

**Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 26-0840.01 Ken Fowler x2372

**HOUSE BILL 26-1302**

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**HOUSE SPONSORSHIP**

**Duran and Boesenecker,**

**SENATE SPONSORSHIP**

**Kipp,**

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**House Committees**

State, Civic, Military, & Veterans Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE COLORADO BUREAU OF INVESTIGATION'S FIREARMS**

102 **BACKGROUND CHECK OPERATING HOURS.**

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**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 Colorado bureau of investigation (bureau) must remain open 12 hours a day, every calendar day except Christmas and Thanksgiving, to transmit requests for a background check to the national instant criminal background check system and search other databases. The bill allows the bureau to determine its own hours of operation that best meet its business needs.

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.*

HOUSE  
Amended 2nd Reading  
March 27, 2026

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

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

4           (a) The Colorado bureau of investigation, or CBI, is currently  
5 mandated to provide background check services at least 12 hours a day  
6 every day of the year, excluding Thanksgiving day and Christmas day;

7           (b) The current background check business hours requirement was  
8 established when firearm transfers could occur immediately upon  
9 approval of a background check;

10           (c) House Bill 23-1219, enacted in 2023, implemented a 3-day  
11 waiting period for firearm transfers, which has reduced CBI's need to  
12 provide immediate background check services; and

13           (d) Allowing CBI to flex its operational hours based on business  
14 needs will enable CBI to staff its background check services more  
15 strategically, streamline its processes, and reduce costs by eliminating  
16 unnecessary employee shifts, all while continuing to provide timely  
17 background check services.

18           **SECTION 2.** In Colorado Revised Statutes, 24-33.5-424, **amend**  
19 (7)(b) introductory portion, (7)(b)(IV) introductory portion, and  
20 (7)(b)(IV)(A); and **add** (7)(c) and (7)(d) as follows:

21           **24-33.5-424. National instant criminal background check**  
22 **system - state point of contact - fee - grounds for denial of firearm**  
23 **transfer - appeal - rule-making - unlawful acts - instant criminal**  
24 **background check cash fund - creation.**

25           (7) (b) The rules adopted pursuant to ~~paragraph (a) of this~~  
26 ~~subsection (7) shall~~ SUBSECTION (7)(a) OF THIS SECTION MUST include, but

1 need not be limited to:

2 (IV) Procedures for carrying out the duties ~~under~~ REQUIRED  
3 PURSUANT TO this section, including, at a minimum:

4 (A) That the bureau ~~shall be~~ IS open for business ~~at least twelve~~  
5 ~~hours per day every calendar day, except Christmas day and Thanksgiving~~  
6 ~~day~~, DURING HOURS THAT BEST MEET THE BUSINESS NEEDS OF THE BUREAU  
7 in order to TIMELY transmit the requests for a background check to the  
8 NICS system and search other databases. THE DIRECTOR OF THE BUREAU,  
9 OR THEIR DESIGNEE, SHALL CONTINUOUSLY REVIEW THE BUSINESS NEEDS  
10 STATISTICS OF THE BUREAU'S UNIT THAT CONDUCTS FIREARM TRANSFER  
11 BACKGROUND CHECKS PURSUANT TO THIS SECTION AND DETERMINE  
12 HOURS OF OPERATION THAT BEST MEET THE BUSINESS NEEDS OF THE  
13 BUREAU.

14 (c) THE BUREAU SHALL IMMEDIATELY PLACE IN THE PROCESSING  
15 QUEUE A REQUEST FOR A BACKGROUND CHECK PURSUANT TO SUBSECTION  
16 (3)(a) OF THIS SECTION, REGARDLESS OF WAITING TIME REQUIREMENTS  
17 ESTABLISHED PURSUANT TO SECTION 18-12-115. THE BUREAU SHALL  
18 ALLOW THE SUBMISSION OF A BACKGROUND CHECK REQUEST EVERY DAY  
19 OF THE YEAR EXCEPT THANKSGIVING DAY AND CHRISTMAS DAY,  
20 NOTWITHSTANDING UNFORESEEN AND UNAVOIDABLE BACKGROUND  
21 CHECK SYSTEM OUTAGES. PURSUANT TO SECTION 18-12-115 (1)(a)(I), THE  
22 THREE-DAY WAITING PERIOD TO DELIVER A FIREARM TO A PURCHASER  
23 BEGINS WHEN A LICENSED GUN DEALER INITIATES A BACKGROUND CHECK  
24 OF THE PURCHASER.

25 (d) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE BUREAU SHALL  
26 SUBMIT A REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY  
27 COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR

- 1     SUCCESSOR COMMITTEES, DETAILING:
- 2             (I) AVERAGE BACKGROUND CHECK PROCESSING TIMES;
- 3             (II) ANY SIGNIFICANT CHANGES TO OPERATING HOURS;
- 4             (III) SYSTEM OUTAGES OR DISRUPTIONS THAT RESULTED IN THE
- 5     BUREAU'S INABILITY TO HAVE SUBMISSIONS ACCEPTED; AND
- 6             (IV) STEPS TAKEN TO IMPROVE ACCESS AND EFFICIENCY.

7             **SECTION 3. Act subject to petition - effective date.** This act  
8     takes effect at 12:01 a.m. on the day following the expiration of the  
9     ninety-day period after final adjournment of the general assembly (August  
10    12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
11    referendum petition is filed pursuant to section 1 (3) of article V of the  
12    state constitution against this act or an item, section, or part of this act  
13    within such period, then the act, item, section, or part will not take effect  
14    unless approved by the people at the general election to be held in  
15    November 2026 and, in such case, will take effect on the date of the  
16    official declaration of the vote thereon by the governor.