

SB25-158 , TESTIMONY OF KEITH EMERSON, FEBRUARY 15, 2025

My name is Keith Emerson. I live in Denver and represent myself.

Senate Bill 25-158 creates a unique path for contracting for firearms and is unnecessary. Last year's SB24-003 created and funded a ten person department within the CBI to investigate dealer / purchase crime. The major thrust of SB25-158 seems to be to give them something to investigate. This year's bill also appears aimed at keeping lawful firearm owners from having their firearms returned after they have been stolen or after the owner has been found innocent in a court proceeding. Lastly, there is no exception for small purchases where walking into a local police supply or gun store might be the most efficient means for a person to acquiring some needed equipment, down to a cleaning kit (specifically mentioned in the bill as being covered).

If this bill is not to be killed in this committee I would suggest:

1. Page 3, Line16-18 – Modify (I) as follows: “This section is created for the development of ADDITIONAL procurement practices....
2. Page 5, Line 14 Add – (3)(a) CONTRACTS ARE REQUIRED FOR PURCHASE OF ITEMS OVER \$10,000. During a government body's contract solicitation process....
3. Page 5, Line 27 through Page 6 Line 18 – Delete. This is fishing and not needed for state procurement. Delete (III), trace request data; (IV), theft and loss documentation; (V) recent state inspection report (the state already has its inspection data).
4. Page 6 Lines 19-26 – Modify disclosure of any Federal Inspection results to require only the latest inspection: “during the last TWO firearms, ...inspections
.....
5. Page 6, Line 27 through Page 8, Line 2 - Delete, more unnecessary fishing, from (VII) policies on straw purchasers (already illegal and If I recall a sign needs to be posted) through “ghost gun” “precursor parts” (which could be any firearm part or a lump of plastic or steel).
6. Page 8, Line 3 through Page 9, Line 11 – Delete as should already covered in standard procurement practices.
7. Page 9, Lines12-16 – Delete (7) as this language concerting resident and non-resident bidder preference contradicts Section 24-103-906 (see Page 3 of this

bill)

8. Page 10, Lines 24-27 – Add to the end of firearms to be destroyed subsection (IV), “Any other firearms in the possession of the law enforcement agency that are not in use nor subject to an investigation or criminal case as described in subsection (2) (b) of this section OR FIREARM(S) TO BE RETURNED TO THEIR OWNER AFTER CONCLUSION OF ANY INVESTIGATION INTO THEFT OR ACQUITTAL OF THE OWNER ON ANY CRIMINAL OR CIVIL CHARGES THAT HAD RESULTED IN THE FIREARM’S CONFISCATION.”

9. Page 12, Line 24 through Page 13, Line2 – Modify as follows: “(4)(A) A law enforcement agency shall not destroy and dispose of a stolen firearm OR A FIREARM BELONGING TO AN OWNER ACQUITED OF CRIMINAL OR CIVIL CHARGES THAT HAD RESULTED IN THE FIREARM’S CONFISCATION. A peace officer shall return the firearm OR FIREARMS to the lawful owner upon SUCCESSFUL COMPLETION OF A SINGLE BACKGROUND CHECK AND evidence of the lawful owner’s identification of the firearm and proof of ownership. PROOF OF OWNERSHIP MAY INCLUDE A LOST OR STOLEN FIREARM REPORT, A NOTORIZED DOCUMENT ATTESTING OWNERSHIP THAT INCLUDES THE SERIAL NUMBER OF THE FIREARM OR FIREARMS, OR OTHER MEANS.”

Dear Distinguished Members of the Senate State, Military and Veterans Affairs Committee,

RE: SB25-158, State Agency Procurement & Disposal of Certain Items

I respectfully ask you to support this important bill that requires federal firearm license/gun deals (FFLs) in becoming a firearms or ammunition supplier to any state public procurement unit apply to become a state-certified firearms vendor.

The reason this legislation is so important is that in order to become a state-certified dealer, they must comply with all local, state and federal laws. Law enforcement will only be able to buy from a state-certified FFL. Equally noteworthy is this bill also regulates the disposal of law enforcement's firearms so that they do not end up being sold as ghost guns.

Public procurement regulations are significant for the following reasons:

Taxpayers buy more firearms than any other purchasers in America. These tax dollars are spent by local, state, and federal law enforcement agencies to purchase, or "procure," service firearms and ammunition.

