "Firearm" or "gun" means a firearm as defined in section 18-12-101 (1)(b.7) and any instrument or device described in section 18-1-901 (3)(h) OR 18-12-401 (1)(a). ~~or 18-12-506 (2).~~

SECTION 5. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2026; 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 the ninety-day period after final adjournment of the general assembly, 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 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to gun shows held on or after the applicable effective date of this act.

Approved: April 18, 2025