

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0860.01 Conrad Imel x2313

HOUSE BILL 24-1348

HOUSE SPONSORSHIP

Velasco and Garcia, Amabile, Bacon, Boesenecker, Brown, Duran, Epps, Froelich, Hernandez, Jodeh, Joseph, Kipp, Lindsay, Lindstedt, Mabrey, Marvin, McCormick, Parenti, Rutinel, Sirota, Weissman, Willford

SENATE SPONSORSHIP

Jaquez Lewis and Fields, Bridges, Cutter, Hansen, Michaelson Jenet, Sullivan

House Committees
Judiciary

Senate Committees
State, Veterans, & Military Affairs

SENATE
Amended 3rd Reading
April 22, 2024

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT TO SECURELY STORE A FIREARM IN A**
102 **VEHICLE.**

SENATE
Amended 2nd Reading
April 19, 2024

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>.)

HOUSE
3rd Reading Unamended
March 25, 2024

The bill prohibits knowingly leaving a firearm in an unattended vehicle unless the firearm is stored in a locked hard-sided container that is not left in plain view or that is in the locked trunk of the vehicle. Unsafe storage of a firearm in a vehicle is a civil infraction, punishable by a maximum \$500 fine.

HOUSE
Amended 2nd Reading
March 22, 2024

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 18-12-114.5 as
3 follows:

4 **18-12-114.5. Secure firearm storage in a vehicle - penalty -**
5 **definition.** (1) (a) A PERSON SHALL NOT KNOWINGLY LEAVE A HANDGUN
6 IN AN UNATTENDED VEHICLE UNLESS THE HANDGUN IS IN A LOCKED
7 HARD-SIDED CONTAINER THAT IS PLACED OUT OF PLAIN VIEW, INCLUDING
8 A LOCKED CONTAINER THAT IS PERMANENTLY AFFIXED TO THE VEHICLE'S
9 INTERIOR, AND THE CONTAINER IS IN ANY OF THE FOLLOWING:

10 (I) A LOCKED VEHICLE;

11 (II) THE LOCKED TRUNK OF A LOCKED VEHICLE; OR

12 (III) A LOCKED RECREATIONAL VEHICLE, AS DEFINED IN SECTION
13 24-32-902. _____

14 (b) A PERSON SHALL NOT KNOWINGLY LEAVE A FIREARM THAT IS
15 NOT A HANDGUN IN AN UNATTENDED VEHICLE UNLESS THE FIREARM IS IN
16 A LOCKED HARD-SIDED OR LOCKED SOFT-SIDED CONTAINER, INCLUDING A
17 LOCKED CONTAINER THAT IS PERMANENTLY AFFIXED TO THE VEHICLE'S
18 INTERIOR, AND THE CONTAINER IS IN ANY OF THE FOLLOWING:

19 (I) A LOCKED VEHICLE;

20 (II) THE LOCKED TRUNK OF A LOCKED VEHICLE; OR

21 (III) A LOCKED RECREATIONAL VEHICLE, AS DEFINED IN SECTION
22 24-32-902.

23 (c) A FIREARM THAT IS NOT A HANDGUN THAT IS STORED IN A
24 SOFT-SIDED CONTAINER MUST HAVE A LOCKING DEVICE INSTALLED ON THE
25 FIREARM WHILE THE FIREARM IS STORED IN THE SOFT-SIDED CONTAINER.

26 (d) FOR THE PURPOSES OF THIS SUBSECTION (1), A LOCKED GLOVE

1 COMPARTMENT OR THE LOCKED CENTER CONSOLE OF A VEHICLE IS A
2 LOCKED HARD-SIDED CONTAINER.

3 (2) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION
4 COMMITS UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE. UNLAWFUL
5 STORAGE OF A FIREARM IN A VEHICLE IS A CIVIL INFRACTION AND, UPON
6 CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF NO MORE THAN
7 FIVE HUNDRED DOLLARS.

