

1 Be it Enacted by the People of the State of Colorado:
2

3 **SECTION 1.** Part 3 in article 12 of title 18, Colorado Revised Statutes, is amended as
4 follows:

5
6 ~~LARGE-CAPACITY AMMUNITION MAGAZINES~~

7
8 ~~18-12-301. Definitions. AS USED IN THIS PART 3, UNLESS THE~~
9 ~~CONTEXT OTHERWISE REQUIRES:~~

10
11 ~~(1) "BUREAU" MEANS THE COLORADO BUREAU OF INVESTIGATION~~
12 ~~CREATED AND EXISTING PURSUANT TO SECTION 24-33.5-401, C.R.S.~~
13

14 ~~(2)(a) "LARGE-CAPACITY MAGAZINE MEANS:~~

15 ~~(I) A FIXED OR DETACHABLE MAGAZINE, BOX, DRUM, FEED STRIP, OR~~
16 ~~SIMILAR DEVICE CAPABLE OF ACCEPTING, OR THAT IS DESIGNED TO BE~~
17 ~~READILY CONVERTED TO ACCEPT, MORE THAN FIFTEEN ROUNDS OF~~
18 ~~AMMUNITION;~~

19
20 ~~(II) A FIXED, TUBULAR SHOTGUN MAGAZINE THAT HOLDS MORE~~
21 ~~THAN TWENTY-EIGHT INCHES OF SHOTGUN SHELLS, INCLUDING ANY~~
22 ~~EXTENSION DEVICE THAT IS ATTACHED TO THE MAGAZINE AND HOLDS~~
23 ~~ADDITIONAL SHOTGUN SHELLS; OR~~

24
25 ~~(III) A NONTUBULAR, DETACHABLE MAGAZINE, BOX, DRUM, FEED~~
26 ~~STRIP, OR SIMILAR DEVICE THAT IS CAPABLE OF ACCEPTING MORE THAN~~
27 ~~EIGHT SHOTGUN SHELLS WHEN COMBINED WITH A FIXED MAGAZINE.~~

28
29 ~~(b) "LARGE-CAPACITY MAGAZINE" DOES NOT MEAN:~~

30
31 ~~(I) A FEEDING DEVICE THAT HAS BEEN PERMANENTLY ALTERED SO~~
32 ~~THAT IT CANNOT ACCOMMODATE MORE THAN FIFTEEN ROUNDS OF~~
33 ~~AMMUNITION;~~

34
35 ~~(II) AN ATTACHED TUBULAR DEVICE DESIGNED TO ACCEPT, AND~~
36 ~~CAPABLE OF OPERATING ONLY WITH, .22 CALIBER RIMFIRE AMMUNITION; OR~~

37
38 ~~(III) A TUBULAR MAGAZINE THAT IS CONTAINED IN A LEVER-ACTION~~
39 ~~FIREARM.~~

40
41 ~~18-12-302. Large-capacity magazines prohibited – penalties –~~

RECEIVED

MAR 21 2014

Colorado Secretary of State

SWARD

9:20 AM.

42 ~~**exceptions.** (1) (a) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ON~~
43 ~~AND AFTER JULY 1, 2013, A PERSON WHO SELLS, TRANSFERS, OR POSSESSES~~
44 ~~A LARGE-CAPACITY MAGAZINE COMMITS A CLASS 2 MISDEMEANOR.~~

45
46 ~~(b) ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION~~
47 ~~AFTER HAVING BEEN CONVICTED OF A PRIOR VIOLATION OF SAID SUBSECTION~~
48 ~~(1) COMMITS A CLASS 1 MISDEMEANOR.~~

49
50 ~~(c) ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION~~
51 ~~COMMITS A CLASS 6 FELONY IF THE PERSON POSSESSED A LARGE-CAPACITY~~
52 ~~MAGAZINE DURING THE COMMISSION OF A FELONY OR ANY CRIME OF~~
53 ~~VIOLENCE, AS DEFINED IN SECTION 18-1.3-406.~~

54
55 ~~(2) (a) A PERSON MAY POSSESS A LARGE-CAPACITY MAGAZINE IF HE~~
56 ~~OR SHE:~~

57
58 ~~(I) OWNS THE LARGE-CAPACITY MAGAZINE ON THE EFFECTIVE DATE~~
59 ~~OF THIS SECTION; AND~~

60
61 ~~(II) MAINTAINS CONTINUOUS POSSESSION OF THE LARGE-CAPACITY~~
62 ~~MAGAZINE.~~

63
64 ~~(b) IF A PERSON WHO IS ALLEGED TO HAVE VIOLATED SUBSECTION (1)~~
65 ~~OF THIS SECTION ASSERTS THAT HE OR SHE IS PERMITTED TO LEGALLY~~
66 ~~POSSESS A LARGE-CAPACITY MAGAZINE PURSUANT TO PARAGRAPH (a) OF~~
67 ~~THIS SUBSECTION (2), THE PROSECUTION HAS THE BURDEN OF PROOF TO~~
68 ~~REFUTE THE ASSERTION.~~

