

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 10-1094.01 Richard Sweetman

HOUSE BILL 10-1411

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HOUSE SPONSORSHIP

Waller, Liston, Pace

SENATE SPONSORSHIP

(None),

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK  
102 SYSTEM.

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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/billssummaries.>)*

The bill eliminates statutory language requiring the Colorado bureau of investigation (CBI) to deny a transfer of a firearm if information from the national instant criminal background check system (NICS) indicates that (1) the prospective transferee has been arrested for or charged with a crime for which the prospective transferee, if convicted,

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.*

would be prohibited under state or federal law from purchasing, receiving, or possessing a firearm; and (2) either there has been no final disposition of the case or the final disposition is not noted in the other databases. This language is replaced by new language that requires the CBI to deny a transfer of a firearm if information from the NICS indicates that (1) the prospective transferee has been arrested for or charged with a crime for which the prospective transferee, if convicted, would be prohibited under state or federal law from purchasing, receiving, or possessing a firearm; and (2) the prospective transferee either is released on bond or has been issued a summons to appear in court for resolution of the arrest or charge.

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

2           **SECTION 1.** 24-33.5-424 (3) (b) (I) (A), Colorado Revised  
3 Statutes, is amended to read:

4           **24-33.5-424. National instant criminal background check**  
5 **system - state point of contact - grounds for denial of firearm**  
6 **transfer - appeal - rule-making - unlawful acts - repeal.** (3) (b) (I) In  
7 addition to the grounds for denial specified in paragraph (a) of this  
8 subsection (3), the bureau shall deny a transfer of a firearm if, at any time  
9 the bureau transmits the request or searches other databases, information  
10 indicates that the prospective transferee:

11           (A) Has been arrested for or charged with a crime for which the  
12 prospective transferee, if convicted, would be prohibited under state or  
13 federal law from purchasing, receiving, or possessing a firearm and either  
14 ~~there has been no final disposition of the case or the final disposition is~~  
15 ~~not noted in the other databases~~ IS RELEASED ON BOND OR HAS BEEN  
16 ISSUED A SUMMONS TO APPEAR IN COURT FOR RESOLUTION OF THE ARREST  
17 OR CHARGE; or

18           **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.