8 (3) THIS SECTION DOES NOT APPLY TO:

9 (a) STORING AN ANTIQUE FIREARM, AS DEFINED IN 18 U.S.C. SEC.
10 921 (a)(16), AS AMENDED;

11 (b) STORING A FIREARM THAT IS A NOT A HANDGUN IN A VEHICLE
12 THAT IS BEING USED FOR FARM OR RANCH OPERATIONS THAT IS ON THE
13 PERSON'S PRIVATE FARM OR RANCH, INCLUDING A LEASED FARM OR
14 RANCH. AS USED IN THIS SUBSECTION (3)(b), "FARM" AND "RANCH" HAVE
15 THE SAME MEANINGS AS SET FORTH IN SECTION 39-1-102.

16 (c) A PERSON WHO LIVES IN A VEHICLE OR IN A RECREATIONAL
17 VEHICLE, AS DEFINED IN SECTION 24-32-902, IN WHICH THE FIREARM IS
18 STORED. A PERSON WHO LIVES IN A VEHICLE OR RECREATIONAL VEHICLE
19 MUST STORE FIREARMS IN THE VEHICLE OR RECREATIONAL VEHICLE IN
20 ACCORDANCE WITH THE STORAGE REQUIREMENT DESCRIBED IN SECTION
21 18-12-114.

22 (d) A PEACE OFFICER;

23 (e) A PERSON WHO HOLDS A VALID RESIDENT OR OUT-OF-STATE
24 HUNTING LICENSE WHO IS ENGAGED IN LAWFUL HUNTING ACTIVITIES;

25 (f) A PERSON ENGAGED IN THE INSTRUCTION OF HUNTER
26 EDUCATION COURSES AND OUTREACH OFFERED BY THE DIVISION OF PARKS
27 AND WILDLIFE; AND

1 (g) AN ACTIVE MEMBER OF THE UNITED STATES ARMED FORCES
2 WHILE ON DUTY.

3 (4) NOTWITHSTANDING THE REQUIREMENT IN SUBSECTION (1) OF
4 THIS SECTION TO STORE A FIREARM IN A LOCKED HARD-SIDED CONTAINER,
5 A PERSON WHO IS CONSIDERED TO HAVE A DISABILITY, AS DEFINED IN 42
6 U.S.C. SEC. 12102, WHO STORES A FIREARM IN A LOCKED SOFT-SIDED
7 CONTAINER DOES NOT VIOLATE THIS SECTION WITH RESPECT TO THE
8 STORAGE OF THE FIREARM THAT IS IN THE LOCKED SOFT-SIDED CONTAINER.

9 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
10 REQUIRES, "VEHICLE" HAS THE SAME MEANING AS SET FORTH IN SECTION
11 42-1-102.

12 **SECTION 2.** In Colorado Revised Statutes, 18-12-113, **amend**
13 (5) as follows:

14 **18-12-113. Failure to report a lost or stolen firearm -**
15 **exception.** (5) A person who reports a lost or stolen firearm pursuant to
16 subsection (1) of this section is immune from criminal prosecution for an
17 offense in this part 1 related to the storage of firearms AND FROM
18 PROSECUTION FOR THE CIVIL INFRACTION OF UNLAWFUL STORAGE OF A
19 FIREARM IN A VEHICLE AS DESCRIBED IN SECTION 18-12-114.5.

20 **SECTION 3.** In Colorado Revised Statutes, 18-12-105.6, **amend**
21 (2)(a) as follows:

22 **18-12-105.6. Limitation on local ordinances regarding**
23 **firearms in private vehicles.** (2) (a) Based on the findings specified in
24 subsection (1) of this section, the general assembly concludes that the
25 carrying of weapons in private automobiles or other private means of
26 conveyance for hunting or for lawful protection of a person's or another's
27 person or property while traveling into, through, or within a municipal,

1 county, or city and county jurisdiction, regardless of the number of times
2 the person stops in a jurisdiction, is a matter of statewide concern and,
3 EXCEPT AS DESCRIBED IN SECTION 18-12-114.5, is not an offense.