69
70 ~~(3) THE OFFENSE DESCRIBED IN SUBSECTION (1) OF THIS SECTION~~
71 ~~SHALL NOT APPLY TO:~~

72
73 ~~(a) AN ENTITY, OR ANY EMPLOYEE THEREOF ENGAGED IN HIS OR HER~~
74 ~~EMPLOYMENT DUTIES, THAT MANUFACTURES LARGE-CAPACITY MAGAZINES~~
75 ~~WITHIN COLORADO EXCLUSIVELY FOR TRANSFER TO, OR ANY LICENSED GUN~~
76 ~~DEALER, AS DEFINED IN SECTION 12-26.1-106 (6), C.R.S., OR ANY EMPLOYEE~~
77 ~~THEREOF ENGAGED IN HIS OR HER OFFICIAL EMPLOYMENT DUTIES, THAT~~
78 ~~SELLS LARGE-CAPACITY MAGAZINES EXCLUSIVELY TO:~~

79
80 ~~(I) A BRANCH OF THE ARMED FORCES OF THE UNITED STATES;~~

81
82 ~~(II) A DEPARTMENT, AGENCY, OR POLITICAL SUBDIVISION OF THE~~
83 ~~STATE OF COLORADO, OR OF ANY OTHER STATE, OR OF THE UNITED STATES~~
84 ~~GOVERNMENT;~~

85
86
87
88
89
90
91
92
93
94

~~(III) A FIREARMS RETAILER FOR THE PURPOSE OF FIREARMS SALES
CONDUCTED OUTSIDE THE STATE;~~

~~(IV) A FOREIGN NATIONAL GOVERNMENT THAT HAS BEEN APPROVED
FOR SUCH TRANSFERS BY THE UNITED STATES GOVERNMENT; OR~~

~~(V) AN OUT-OF-STATE TRANSFEREE WHO MAY LEGALLY POSSESS A
LARGE-CAPACITY MAGAZINE; OR~~

95 ~~(b) AN EMPLOYEE OF ANY OF THE FOLLOWING AGENCIES WHO BEARS~~
96 ~~A FIREARM IN THE COURSE OF HIS OR HER OFFICIAL DUTIES:~~
97

98 ~~(I) A BRANCH OF THE ARMED FORCES OF THE UNITED STATES; OR~~
99

100 ~~(II) A DEPARTMENT, AGENCY, OR POLITICAL SUBDIVISION OF THE~~
101 ~~STATE OF COLORADO, OR OF ANY OTHER STATE, OR OF THE UNITED STATES~~
102 ~~GOVERNMENT; OR~~
103

104 ~~(c) A PERSON WHO POSSESSES THE MAGAZINE FOR THE SOLE PURPOSE~~
105 ~~OF TRANSPORTING THE MAGAZINE TO AN OUT-OF-STATE ENTITY ON BEHALF~~
106 ~~OF A MANUFACTURER OF LARGE-CAPACITY MAGAZINES WITHIN COLORADO.~~
107

108 **~~18-12-303. Identification markings for large-capacity magazines~~**

109 ~~—rules. (1) A LARGE-CAPACITY MAGAZINE THAT IS MANUFACTURED IN~~
110 ~~COLORADO ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION MUST~~
111 ~~INCLUDE A PERMANENT STAMP OR MARKING INDICATING THAT THE~~
112 ~~LARGE-CAPACITY MAGAZINE WAS MANUFACTURED OR ASSEMBLED AFTER~~
113 ~~THE EFFECTIVE DATE OF THIS SECTION. THE STAMP OR MARKING MUST BE~~
114 ~~LEGIBLY AND CONSPICUOUSLY ENGRAVED OR CAST UPON THE OUTER~~
115 ~~SURFACE OF THE LARGE-CAPACITY MAGAZINE.~~
116

117 ~~(2) THE BUREAU MAY PROMULGATE SUCH RULES AS MAY BE~~
118 ~~NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION, INCLUDING BUT~~
119 ~~NOT LIMITED TO RULES REQUIRING A LARGE-CAPACITY MAGAZINE THAT IS~~
120 ~~MANUFACTURED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION TO~~
121 ~~BEAR IDENTIFYING INFORMATION IN ADDITION TO THE IDENTIFYING~~
122 ~~INFORMATION DESCRIBED IN SUBSECTION (1) OF THIS SECTION.~~
123

124 ~~(3) A PERSON WHO MANUFACTURES A LARGE-CAPACITY MAGAZINE~~
125 ~~IN COLORADO IN VIOLATION OF SUBSECTION (1) OF THIS SECTION COMMITS~~
126 ~~A CLASS 2 MISDEMEANOR AND SHALL BE PUNISHED IN ACCORDANCE WITH~~
127 ~~SECTION 18-1.3-501.~~

128

129 ~~SECTION 2. Effective date. This act takes effect July 1, 2013.~~

130

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

134