

SB25-003

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Gonzales J.

1 Amend printed bill, page 6, after line 25 insert:

2 "(I) A PERSON WHO:

3 (A) COMPLETED A HUNTER EDUCATION COURSE CERTIFIED BY THE
4 DIVISION OF PARKS AND WILDLIFE, AS DESCRIBED IN SECTION 33-6-107 (8),
5 AND, WITHIN FIVE YEARS BEFORE MAKING THE PURCHASE, COMPLETED A
6 BASIC FIREARMS SAFETY COURSE DESCRIBED IN SUBSECTION (5) OF THIS
7 SECTION;

8 (B) WITHIN FIVE YEARS BEFORE MAKING THE PURCHASE,
9 COMPLETED AN EXTENDED FIREARMS SAFETY COURSE DESCRIBED IN
10 SUBSECTION (5) OF THIS SECTION; OR

11 (C) COMPLETED AN EXTENDED FIREARMS SAFETY COURSE MORE
12 THAN FIVE YEARS BEFORE MAKING THE PURCHASE AND COMPLETED A
13 BASIC FIREARMS SAFETY COURSE WITHIN FIVE YEARS BEFORE MAKING THE
14 PURCHASE;"

15 Renumber succeeding subparagraphs accordingly.

16 Page 7, after line 12 insert:

17 "(5) (a) (I) A BASIC FIREARMS SAFETY COURSE AND AN EXTENDED
18 FIREARMS SAFETY COURSE MUST BE TAUGHT BY AN INSTRUCTOR VERIFIED
19 BY A SHERIFF AS A FIREARMS INSTRUCTOR PURSUANT TO SECTION
20 18-12-202.7. A BASIC OR EXTENDED FIREARMS SAFETY COURSE MUST BE
21 HELD IN PERSON WITH THE INSTRUCTOR OF THE CLASS AT THE SAME
22 LOCATION AS THE STUDENTS AND NO PART OF THE CLASS MAY BE
23 CONDUCTED VIA THE INTERNET.

24 (II) IN ORDER TO ENROLL IN A BASIC OR EXTENDED FIREARMS
25 SAFETY COURSE, A PERSON MUST PAY TO THE INSTRUCTOR THE FIREARMS
26 TRAINING AND SAFETY COURSE RECORD FEE SET BY THE PARKS AND
27 WILDLIFE COMMISSION PURSUANT TO SECTION 33-9-115 (5) AND HOLD A
28 VALID FIREARMS SAFETY COURSE ELIGIBILITY CARD, AS DESCRIBED IN
29 SUBSECTION (5)(b) OF THIS SECTION. THE INSTRUCTOR SHALL REMIT THE
30 FIREARMS TRAINING AND SAFETY COURSE RECORD FEE TO THE DIVISION OF
31 PARKS AND WILDLIFE. BEFORE ALLOWING A STUDENT TO ATTEND A
32 COURSE, THE INSTRUCTOR SHALL VERIFY THAT THE STUDENT HOLDS A
33 VALID FIREARMS SAFETY COURSE ELIGIBILITY CARD BY REQUESTING
34 INFORMATION FROM THE FIREARMS TRAINING AND SAFETY COURSE
35 RECORD SYSTEM CREATED IN SECTION 33-9-115.

36 (III) (A) A BASIC FIREARMS SAFETY COURSE MUST PROVIDE A
37 MINIMUM OF FOUR HOURS OF INSTRUCTION.

38 (B) AN EXTENDED FIREARMS SAFETY COURSE MUST PROVIDE A
39 MINIMUM OF TWELVE HOURS OF INSTRUCTION, WHICH MUST BE PROVIDED

1 ON AT LEAST TWO DIFFERENT DAYS.

2 (IV) A BASIC OR EXTENDED FIREARMS SAFETY COURSE MUST
3 INCLUDE, BUT IS NOT LIMITED TO INCLUDING, INSTRUCTION ON SAFE
4 HANDLING OF SEMIAUTOMATIC FIREARMS AND AMMUNITION MAGAZINES,
5 SAFE STORAGE OF FIREARMS AND CHILD SAFETY, FIREARM DEATHS
6 ASSOCIATED WITH MENTAL ILLNESS, EXTREME RISK PROTECTION ORDERS
7 DESCRIBED IN ARTICLE 14.5 OF TITLE 13, AND VICTIM AWARENESS AND
8 EMPATHY.

