



Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

Drafting Number: LLS 10-0011**Date:** January 25, 2010**Prime Sponsor(s):** Sen. Schultheis
Rep. King S.**Bill Status:** Senate SVMA**Fiscal Analyst:** Sara McPhee (303-866-4782)

TITLE: CONCERNING THE EXEMPTION FROM FEDERAL REGULATION OF CERTAIN ITEMS RELATED TO EXERCISING THE RIGHT TO BEAR ARMS.**Summary of Legislation**

This bill exempts from federal regulation any personal firearms, firearms accessories, and ammunition made in Colorado and remaining in the state. These items are exempt from regulation because they are made and sold within the state and are not subject to federal regulation for interstate commerce. The significant parts of a firearm must also have been manufactured in the state. The firearm must have the words "Made in Colorado" stamped on it to be exempt from federal regulation. The bill specifies several exceptions, such as any firearm that fires two or more shots with the activation of the trigger. The bill takes effect August 11, 2010, if the General Assembly adjourns on May 12, 2010, as scheduled, and no referendum petition is filed.

Assessment

This bill is assessed as having no fiscal impact. Gun manufacturers may have to make changes to the way that guns are produced to include the "Made in Colorado" stamp so that those guns are exempt from the federal regulation. This will have no effect on state or local government revenue or expenditures.

Departmental Differences

It is the position of the Department of Law that this bill will require \$139,230 and 1.0 FTE. The department maintains that, if passed, the law is likely to be challenged on constitutional grounds. The fiscal note assumes that a law passed by the General Assembly is constitutional and, therefore, does not include these costs in the fiscal note. And, since any law passed by the General Assembly could be subject to challenge, the costs for possible future lawsuits are not considered.

Departments Contacted

Law

Judicial

Public Safety