

Hunting and gun bills



SOME GENERAL INFORMATION ABOUT COLORADO GUN BILLS AND HUNTING

Thank you for contacting us.

Thank you for contacting Colorado Parks and Wildlife. We appreciate that you trust our agency enough to communicate with us - even when you're frustrated. We pride ourselves on always listening to our constituents and trying to address their concerns. We are pleased to provide some facts about Colorado's new legislation because there is a lot of misinformation out there.



Some facts about Colorado hunting and the new bills

These new bills will not have an impact on our existing hunting regulations and they will not affect a person's ability to hunt in Colorado. The bills that were passed will not change our ability to regulate harvest and manage wildlife populations.

With more than 23 million acres of public land open to hunting, Colorado continues to offer the best hunting opportunity in the nation. Colorado has the nation's largest elk population - estimated at over 265,000 - and we offer the most readily available elk licenses in the country. Colorado is the only state that offers an

unlimited number of over-the-counter, non-resident and resident bull elk licenses.

As an agency, we support safe ownership and handling of firearms. Colorado Parks and Wildlife teaches hunter safety classes to thousands of people each year. Last year, we facilitated hunter safety courses for more than 20,000 students.

Most wildlife management in Colorado is paid for by the license fees of people who hunt and fish. We don't receive general fund tax revenue to manage wildlife in Colorado so we rely on license fees. Non-residents play a critical role in our funding. While non-residents account for only 86,493 of the 575,820 hunting licenses sold in fiscal year 2011-2012, non-resident hunting revenue accounted for roughly 17% of our agency budget. We hope that management of Colorado's wildlife won't suffer over the outcome of this debate; however we understand that people have a right to choose how they express their disapproval of a political decision. Colorado Parks and Wildlife will continue to manage the amazing places and amazing animals that we are charged with managing.

Below are some key facts about the recently passed gun legislation. The information contained in this document is not legal advice. We are paraphrasing and summarizing some information to make it easier to understand. If you need further interpretation of the laws, please review the entire text of the laws and consult with an attorney. Prior to July 1, we will be working with the Colorado Department of Public Safety and the Colorado Attorney General to get answers to specific technical questions that aren't answered by this document.

Thank you again for contacting us. Enjoy your next hunt. We hope you'll see that Colorado is open for business.

Hunting and HB 1224



FACTS ABOUT THE HIGH CAPACITY MAGAZINE BILL

3/28/2013

House Bill 13-1224 High-Capacity Magazines

"Grandfathering" of existing magazines

All magazines (regardless of capacity) purchased prior to July 1, 2013 are "grand-fathered in" and remain legal for possession and use. They may continue to be used for legal activities (hunting, target shooting, etc.) even after the laws take effect July 1. Existing regulations must still be followed, such as existing caliber, magazine and plugging requirements in Colorado hunting regulations.

Exemptions

HB 1224, contains the following exemptions:

"(b) LARGE-CAPACITY MAGAZINE" DOES NOT MEAN:

- (I) A FEEDING DEVICE THAT HAS BEEN PERMANENTLY ALTERED SO THAT IT CANNOT ACCOMMODATE MORE THAN FIFTEEN ROUNDS OF AMMUNITION;
- (II) AN ATTACHED TUBULAR DEVICE DESIGNED TO ACCEPT, AND CAPABLE OF OPERATING ONLY WITH, .22 CALIBER RIMFIRE AMMUNITION; OR
- (III) A TUBULAR MAGAZINE THAT IS CONTAINED IN A LEVER-ACTION FIREARM."

Removable base plates

One section of HB 1224 that has drawn attention defines a high-capacity magazine as one that is "CAPABLE OF ACCEPTING, OR THAT IS DESIGNED TO BE READILY CONVERTED TO ACCEPT, MORE THAN FIFTEEN ROUNDS OF AMMUNITION." As most removable base plates are designed for cleaning purposes - not for accepting additional rounds or for conversion - there is a presumption that they are legal.

Affirmative enforcement

The burden of proof regarding purchase date of a magazine will be on law enforcement, not on the person using the magazine. There is no affirmative enforcement required in these bills - meaning that we are not required to ask for gun or magazine ownership information unless we do so as part of some other inquiry, such as an investigation into another violation.

Other Questions

This is not legal advice, but rather a summary of facts related to House Bill 1224 as we understand them at this time. Colorado Parks and Wildlife is working with the Colorado Department of Public Safety and the Attorney General to receive additional technical guidance on the new statutes. The new statutes do not take effect until July 1 and implementation guidance will be available prior to that time.

Hunting and HB 1229



FACTS ABOUT THE UNIVERSAL BACKGROUND CHECK BILL

3/28/2013

House Bill 13-1229 Universal Background Checks

HB 1229 requires that a background check is performed before the transfer/sale of a gun from one individual to another. To facilitate the background checks, a separate bill (HB 1228) authorized the Colorado Bureau of Investigation to establish a fee for background checks and to create a system to provide those checks.

Hunting activities are exempt

HB 1229 specifically exempts hunting: "THE PROVISIONS OF THIS SECTION DO NOT APPLY... WHILE HUNTING, FISHING, TARGET SHOOTING, OR TRAPPING IF: (A) THE HUNTING, FISHING, TARGET SHOOTING, OR TRAPPING IS LEGAL IN ALL PLACES WHERE THE UNLICENSED TRANSFEREE POSSESSES THE FIREARM; AND (B) THE UNLICENSED TRANSFEREE HOLDS ANY LICENSE OR PERMIT THAT IS REQUIRED FOR SUCH HUNTING, FISHING, TARGET SHOOTING, OR TRAPPING

Temporary transfers exempt

HB 1229 exempts temporary transfers (for example, if you loan a gun to a friend for target practice) if the transfer is less than 72 hours. Note: This exemption is separate from the hunting exemption, meaning that the hunting exemption is good for the length of whatever period the transferee is hunting. For example, if you loan a neighbor a gun to go out for a nine day elk season, the hunting exemption would apply to that transfer and the 72 hours would not apply. However if you loan your friend a gun for something other than hunting or at a shooting range, the 72 hour exemption would apply.

Gun transfers to immediate family are exempt

The bill exempts gun transfers (gift or loan) to family members, specifically "SPOUSES, PARENTS, CHILDREN, SIBLINGS, GRANDPARENTS, GRANDCHILDREN, NIECES, NEPHEWS, FIRST COUSINS, AUNTS AND UNCLES"

Loaning someone a gun at a shooting range is exempt

HB 1229 exempts transfers at shooting ranges, specifically: "AT A SHOOTING RANGE LOCATED IN OR ON PREMISES OWNED OR OCCUPIED BY A DULY INCORPORATED ORGANIZATION ORGANIZED FOR CONSERVATION PURPOSES OR TO FOSTER PROFICIENCY IN FIREARMS"

Shooting competitions are exempt

HB 1229 exempts shooting competitions or trainings specifically: "AT A TARGET FIREARM SHOOTING COMPETITION UNDER THE AUSPICES OF, OR APPROVED BY, A STATE AGENCY OR A NONPROFIT ORGANIZATION"

Other Questions

Colorado Parks and Wildlife is working with the Colorado Department of Public Safety and the Attorney General to receive additional technical guidance on the new statutes. The new statutes do not take effect until July 1 and implementation guidance will be available prior to that time.