9 (V) AT THE CONCLUSION OF A BASIC OR EXTENDED FIREARMS
10 SAFETY COURSE, THE INSTRUCTOR SHALL ADMINISTER AN EXAM THAT
11 TESTS A STUDENT'S KNOWLEDGE OF THE SUBJECTS TAUGHT IN THIS COURSE
12 AND REQUIRES THE STUDENT TO DEMONSTRATE THE ABILITY TO SAFELY
13 HANDLE FIREARMS AND A MASTERY OF GUN SAFETY. TO COMPLETE A
14 BASIC FIREARMS SAFETY COURSE, A STUDENT MUST ACHIEVE A SCORE OF
15 AT LEAST NINETY PERCENT ON THE EXAM.

16 (VI) WITHIN THREE BUSINESS DAYS AFTER A STUDENT'S
17 COMPLETION OF A BASIC OR EXTENDED FIREARMS SAFETY COURSE, THE
18 INSTRUCTOR SHALL REPORT THE STUDENT'S COURSE COMPLETION TO THE
19 FIREARMS TRAINING AND SAFETY COURSE RECORD SYSTEM DESCRIBED IN
20 SECTION 33-9-115.

21 (b) (I) EACH SHERIFF SHALL ISSUE FIREARMS SAFETY COURSE
22 ELIGIBILITY CARDS PURSUANT TO THIS SUBSECTION (5)(b). A CARD IS
23 VALID FOR FIVE YEARS AFTER THE DATE OF ISSUANCE.

24 (II) TO OBTAIN A FIREARMS SAFETY COURSE ELIGIBILITY CARD, AN
25 APPLICANT MUST SUBMIT THE APPLICANT'S FINGERPRINTS TO THE SHERIFF
26 OF THE COUNTY OR CITY AND COUNTY IN WHICH THE APPLICANT RESIDES,
27 MAINTAINS A SECONDARY RESIDENCE, OR OWNS OR LEASES REAL
28 PROPERTY USED BY THE APPLICANT IN A BUSINESS. THE SHERIFF SHALL
29 TAKE TWO COMPLETE SETS OF THE APPLICANT'S FINGERPRINTS FOR THE
30 BUREAU TO CONDUCT A FINGERPRINT-BASED CRIMINAL HISTORY RECORD
31 CHECK OF THE APPLICANT. THE SHERIFF SHALL SUBMIT BOTH SETS OF
32 FINGERPRINTS TO THE BUREAU, AND THE SHERIFF SHALL NOT RETAIN A SET
33 OF THE APPLICANT'S FINGERPRINTS.

34 (III) THE APPLICANT MUST SUBMIT A FIREARMS SAFETY COURSE
35 ELIGIBILITY CARD FEE TO THE SHERIFF. THE FIREARMS SAFETY COURSE
36 ELIGIBILITY CARD FEE INCLUDES THE SHERIFF'S PROCESSING FEE AND THE
37 FINGERPRINT PROCESSING FEE. THE FIREARMS SAFETY COURSE ELIGIBILITY
38 CARD FEE IS NOT REFUNDABLE IF THE SHERIFF DENIES THE APPLICANT'S
39 APPLICATION. EACH SHERIFF MAY ESTABLISH A PROCESSING FEE. THE
40 AMOUNT OF THE FEE MUST REFLECT THE ACTUAL DIRECT AND INDIRECT
41 COSTS TO THE SHERIFF FOR ISSUING A FIREARMS SAFETY COURSE
42 ELIGIBILITY CARD. THE FINGERPRINT PROCESSING FEE IS THE AMOUNT
43 SPECIFIED PURSUANT TO SECTION 24-72-306 BY THE DIRECTOR OF THE

