

CHAPTER 147

CRIMINAL LAW AND PROCEDURE

SENATE BILL 14-135

BY SENATOR(S) Brophy, Grantham, Harvey, Renfroe, Lambert, Herpin, Scheffel, Rivera, Baumgardner, Cadman, Crowder, King, Lundberg, Guzman, Jahn, Johnston, Kefalas, Kerr, Marble, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Todd, Zenzinger;
 also REPRESENTATIVE(S) Wright, Nordberg, Humphrey, Priola, Dore, Everett, Gardner, Holbert, McNulty, Rankin, Saine, Scott, Sonnenberg, Szabo, Conti, Coram, Garcia, Lawrence, Lebsock, Mitsch Bush, Murray, Navarro, Pettersen, Salazar, Vigil.

AN ACT
**CONCERNING THE REPEAL OF CERTAIN PROVISIONS CONCERNING THE PURCHASING OF FIREARMS
 IN STATES THAT ARE CONTIGUOUS TO COLORADO.**

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

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

(a) Nothing in this act is intended to limit the application of federal law in Colorado; and

(b) All firearms transactions that take place in Colorado must fully comply with the requirements of federal law.

SECTION 2. In Colorado Revised Statutes, **repeal** article 27 of title 12 as follows:

ARTICLE 27
Firearms - Purchase In Contiguous State

12-27-101. Legislative declaration - nonresident. ~~(1) It is declared by the general assembly that it is lawful for a licensed importer, licensed manufacturer, licensed dealer, or a licensed collector (licensed under the federal "Gun Control Act of 1968") whose place of business is in this state to sell or deliver a rifle or shotgun to a resident of a state contiguous to this state, subject to the following restrictions and requirements:~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~(a) The purchaser's state of residence must permit such sale or delivery by law.~~

~~(b) The sale must fully comply with the legal conditions of sale in both such contiguous states.~~

~~(c) The purchaser and the licensee must have complied, prior to the sale or delivery for sale of the rifle or shotgun, with all of the requirements of section 922 (c) of the federal "Gun Control Act of 1968" applicable to interstate transactions other than those at the licensee's business premises.~~

12-27-102. Legislative declaration - residents. ~~(1) It is declared by the general assembly that it is lawful for a resident of this state, otherwise qualified, to purchase or receive delivery of a rifle or shotgun in a state contiguous to this state, subject to the following restrictions and requirements:~~

~~(a) The sale must fully comply with the legal conditions of sale in both such contiguous states;~~

~~(b) The purchaser and the licensee must have complied, prior to the sale or delivery for sale of the rifle or shotgun, with all of the requirements of section 922 (c) of the federal "Gun Control Act of 1968", applicable to interstate transactions other than at the licensee's business premises.~~

12-27-103. Definitions. ~~As used in this article, unless the context otherwise requires:~~

~~(1) "A state contiguous to this state" means any state having a common border with this state.~~

~~(2) All other terms shall be construed as such terms are defined in the federal "Gun Control Act of 1968".~~

12-27-104. Article does not apply - when. ~~(1) The provisions of this article do not apply to:~~

~~(a) Transactions between licensed importers, licensed manufacturers, licensed dealers, and licensed collectors;~~

~~(b) The loan or rental of a firearm to any person for temporary use for lawful sporting purposes;~~

~~(c) A person who is participating in any organized rifle or shotgun match or contest, or is engaged in hunting, in a state other than his state of residence and whose rifle or shotgun has been lost or stolen or has become inoperative in such other state, and who purchases a rifle or shotgun in such other state from a licensed dealer if such person presents to such dealer a sworn statement:~~

~~(1) That his rifle or shotgun was lost or stolen or became inoperative while participating in such a match or contest, or while engaged in hunting, in such other state; and~~

~~(H) Identifying the chief law enforcement officer of the locality in which such person resides, to whom such licensed dealer shall forward such statement by registered mail.~~

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); 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 such period, 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 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 2, 2014