

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0047.01 Richard Sweetman x4333

SENATE BILL 14-090

SENATE SPONSORSHIP

Baumgardner,

HOUSE SPONSORSHIP

(None),

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING ELIMINATING THE BACKGROUND CHECK REQUIREMENT
102 FOR A PRIVATE TRANSFER OF A FIREARM BETWEEN PERSONS
103 WHO ARE STEP-RELATIVES.

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/billsummaries>.)

Under current law, with certain exceptions, before any person who is not a licensed gun dealer transfers or attempts to transfer possession of a firearm to a transferee, he or she must:

! Require that a background check be conducted of the

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.

prospective transferee; and

- ! Obtain approval of a transfer from the Colorado bureau of investigation after a background check has been requested by a licensed gun dealer.

Two existing exceptions to this requirement state that the background check requirement does not apply to a transfer of a firearm:

- ! That is a bona fide gift or loan between immediate family members, which are limited to spouses, parents, children, siblings, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles; or
- ! From a person serving in the armed forces of the United States who will be deployed outside of the United States within the next 30 days to any immediate family member, which is limited to a spouse, parent, child, sibling, grandparent, grandchild, niece, nephew, first cousin, aunt, and uncle of the person.

The bill expands each of these exceptions to include transfers between persons who are step-relatives.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-112, **amend**
3 (6) (b) and (6) (i) as follows:

4 **18-12-112. Private firearms transfers - background check**
5 **required - penalty - definitions.** (6) The provisions of this section do
6 not apply to:

7 (b) A transfer that is a bona fide gift or loan between immediate
8 family members, which are limited to spouses, parents, children, siblings,
9 grandparents, grandchildren, nieces, nephews, first cousins, aunts, ~~and~~
10 uncles, AND STEP-RELATIONS OF SUCH PERSONS;

11 (i) A transfer of a firearm from a person serving in the armed
12 forces of the United States who will be deployed outside of the United
13 States within the next thirty days to any immediate family member, which
14 is limited to a spouse, parent, child, sibling, grandparent, grandchild,
15 niece, nephew, first cousin, aunt, ~~and~~ uncle, OR STEP-RELATIVE of the

1 person.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.