1 BUREAU FOR PROCESSING THE APPLICANT'S FINGERPRINTS.
2 (IV) UPON RECEIPT OF AN APPLICANT'S FINGERPRINTS FROM A
3 SHERIFF, THE BUREAU SHALL PROCESS THE FULL SET OF THE APPLICANT'S
4 FINGERPRINTS AS SET FORTH IN SECTION 18-12-208 (1) TO OBTAIN ANY
5 AVAILABLE STATE CRIMINAL JUSTICE INFORMATION OR FEDERAL
6 INFORMATION ABOUT THE APPLICANT RELEVANT TO DETERMINING
7 WHETHER THE APPLICANT IS ELIGIBLE TO POSSESS A FIREARM PURSUANT
8 TO STATE AND FEDERAL LAW. THE BUREAU SHALL REPORT THE RESULTS
9 OF THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO THE
10 SHERIFF.

11 (V) AFTER RECEIVING THE RESULTS OF THE FINGERPRINT-BASED
12 CRIMINAL HISTORY RECORD CHECK, A SHERIFF SHALL ISSUE A FIREARMS
13 SAFETY COURSE ELIGIBILITY CARD TO AN APPLICANT WHO SATISFIES THE
14 CRITERIA LISTED IN SECTION 18-12-203 (1)(a) TO (1)(g). A SHERIFF SHALL
15 DENY OR REVOKE A FIREARMS SAFETY COURSE ELIGIBILITY CARD IF AN
16 APPLICANT OR CARDHOLDER FAILS TO MEET ONE OF THE CRITERIA LISTED
17 SECTION 18-12-203 (1)(a) TO (1)(g), AND MAY DENY OR REVOKE A CARD
18 IF THE SHERIFF HAS A REASONABLE BELIEF THAT DOCUMENTED PREVIOUS
19 BEHAVIOR BY THE APPLICANT OR CARDHOLDER MAKES IT LIKELY THE
20 PERSON WILL PRESENT A DANGER TO THEMSELF OR OTHERS IF THE PERSON
21 HOLDS A FIREARMS SAFETY COURSE ELIGIBILITY CARD.

22 (VI) A SHERIFF SHALL REPORT INFORMATION REQUIRED BY THE
23 DIVISION OF PARKS AND WILDLIFE ABOUT THE CARD TO THE FIREARMS
24 TRAINING AND SAFETY COURSE RECORD SYSTEM CREATED IN SECTION
25 33-9-115.

26 (VII) A FIREARMS SAFETY COURSE ELIGIBILITY CARD MUST
27 INCLUDE THE FIREARMS SAFETY COURSE ELIGIBILITY CARD HOLDER'S FULL
28 NAME; THE COUNTY OF ISSUANCE AND THE SIGNATURE OF THE SHERIFF
29 WHO ISSUED THE CARD; AND THE ISSUANCE AND EXPIRATION DATES OF
30 THE CARD.

31 **SECTION 3.** In Colorado Revised Statutes, **add** 33-9-115 as
32 follows:

33 **33-9-115. Firearms training and safety course record system**
34 **- rules - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
35 OTHERWISE REQUIRES:

36 (a) "BASIC FIREARMS SAFETY COURSE" MEANS A BASIC FIREARMS
37 SAFETY COURSE DESCRIBED IN SECTION 18-12-116 (5).

38 (b) "BUREAU" MEANS THE COLORADO BUREAU OF INVESTIGATION
39 CREATED IN SECTION 24-33.5-401.

40 (c) "DIVISION" MEANS THE DIVISION OF PARKS AND WILDLIFE
41 CREATED IN SECTION 33-9-104.

42 (d) "EXTENDED FIREARMS SAFETY COURSE" MEANS AN EXTENDED
43 FIREARMS SAFETY COURSE DESCRIBED SECTION 18-12-116 (5).

1 (e) "HUNTER EDUCATION COURSE" MEANS A HUNTER EDUCATION
2 COURSE CERTIFIED BY THE DIVISION OF PARKS AND WILDLIFE, AS
3 DESCRIBED IN SECTION 33-6-107 (8).

4 (f) "SYSTEM" MEANS THE FIREARMS TRAINING AND SAFETY
5 COURSE RECORD SYSTEM DESCRIBED IN SUBSECTION (2)(a) OF THIS
6 SECTION.

