

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0215.01 Jane Ritter x4342

HOUSE BILL 24-1162

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HOUSE SPONSORSHIP

Armagost and Snyder, Bird, Clifford

SENATE SPONSORSHIP

(None), Zenzinger

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE PENALTY FOR THEFT OF FIREARMS.

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>.)*

In current law, the sentencing structure for theft, except for auto theft, is based on the value of the item stolen. The bill exempts theft of firearms from that sentencing structure and makes theft of a firearm a class 6 felony, regardless of its value. Subsequent violations, including multiple firearms stolen in the same criminal incident, are separate class 5 felonies.

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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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-4-401, **amend** (2)  
3 introductory portion and (4); and **add** (2.3) as follows:

4 **18-4-401. Theft.** (2) EXCEPT AS PROVIDED FOR IN SUBSECTION  
5 (2.3) OF THIS SECTION, theft is:

6 (2.3) THEFT OF A FIREARM, AS DEFINED IN SECTION 18-12-101, IS  
7 A CLASS 6 FELONY, REGARDLESS OF THE VALUE OF THE FIREARM.

8 (4) (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(c) OF THIS  
9 SECTION, when a person commits theft twice or more within a period of  
10 six months, two or more of the thefts may be aggregated and charged in  
11 a single count, in which event the AGGREGATE thefts ~~so aggregated and~~  
12 ~~charged shall~~ constitute a single offense, the penalty for which ~~shall be~~ IS  
13 based on the aggregate value of the things involved, pursuant to  
14 subsection (2) of this section.

15 (b) EXCEPT AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION,  
16 when a person commits theft twice or more against the same person  
17 pursuant to one scheme or course of conduct, the thefts may be  
18 aggregated and charged in a single count, in which event ~~they shall~~ THE  
19 THEFTS constitute a single offense, the penalty for which ~~shall be~~ IS based  
20 on the aggregate value of the things involved, pursuant to subsection (2)  
21 of this section.

22 (c) (I) WHEN A PERSON COMMITS THEFT OF A FIREARM TWO OR  
23 MORE TIMES, EACH SUBSEQUENT THEFT IS A CLASS 5 FELONY.

24 (II) WHEN A PERSON COMMITS THEFT OF A FIREARM AND, IN THAT  
25 ONE SCHEME OR COURSE OF CONDUCT INVOLVING THEFT OF A FIREARM,  
26 MULTIPLE FIREARMS ARE STOLEN, THE PERSON COMMITS A SEPARATE  
27 CLASS 5 FELONY FOR EACH FIREARM STOLEN.

1           **SECTION 2. Safety clause.** The general assembly finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, or safety or for appropriations for  
4 the support and maintenance of the departments of the state and state  
5 institutions.