

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 27, 2024
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB24-1353 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, line 15, strike "18-12-101." and substitute
- 2 "18-12-101 AND ANY OTHER FEDERAL FIREARMS LICENSEE WHO, WITHIN
- 3 THE SCOPE OF THE LICENSEE'S LICENSE, SELLS FIREARMS AT RETAIL TO THE
- 4 PUBLIC."

- 5 Page 4, line 10, after "FIREARMS" insert "OTHER THAN DESTRUCTIVE
- 6 DEVICES".

- 7 Page 4, line 13, after "(c)" insert "(I)".

- 8 Page 4, after line 17 insert:
- 9 "(II) AN EMPLOYEE OF A DEALER SHALL NOT BE CHARGED FOR
- 10 COMMITTING THE OFFENSE DESCRIBED IN THIS SUBSECTION (1)(c) FOR
- 11 CONDUCT COMMITTED WHILE THE EMPLOYEE WAS ACTING WITHIN THE
- 12 SCOPE OF THE EMPLOYEE'S EMPLOYMENT.
- 13 (d) A DEALER WHO ONLY DEALS IN DESTRUCTIVE DEVICES IS NOT
- 14 REQUIRED TO OBTAIN A STATE PERMIT TO ENGAGE IN THE BUSINESS OF
- 15 DEALING IN DESTRUCTIVE DEVICES."
- 16

- 17 Page 5, line 27, strike "ELIGIBLE FOR" and substitute "ISSUED".

- 18 Page 6, after line 17 insert:
- 19 "(b) A PERSON WHO HAS APPLIED FOR A FEDERAL FIREARMS
- 20 LICENSE MAY APPLY FOR A STATE PERMIT PRIOR TO BEING ISSUED A
- 21 FEDERAL FIREARMS LICENSE. THE DEPARTMENT SHALL NOT ISSUE A STATE
- 22 PERMIT TO THE PERSON UNTIL THE PERSON HOLDS A VALID FEDERAL
- 23 FIREARMS LICENSE, AS REQUIRED PURSUANT TO SUBSECTION (3)(a) OF THIS

1 SECTION."

2 Reletter succeeding paragraphs accordingly.

3 Page 6, line 20, strike "THAT FOR" and substitute "THAT:
4 (A) FOR".

5 Page 6, line 22, strike "DAYS." and substitute "DAYS; AND
6 (B) IF A PERSON APPLIES FOR A STATE PERMIT WHILE THE PERSON'S
7 APPLICATION FOR A FEDERAL FIREARMS LICENSE IS PENDING, AND IN
8 ADDITION TO ANY OTHER DEADLINE DESCRIBED IN THIS SUBSECTION (4),
9 THE DEPARTMENT MAY EXTEND THE DEADLINE TO ACT UNTIL FOURTEEN
10 DAYS AFTER THE PERSON NOTIFIES THE DEPARTMENT THAT THE PERSON
11 HAS BEEN ISSUED AND HOLDS A VALID FEDERAL FIREARMS LICENSE."

12 Page 6, line 27, strike "(4)(b)(II)" and substitute "(4)(c)(II)".

13 Page 7, line 3, strike "(4)(b)(II)" and substitute "(4)(c)(II)".

14 Page 8, line 4, strike "FIFTEEN" and substitute "TEN".

15 Page 8, line 16, after "NOTICE" insert "OR MAKE A REPORT".

16 Page 8, lines 16 and 17, strike "OR FAILED TO REPORT A SUSPECTED
17 UNLAWFUL PURCHASE,".

18 Page 10, after line 26, insert:
19 "(11) A PERSON WHO IS A FORMER STATE PERMIT HOLDER,
20 INCLUDING A PERSON WHOSE STATE PERMIT WAS REVOKED OR WHOSE
21 STATE PERMIT RENEWAL WAS DENIED, IS SUBJECT TO THE PROHIBITION ON
22 ENGAGING IN THE BUSINESS OF DEALING FIREARMS WITHOUT A STATE
23 PERMIT DESCRIBED IN SUBSECTION (1)(c) OF THIS SECTION. A PERSON WHO
24 IS A FORMER STATE PERMIT HOLDER WHO WISHES TO DISPOSE OF
25 INVENTORY SHALL DISPOSE OF INVENTORY IN A MANNER THAT DOES NOT
26 CONSTITUTE BEING ENGAGED IN THE BUSINESS OF DEALING IN FIREARMS."

27 Renumber succeeding subsection accordingly.

28 Page 11, line 17, strike "(11)" and substitute "(12)".

29 Page 13, line 5, strike "A FIREARM OR AMMUNITION OR" and substitute
30 "FIREARMS;".

- 1 Page 13, line 6, strike "FIREARMS OR AMMUNITION" and substitute
2 "FIREARMS; OR OTHERWISE HAS ACCESS TO FIREARMS".
- 3 Page 13, line 10, strike "A PERSON" and substitute "AN EMPLOYEE WHO,
4 IN THE COURSE OF THE EMPLOYEE'S DUTIES, HANDLES FIREARMS;
5 PROCESSES THE SALE, LOAN, OR TRANSFER OF FIREARMS; OR OTHERWISE
6 HAS ACCESS TO FIREARMS, WHO IS".
- 7 Page 13, line 21, strike the second "A" and substitute "UNAUTHORIZED USE
8 OF".
- 9 Page 13, strike line 22.
- 10 Page 14, lines 23 and 24, strike "A FIREARM OR AMMUNITION OR" and
11 substitute "FIREARMS,".
- 12 Page 14, lines 24 and 25, strike "FIREARMS OR AMMUNITION," and
13 substitute "FIREARMS, OR OTHERWISE HAS ACCESS TO FIREARMS,".
- 14 Page 15, line 13, strike "DEALER," and substitute "DEALER IN A POSITION
15 IN WHICH THE PERSON WILL HANDLE FIREARMS; PROCESS THE SALE, LOAN,
16 OR TRANSFER OF FIREARMS; OR OTHERWISE HAVE ACCESS TO FIREARMS,".
- 17 Page 18, line 1, before "EMPLOYS" insert "KNOWINGLY".
- 18 Page 18, line 15, strike "SUSPECTS" and substitute "REASONABLY
19 BELIEVES, KNOWS OR SHOULD KNOW, OR BECOMES AWARE AFTER A
20 TRANSFER,".
- 21 Page 18, line 20, before "FIREARM PURCHASE" insert "DEALER BECOMES
22 AWARE OF AN UNLAWFUL".

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