

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0105.01 Conrad Imel x2313

HOUSE BILL 25-1133

HOUSE SPONSORSHIP

Duran and Gilchrist,

SENATE SPONSORSHIP

Mullica,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS FOR THE RETAIL SALE OF AMMUNITION
102 FOR FIREARMS, AND, IN CONNECTION THEREWITH,
103 ESTABLISHING REQUIREMENTS FOR THE DELIVERY OF
104 AMMUNITION SOLD AT RETAIL.

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://leg.colorado.gov>.)

The bill requires that ammunition sold at retail must be accessible to a purchaser or transferee only with the assistance of the vendor, and the bill prohibits the retail sale of ammunition to a person who is younger

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

than 21 years of age. Unlawful sale of ammunition by violating either requirement is a civil infraction; except that a second or subsequent violation is a class 1 misdemeanor.

The bill requires a person shipping ammunition to give written notice to the ammunition deliverer that the package contains ammunition and prohibits labeling the outside of the package in a manner that indicates that the package contains ammunition. Violating either provision is unlawful notification involving an ammunition package, which is a class 1 misdemeanor.

When delivering a package containing ammunition sold at retail, a retail ammunition deliverer is required to verify that the person receiving the delivery is 21 years of age or older and obtain written acknowledgment of receipt from the recipient. Violating either of these requirements is unlawful delivery of ammunition by a retail ammunition deliverer, which is a class 1 misdemeanor.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-101, **add**
3 (1)(a.2) as follows:

4 **18-12-101. Peace officer affirmative defense - definitions.**

5 (1) As used in this article 12, unless the context otherwise requires:

6 (a.2) "AMMUNITION" MEANS AN AMMUNITION OR CARTRIDGE
7 CASE, PRIMER, BULLET, OR PROPELLANT POWDER DESIGNED FOR USE IN A
8 FIREARM. THE TERM "AMMUNITION" DOES NOT INCLUDE:

9 (I) A SHOTGUN SHOT OR PELLET NOT DESIGNED FOR USE AS THE
10 SINGLE, COMPLETE PROJECTILE LOAD FOR ONE SHOTGUN HULL OR CASING;
11 OR

12 (II) AN UNLOADED, NONMETALLIC SHOTGUN HULL OR CASING
13 THAT DOES NOT HAVE A PRIMER.

14 **SECTION 2.** In Colorado Revised Statutes, **add** 18-12-116 as
15 follows:

16 **18-12-116. Ammunition sales - sales requirements - minimum**
17 **purchase age - exceptions - ammunition delivery requirements -**

1 **penalties - definitions.** (1) (a) A RETAIL AMMUNITION VENDOR SHALL
2 NOT SELL, OFFER FOR SALE, OR DISPLAY FOR SALE OR TRANSFER
3 AMMUNITION IN A MANNER THAT ALLOWS THE AMMUNITION TO BE
4 ACCESSIBLE TO A PURCHASER OR TRANSFEREE WITHOUT THE ASSISTANCE
5 OF THE VENDOR OR AN EMPLOYEE OF THE VENDOR. AMMUNITION
6 DISPLAYED IN AN ENCLOSED DISPLAY CASE OR BEHIND A COUNTER OR
7 OTHER CUSTOMER ACCESS PREVENTION DEVICE IS NOT CONSIDERED
8 ACCESSIBLE FOR THE PURPOSES OF THIS SUBSECTION (1)(a).

9 (b) A RETAIL AMMUNITION VENDOR SHALL NOT SELL AMMUNITION
10 TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE. PRIOR TO
11 COMPLETING A SALE OF AMMUNITION AT AN IN-PERSON TRANSACTION, THE
12 RETAIL AMMUNITION VENDOR, OR AN EMPLOYEE OF THE VENDOR, SHALL
13 VERIFY THAT THE PURCHASER IS AT LEAST TWENTY-ONE YEARS OF AGE BY
14 REQUIRING THE PURCHASER TO PRODUCE A VALID GOVERNMENT-ISSUED
15 PHOTO IDENTIFICATION.

