

*Colorado Legislative Council Staff*  
**NO FISCAL IMPACT**

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<b>Drafting Number:</b> LLS 01-0458	<b>Date:</b> February 15, 2001
<b>Prime Sponsor(s):</b> Rep. Fritz Sen. Owen	<b>Bill Status:</b> House State Affairs <b>Fiscal Analyst:</b> Geoff Barsch (303-866-4102)

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**TITLE:** CONCERNING THE SHORTENING OF TIME FRAMES AFFECTING THE ABILITY TO POSSESS WEAPONS.

### **Summary of Assessment**

This bill modifies the current prohibition against possession of a weapon by a previous offender so that anyone adjudicated as a juvenile delinquent for a property crime not related to domestic violence may lawfully possess a firearm or other weapon 10 years after the adjudication.

The bill also limits the denial of a firearm transfer based on a criminal background check to criminal records for the seven years preceding the check if the denial is based on either:

- the transferee's arrest or charge of a crime where there has been no final disposition of the case, or the disposition is not noted in databases; or
- an indictment, an information, or a felony complaint filed against the transferee alleging commission of a felony where either there has been no final disposition of the case, or the final disposition is not noted in the other databases.

The bill will take effect upon signature of the Governor.

This bill is assessed as having no fiscal impact. The Colorado Bureau of Investigation (CBI) reports that transfer requests which indicate a prospective gun buyer has an incomplete record of arrest, indictment, information, or felony complaint will be placed in "wait" status. For these purchasers, the seller can transfer the gun after three business days. The bill does not require the CBI to investigate the record for the final disposition, and therefore, no additional resources are required.

The modification to the current offense of possession of a weapon by a previous offender will not result in fewer placements to the Department of Corrections. During FY 1998-99, nine offenders were convicted of possession of a weapon as a previous juvenile delinquent. All nine offenders were charged with other crimes. The crime of possession was the highest final charge for only two offenders, and each of these received a sentence of probation. Therefore, this modification will have an insignificant fiscal impact to the state.

### **Departments Contacted**

Public Safety