

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0543.01 Richard Sweetman x4333

SENATE BILL 14-135

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF CERTAIN PROVISIONS CONCERNING THE**
102 **PURCHASING OF FIREARMS IN STATES THAT ARE CONTIGUOUS TO**
103 **COLORADO.**

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://www.leg.state.co.us/billsummaries>.)

The bill repeals certain provisions concerning the purchase of firearms in states that are contiguous to Colorado.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
February 19, 2014

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

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

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

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

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

10 **ARTICLE 27**

11 **Firearms - Purchase In Contiguous State**

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

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

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

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

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

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

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

13 **12-27-103. Definitions.** ~~As used in this article, unless the context~~
14 ~~otherwise requires:~~

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

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

19 **12-27-104. Article does not apply - when.** ~~(1) The provisions of~~
20 ~~this article do not apply to:~~

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

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

25 ~~(c) A person who is participating in any organized rifle or shotgun~~
26 ~~match or contest, or is engaged in hunting, in a state other than his state~~
27 ~~of residence and whose rifle or shotgun has been lost or stolen or has~~

1 ~~become inoperative in such other state, and who purchases a rifle or~~
2 ~~shotgun in such other state from a licensed dealer if such person presents~~
3 ~~to such dealer a sworn statement:~~

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

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

10 **SECTION 3. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2014 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.