7 (2) (a) THE DIVISION SHALL DEVELOP AND OPERATE A SYSTEM OF
8 RECORDS OF PERSONS WHO:

9 (I) HOLD A VALID FIREARMS SAFETY COURSE ELIGIBILITY CARD
10 ISSUED PURSUANT TO SECTION 18-12-116 (5)(b); AND

11 (II) HAVE COMPLETED A HUNTER EDUCATION COURSE, A BASIC
12 FIREARMS SAFETY COURSE, OR AN EXTENDED FIREARMS SAFETY COURSE.

13 (b) THE DIVISION SHALL CONSULT WITH THE BUREAU IN
14 DEVELOPING AND OPERATING THE SYSTEM.

15 (c) THE SYSTEM IS NOT A RECORD THAT A PERSON PURCHASES OR
16 EXCHANGES FIREARMS OR PURCHASED OR EXCHANGED A SPECIFIC
17 FIREARM.

18 (3) THE SYSTEM MUST ALLOW:

19 (a) THE INSTRUCTOR OF A BASIC FIREARMS SAFETY COURSE OR
20 EXTENDED FIREARMS SAFETY COURSE TO REQUEST AND RECEIVE
21 INFORMATION ABOUT WHETHER A PERSON HOLDS A VALID FIREARMS
22 SAFETY COURSE ELIGIBILITY CARD ISSUED PURSUANT TO SECTION
23 18-12-116 (5)(b);

24 (b) THE INSTRUCTOR OF A HUNTER EDUCATION COURSE, BASIC
25 FIREARMS SAFETY COURSE, OR EXTENDED FIREARMS SAFETY COURSE TO
26 ELECTRONICALLY ENTER INTO THE SYSTEM THE NAME AND OTHER
27 INFORMATION REQUIRED BY THE DIVISION OF EACH STUDENT WHO
28 COMPLETES A COURSE; AND

29 (c) A FEDERAL FIREARMS LICENSEE, AS DEFINED IN SECTION
30 18-12-101, TO ELECTRONICALLY REQUEST AND RECEIVE INFORMATION
31 ABOUT WHETHER A PERSON HAS COMPLETED THE COURSES NECESSARY TO
32 PURCHASE A SPECIFIED SEMIAUTOMATIC FIREARM PURSUANT TO SECTION
33 18-12-116 (3)(d)(I).

34 (4) THE DIVISION MAY ADOPT PROCESSES AND PROCEDURES
35 NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

36 (5) (a) THE COMMISSION SHALL ESTABLISH A FIREARMS TRAINING
37 AND SAFETY COURSE RECORD FEE FOR A PERSON TO BE INCLUDED IN THE
38 SYSTEM. THE FEE MUST REFLECT ACTUAL DIRECT AND INDIRECT COSTS TO
39 OPERATE THE SYSTEM. THE COMMISSION MAY ADJUST THE FEE, BUT SHALL
40 NOT ADJUST THE FEE MORE THAN ONE TIME EACH YEAR. THE INSTRUCTOR
41 OF A BASIC OR EXTENDED FIREARMS SAFETY COURSE SHALL COLLECT THE
42 FEE FROM EACH STUDENT OF A BASIC OR EXTENDED FIREARMS SAFETY
43 COURSE AND REMIT THE FEE TO THE DIVISION FOR DEPOSIT IN THE FIRE

1 ARMS TRAINING AND SAFETY COURSE CASH FUND.
2 (b) THE FIREARMS TRAINING AND SAFETY COURSE CASH FUND IS
3 CREATED IN THE STATE TREASURY. THE FUND CONSISTS MONEY CREDITED
4 TO THE FUND PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AND ANY
5 OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR
6 TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL
7 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
8 MONEY IN THE FIRE ARMS TRAINING AND SAFETY COURSE CASH FUND TO
9 THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
10 ASSEMBLY, THE DIVISION MAY EXPEND MONEY FROM THE FUND FOR THE
11 OPERATION OF THE SYSTEM."

12 Renumber succeeding sections accordingly.

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