4 **SECTION 4.** In Colorado Revised Statutes, 18-12-214, **amend**
5 (3)(a) as follows:

6 **18-12-214. Authority granted by permit - carrying restrictions**
7 **- local authority.** (3) A permit issued pursuant to this part 2 does not
8 authorize a person to carry a concealed handgun onto the real property,
9 or into any improvements erected thereon, of a public elementary, middle,
10 junior high, or high school; except that:

11 (a) A permittee may have a handgun on the real property of the
12 public school so long as the handgun remains in ~~his or her~~ THE
13 PERMITTEE'S vehicle and, if the permittee ~~is not in the vehicle, the~~
14 ~~handgun is in a compartment within the vehicle and the vehicle is locked~~
15 LEAVES THE VEHICLE UNATTENDED, THE PERMITTEE STORES THE FIREARM
16 PURSUANT TO SECTION 18-12-114.5;

17 **SECTION 5.** In Colorado Revised Statutes, 18-12-405, **amend**
18 (2) as follows:

19 **18-12-405. Locking device required - penalty.** (2) Every
20 licensed gun dealer shall post, in a conspicuous location on its premises
21 and at any other location at which the dealer sells a firearm, either the
22 notice developed as part of the firearms safe storage education campaign
23 described in section 25-1-131 (2) or the following notice, in writing, on
24 a printed card, with each letter at a minimum of one inch in height:

25 NOTICE

26 Unlawful storage of a **firearm ON PREMISES YOU OWN OR**
27 **CONTROL** may result in imprisonment or fine. **UNLAWFUL**

1 STORAGE OF A FIREARM IN A VEHICLE MAY RESULT IN A
2 FINE.

3 **SECTION 6.** In Colorado Revised Statutes, 25-1-131, **amend**
4 (1)(a)(I) and (2) as follows:

5 **25-1-131. Firearms safe storage education campaign.**

6 (1) (a) The office of suicide prevention within the department shall
7 include on a public page of the department's website information about
8 the following:

9 (I) The unlawful storage of a firearm offense described in section
10 18-12-114 AND THE UNLAWFUL STORAGE OF A FIREARM IN A VEHICLE
11 OFFENSE DESCRIBED IN SECTION 18-12-114.5;

12 (2) The department shall develop a notice intended to be displayed
13 on the premises of a licensed gun dealer, and designed to be printed with
14 each letter at a minimum of one inch in height, that informs firearms
15 purchasers that unlawful storage of a firearm, INCLUDING IN A VEHICLE,
16 may result in imprisonment or fine. The department shall make electronic
17 copies of the notice publicly available for download from its website
18 without charge.

19 **SECTION 7.** In Colorado Revised Statutes, 18-4-401, **amend (2)**
20 **introductory portion; and add (2.3) as follows:**

21 **18-4-401. Theft. (2) EXCEPT AS PROVIDED FOR IN SUBSECTION**
22 **(2.3) OF THIS SECTION, theft is:**

23 **(2.3) (a) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)**
24 **OF THIS SECTION, AND EXCEPT AS DESCRIBED IN SUBSECTION (2.3)(b) OF**
25 **THIS SECTION, THEFT IS A CLASS 1 MISDEMEANOR IF THE THEFT IS THEFT OF**
26 **A FIREARM, AS DEFINED IN SECTION 18-12-101, AND THE FIREARM HAS A**
27 **VALUE OF LESS THAN TWO THOUSAND DOLLARS.**

1 (b) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2) OF THIS
2 SECTION, THEFT IS A CLASS 6 FELONY IF THE THEFT IS A SECOND OR
3 SUBSEQUENT OFFENSE FOR THEFT OF A FIREARM, AS DEFINED IN SECTION
4 18-12-101, AND THE FIREARM STOLEN DURING THE COMMISSION OF THE
5 SECOND OR SUBSEQUENT OFFENSE HAS A VALUE OF LESS THAN FIVE
6 THOUSAND DOLLARS.

7 **SECTION 8. Effective date - applicability.** This act takes effect
8 January 1, 2025, and applies to offenses committed on or after said date.

9 **SECTION 9. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.