

CHAPTER 270

GOVERNMENT - LOCAL

HOUSE BILL 26-1265

BY REPRESENTATIVE(S) Rutinel and Clifford, Boesenecker, Brown, Camacho, Froelich, Joseph, Lindsay, Nguyen, Woodrow; also SENATOR(S) Wallace and Lindstedt, Amabile, Benavidez, Cutter, Gonzales J., Jodeh, Kipp, Kolker, Sullivan, Weissman, Coleman.

AN ACT

CONCERNING A LAW ENFORCEMENT AGENCY'S USE OF THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES' NATIONAL ELECTRONIC TRACING SYSTEM.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Effective law enforcement often depends on the timely exchange of reliable information among agencies in different jurisdictions. This is especially true in gun crime investigations, where firearms regularly move across city and state lines before being recovered by police. Comprehensive tracing data enables investigators to track firearm movement, identify sources of illegal diversion, and respond to rising trafficking activity.

(b) Strengthening investigative tools available to law enforcement by requiring agencies to utilize the United States bureau of alcohol, tobacco, firearms, and explosives' electronic tracing system, participate in its collective data-sharing features, and submit identifying information for firearms recovered or confiscated in connection with criminal activity is crucial as a means for law enforcement agencies to quickly share reliable information;

(c) Standardizing the reporting and sharing of information about firearms connected with criminal activity will improve real-time collaboration among local, state, tribal, and federal partners, enabling investigators to detect crime patterns, link related cases, and identify trafficking networks and cross-jurisdictional offenders more efficiently; and

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(d) Public safety is enhanced by supporting evidence-based policing, improving coordination among law enforcement agencies, and ensuring that investigators have access to critical tracing and intelligence data needed to solve gun crimes and hold offenders accountable.

SECTION 2. In Colorado Revised Statutes, **add** 29-11.7-106 as follows:

29-11.7-106. Law enforcement use of a national electronic tracing system for recovered firearms - definitions.

(1) (a) ON OR BEFORE SEPTEMBER 1, 2026, EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL REGISTER FOR THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES NATIONAL ELECTRONIC TRACING SYSTEM AND SHALL OPT IN TO THE SYSTEM'S COLLECTIVE DATA-SHARING FEATURE.

(b) THIS SECTION DOES NOT APPLY TO A LAW ENFORCEMENT AGENCY THAT HAS A PREEXISTING RELATIONSHIP WITH ANOTHER LAW ENFORCEMENT AGENCY THAT ALLOWS THE LAW ENFORCEMENT AGENCY TO SUBMIT A FIREARM TO THE ELECTRONIC TRACING SYSTEM, INCLUDING THE SYSTEM'S COLLECTIVE DATA-SHARING FEATURE, THE COLORADO STATE PATROL, OR THE COLORADO BUREAU OF INVESTIGATION.

(2) (a) WHEN A LAW ENFORCEMENT AGENCY RECOVERS OR CONFISCATES A FIREARM, THE AGENCY SHALL, AS SOON AS PRACTICABLE, BUT NO LATER THAN NINETY DAYS AFTER THE AGENCY RECOVERS OR CONFISCATES THE FIREARM, TRANSMIT THE RELEVANT INFORMATION REGARDING THE FIREARM TO THE NATIONAL TRACING CENTER'S ELECTRONIC TRACING SYSTEM.

(b) A LAW ENFORCEMENT AGENCY THAT RECEIVES A VOLUNTARILY RELINQUISHED FIREARM OR RECOVERS A FIREARM THAT THE AGENCY DETERMINES IS NOT CONNECTED WITH A CRIMINAL INVESTIGATION OR CRIMINAL ACTIVITY DOES NOT NEED TO TRANSMIT THE RELEVANT INFORMATION REGARDING THE FIREARM TO THE ELECTRONIC TRACING SYSTEM.

(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "LAW ENFORCEMENT AGENCY" MEANS A LAW ENFORCEMENT ENTITY HAVING ORIGINAL JURISDICTION OVER A FIREARMS-RELATED CRIME INVESTIGATION, INCLUDING:

(I) A MUNICIPAL POLICE DEPARTMENT;

(II) A SHERIFF'S OFFICE OF A COUNTY OR CITY AND COUNTY;

(III) A CAMPUS POLICE DEPARTMENT;

(IV) A TOWN MARSHAL'S OFFICE; AND

(V) A POLICE OFFICER EMPLOYED PURSUANT TO ARTICLE 9 OF TITLE 32.

(b) "RECOVER OR CONFISCATE" MEANS:

(I) A LAW ENFORCEMENT AGENCY OBTAINING AN ITEM FROM A CRIME SCENE OR AN ITEM IN CONNECTION WITH A CRIMINAL INVESTIGATION;

(II) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION WITH A CRIMINAL PROCEEDING, INVESTIGATION, OR CONVICTION;

(III) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION WITH A CRIME THAT HAS AN UNDERLYING FACTUAL BASIS OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1);

(IV) A LAW ENFORCEMENT AGENCY ACQUIRING AN ABANDONED OR DISCARDED FIREARM; OR

(V) A LAW ENFORCEMENT AGENCY OTHERWISE OBTAINING AN ITEM BELIEVED TO BE CONNECTED WITH A CRIME.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 1, 2026