- While these guns are procured for the intent to promote public safety, without proper vetting, it appears that many purchases are made from firearms vendors that have violated firearms laws and regulations meant to protect the public.
- Research has found that law enforcement agencies have been procuring firearms, ammunition, and firearms accessories from irresponsible or dangerous vendors:
 - In just one example identified from available records, between 2015 and 2024, Colorado State agencies spent over \$3.1M at a dealer whose multiple locations were cited by the ATF for over a dozen violations of federal firearms laws from 2010 to 2016. The violations include, but are not limited to, a high rate of crime guns traced to the dealer, missing firearms, improper transfers to prohibited individuals, and lost or missing paperwork.
- Negligent business practices impede law enforcement investigations and contribute to the gun trafficking and crime that fuel America's gun violence epidemic. Vendors that fail to follow proper procedures should not be allowed to profit from Colorado taxpayer funds.
- With their public safety mandate, state law enforcement agencies should not endanger their own officers or the public by supporting businesses that undermine public safety. Yet that is exactly what state agencies do when they buy from irresponsible or non-compliant firearms vendors.
- By implementing a process that allows state agencies to engage proper due diligence and vetting of firearms vendors, the state can ensure that service weapons and ammunition are acquired from responsible dealers, and in turn, that irresponsible firearm vendors are not profiting from taxpayer dollars. This policy will incentivize safe business practices and dealing practices within the industry, and ultimately reduce gun trafficking and save lives.

The proper destruction and disposal of firearms keeps Coloradans safe.

We know the threat that ghost guns pose to the public, as those who are not fit to possess a firearm can bypass Brady Background Checks to build one. It is crucial that firearms used or received by law enforcement agencies are not being turned into these dangerous weapons.

- Requiring the destruction of firearms is an essential tool to ensure that dangerous firearms are not finding their way back into communities already most affected by gun violence.
- Absent federal mandates, states must act to ensure firearms used by law enforcement agencies are not fueling the illegal firearm market.
- The sales of gun parts that are salvaged rather than destroyed also undermine the increasing use of gun buybacks that take guns off the street. Buybacks typically announce that the firearms turned in will be destroyed. People who turn in their guns at buybacks have chosen that option rather than to sell them at a pawn shop or in private sales, and their intentions are thwarted if the vendor that supposedly destroys the guns instead sells the parts for assembly into a new gun.

What SB25-158 does:

Public Procurement Regulations:

- This bill requires that any business contracting or seeking to contract with the State for the sale of firearms, ammunition, or firearms accessories provide information regarding compliance with all applicable laws regarding firearms dealing. Specifically, dealers must prove they are implementing practices designed to prevent sales of firearms and ammunition to firearms traffickers, straw purchasers, or prohibited persons; and preventing theft or loss of firearms or ammunition.
- This bill creates a tool for the State to ensure it is using taxpayer funds to purchase only from responsible firearms vendors and to incentivize reform where necessary.
- Destruction of Firearms:
 - This bill requires that law enforcement agencies develop, maintain, and implement a policy to ensure the complete destruction and disposal of firearms, including:
 - Retired service firearms;
 - Firearms purchased in a law enforcement buyback program;
 - Firearms that are voluntarily surrendered to the law enforcement agency; for destruction; and
 - Any other firearms in the possession of the law enforcement agency that are not in use or subject to an investigation or criminal case.
 - Law enforcement agencies may contract with a third party to facilitate the destruction and disposal of firearms.

Thank you for taking the time to review, support and pass SB25-158.

Sincerely,
 Thomas Wilson
 Aurora

Senate State, Veterans, & Military Affairs

02/18/2025 02:00 PM

SB25-158 State Agency Procurement & Disposal Certain Items

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Robert Edmiston Against The Firearms Coalition of Colorado</p>	<p>Testimony in opposition to: SB25-158</p> <p>The Firearms Coalition of Colorado</p> <p>Thank you, Chair and Committee</p> <p>My name is Robert Edmiston. I am with the Firearms Coalition of Colorado an NRA-affiliated, all-volunteer, grassroots organization dedicated to the protection of individual rights and public safety.</p> <p>I am a former U.S. Army Officer and Vocational Rehabilitation Counselor. I have a Master’s Degree in Psychology, Counseling and Guidance.</p> <p>I am writing in opposition to the measure under consideration.</p> <p>This legislation creates additional paperwork barriers for any federally licensed firearm dealers to sell firearms to law enforcement agencies in the state of Colorado. Many small firearms merchants are already suffering under crippling, onerous regulations passed in recent sessions. A significant number of these employers of Colorado workers are having to consider closing their doors or moving out of state to continue to pursue their livelihoods. This bill is one more nail in the coffin for these businesses.</p> <p>It is hard to believe that the intention of the Legislature is to drive more and more small dealers out of business, yet that is the likely effect of this law. Paperwork takes time and resources that are hard to come by for many small business owners.</p> <p>In addition to the negative effects on small merchants, this law dries up a legal source of firearms for the civilian market. As inflation makes firearms and ammunition more expensive, supply restrictions cannot help but make it more difficult for disadvantaged populations to obtain firearms for recreation and self-</p>

	<p>defense. We believe this proposal will have a disparate negative impact on lower-income minority populations.</p> <p>Also troubling is the fact that that this legislation will result in the destruction of many collectable firearms. The loss of this supply will rob the public, not only of potential monetary gain from the acquisition and resale of these guns, but also destroy historically significant artifacts.</p> <p>We urge a "No" vote on this bill.</p> <p>Thank you.</p> <p>Robert Edmiston Volunteer Lobbyist The Firearms Coalition of Colorado PO Box 1454, Englewood, CO 80150-1454</p>
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