16 (c) A RETAIL AMMUNITION VENDOR THAT VIOLATES THIS
17 SUBSECTION (1) COMMITS UNLAWFUL SALE OF AMMUNITION. UNLAWFUL
18 SALE OF AMMUNITION IS A CIVIL INFRACTION; EXCEPT THAT A SECOND OR
19 SUBSEQUENT OFFENSE IS A CLASS 1 MISDEMEANOR.

20 (2) (a) A RETAIL AMMUNITION VENDOR DELIVERING A PACKAGE
21 CONTAINING AMMUNITION TO A RETAIL AMMUNITION DELIVERER FOR
22 PURPOSES OF TRANSPORT:

23 (I) SHALL GIVE WRITTEN NOTICE TO THE RETAIL AMMUNITION
24 DELIVERER THAT THE PACKAGE CONTAINS AMMUNITION; AND

25 (II) SHALL NOT LABEL, TAG, OR OTHERWISE MARK THE OUTSIDE OF
26 THE PACKAGE IN A MANNER THAT INDICATES THAT THE PACKAGE
27 CONTAINS AMMUNITION.

1 (b) A RETAIL AMMUNITION VENDOR WHO VIOLATES THIS
2 SUBSECTION (2) COMMITS UNLAWFUL NOTIFICATION INVOLVING AN
3 AMMUNITION PACKAGE. UNLAWFUL NOTIFICATION INVOLVING AN
4 AMMUNITION PACKAGE IS A CLASS 1 MISDEMEANOR.

5 (3) (a) WHEN DELIVERING A PACKAGE CONTAINING AMMUNITION
6 SOLD AT RETAIL, A RETAIL AMMUNITION DELIVERER SHALL:

7 (I) VERIFY THAT THE PERSON RECEIVING THE AMMUNITION
8 DELIVERY IS TWENTY-ONE YEARS OF AGE OR OLDER BY REQUIRING THE
9 PERSON TO PRESENT A VALID GOVERNMENT-ISSUED PHOTOGRAPHIC
10 IDENTIFICATION TO THE PERSON MAKING THE DELIVERY; AND

11 (II) OBTAIN WRITTEN ACKNOWLEDGMENT OF RECEIPT OF THE
12 AMMUNITION DELIVERY FROM THE RECIPIENT OF THE DELIVERY.

13 (b) A RETAIL AMMUNITION DELIVERER THAT VIOLATES THIS
14 SUBSECTION (3) COMMITS UNLAWFUL DELIVERY OF AMMUNITION BY A
15 RETAIL AMMUNITION DELIVERER. UNLAWFUL DELIVERY OF AMMUNITION
16 BY A RETAIL AMMUNITION DELIVERER IS A CLASS 1 MISDEMEANOR.

17 (4) THIS SECTION DOES NOT APPLY TO THE SALE OR OFFER TO SELL
18 AMMUNITION AT WHOLESALE OR THE DELIVERY OF AMMUNITION SOLD AT
19 WHOLESALE.

20 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES:

22 (a) "RETAIL AMMUNITION DELIVERER" MEANS AN ENTITY THAT
23 DELIVERS, BY MOTOR VEHICLE, AMMUNITION SOLD AT RETAIL TO THE
24 PURCHASER AT A LOCATION IN THIS STATE. "RETAIL AMMUNITION
25 DELIVERER" INCLUDES A RETAIL AMMUNITION VENDOR THAT DELIVERS TO
26 A LOCATION OTHER THAN THE VENDOR'S PLACE OF BUSINESS AMMUNITION
27 SOLD BY THE VENDOR AT RETAIL TO THE PURCHASER.

1 (b) "RETAIL AMMUNITION VENDOR" MEANS A PERSON WHO SELLS
2 AMMUNITION AT RETAIL. "RETAIL AMMUNITION VENDOR" INCLUDES A
3 VENDOR NOT LOCATED IN COLORADO WHEN THE VENDOR SELLS OR OFFERS
4 TO SELL AMMUNITION AT RETAIL FOR DELIVERY TO A PURCHASER LOCATED
5 IN COLORADO.

6 **SECTION 3. Safety clause.** The general assembly finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety or for appropriations for
9 the support and maintenance of the departments of the state and state
10 institutions.