

***The Division has received the following comments via the public comment Google Form sent out with the proposed drafted Application, Renewal, and Fee Rules. The Division will respond to certain parties' comments should the Division implement their recommendations into the rule. Some comments submitted were not directed at the proposed rules, but rather to the legislation (HB24-1353). These comments are not able to be considered as the General Assembly passed this bill and it is the duty of the Firearms Dealer Division to implement the new law as written.***

**Joe Cusimano**

*Orthrus Arms, LLC*

Public Comment: Redundant Abuse of Power  
*Received on October 4, 2024*

Good afternoon,

This proposed ruling is not only redundant but an obvious attempt at extortion. FFLs are already heavily regulated under BATFE, this ruling does nothing to help/protect or regulate it only serves to extort money from businesses backed into a corner by a looming threat of political annihilation. What does this proposal do differently than the regulation already placed on firearms-related businesses. NOTHING. This is a cheap money grab at best.

Joe Cusimano  
Orthrus Arms LLC

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**Jim Harris**

*Jim's Hunting Supplies*

Public Comment: *Topic of public comment not provided*  
*Received on October 4, 2024*

We already have to follow all of the same stuff through ATF. All Colorado is doing is putting small businesses out of business along with a huge state government over reach and large money grab. Total redundancy on the so-called political leaders that are in opposition of firearms to start with. I'm hoping that there will be injunctions, law suits filled before the intended date of 07/01/25. You will not get my \$\$\$.

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**Michael Fink**

*Riverboat Arms*

Public Comment: General

*Received on October 4, 2024*

I am an FFL primarily dealing in firearms transfers for friends and family. I am a fan of shooting sports and their positive affects, and I try to promote the positive influence they can have. Kudos to Switzerland! This whole effort by the state is a disappointment. I am always excited to see the real numbers that demonstrate the effectiveness of such a massive and costly effort. Can't wait. Thanks.

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**Rich Schur**

*Schur Success Group*

**Public Comment: Definitions**

*Received on October 4, 2024*

Please define "responsible person" for the purpose of this act. To what extent will employees (not the license holder) be required to be trained, fingerprinted, etc? Will all employees of the business be required to be included? Only employees with specific roles?

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**Allen Duet**

*Business affiliation not provided*

**Public Comment: Proposed Regulations under 1 CCR 214-1**

*Received on October 4, 2024*

The State Permits require issuance of an FFL, but do run coincident to that FFL. Meaning the state permitting process, by necessity, will charge a fee for what they describe as a 3-year permit, but since that permit is over a period that another 3-year license is over, there will, by necessity, be a point in time when businesses will have a paid a fee but NOT received a valid state permit for 3 years. Specifically, if an FFL holder chooses not to renew an FFL, they will have paid for a 3-year state permit without being able to use such. A prorated fee refund seems in order. Charging a fee for services not rendered, or incapable of being rendered seems inconsistent with the law as written.

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**Joel Henderson**

*Shooter's Edge Gunsmithing*

Public Comment: Gunsmith, not a Dealer

*Received on October 4, 2024*

As a gunsmith only, is a permit required as I do not sell guns?

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**Kermit Bohrer**

*KO's Guns and Gunsmithing*

Public Comment: License Application

*Received on October 4, 2024*

When and where are you going to make the application available for dealers to submit?

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**Nick Bosco**

*Ecco Machine*

Public Comment: Bad Idea

*Received on October 4, 2024*

Let me put this in terms even a liberal can understand. Every year, we donate a significant amount to local food banks and Christmas charities. Our expenses are what they are, and we're not going to reduce our incomes any further. So each and every fee that gets added to our operating expenses DIRECTLY deducts from those charitable donations. Get it? Colorado Department of Revenue will literally be taking this money from the needy to fund yet another bureaucratic entity that does nothing to actually help the citizens of Colorado.

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**Karl Lippard**

*Karl Lippard Designs*

Public Comment: Legality

*Received on October 4, 2024*

A Federal Firearm License is required for several things: 1) to deal in firearms and to determine the legality of a transaction, movement, or transfer of a firearm. 2) If one designs firearms for manufacture

arms are required to move or receive samples. Both are under Federal laws and penalties. A Permit fee to operate as in item 1 may be fine provided that no other requirement be attached to such a permit as in it must also do this or that. An FFL must remain autonomous. He cannot be influenced by, coerced, subverted, blackmailed, or otherwise pressured in the performance of his license. His sole responsibility is upholding Federal Firearm Law. Period.

In Federal Court in Colorado Springs, today was presented with a case of such influence. A capital charge has been filed as a result. But in this case, an example of FFL authority and responsibility has been referenced as ""USA vs John Wilkes Booth. In brief, it says JWB approached an FFL wanting a new gun and ammo. BATF says it was lawful to sell him a gun with ammo as he had not been charged with a crime nor convicted. It was the responsibility of the FFL to decide whether Mr. Wilkes was not qualified to buy a gun and deny it. It would be his sole responsibility to block the sale or transfer.

The point being is no one can influence an FFL in the performance of his license. A license in which he alone is under penalty of law. The State thus has no authority to place any burden, instruction, or law that would restrict an FFL's ability to perform under license. In this example filed, FFL tampering existed. In doing so someone allegedly committed treason. Their action cost the lives of Americans during war. Treason also comes under State law. Failure to report the finding under US Code 18 section 2382 puts the FFL in prison not to mention American lives at risk or lost. But in doing so the cost might be high in retaliation. Mr. Wilkes as an example might do something to you. The Federal Government as well if you had sold him a gun. Ask Dr. Mudd.

Therefore the threat of fines in the hundreds of thousands of dollars and other requirements in the new law puts an FFL in a position of terminal jeopardy. The State does not enforce felony law violations in this State nor does the Department of Justice on the Federal side. A gun violation is the first thing to be waved. The end result will be as first occurred with President Clinton. An 80% loss of Federal License dealers in the State. I project in 2025 the State will lose 50% or more of FFLs. Criminal activity will increase. The excise taxes proposed will reduce legal sales within the State. Concealed carry which has reduced crime so much in the State will rise again. Open carry laws will further reduce civil protection and law enforcement will not be able to handle this new load of violence. With ammo up, more than 250% means legal shooting activity will fall by 75% leaving Parks and Wildlife in dire straights for money. People are left defenseless unless in the home and even then subjected to home theft as that will increase. Those without a gun are frankly done here as invasions from other socialist countries into the State overwhelm our support systems.

Such is the new choice of Colorado in bringing these new laws. We will move as soon as possible. The Opt-Out provision is smart. As for FFLs, business here is gone. Manufacturing is gone. The days of a boy shooting a BB gun are gone. Carrying a gun to church or school is gone. The cartels have been given a gift. It will own this State in 2025. Like other States, Colorado will NOT BE a safe place to vacation. It is just about done. Self-destruction prevails.

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**Erik Kreider**

*Kreider's Defensive Arms*

Public Comment: More Inane Regulation

*Received on October 4, 2024*

So this is just another money grab that requires FEDERALLY licensed firearm dealers to hop through State mandated hoops and financially harass FFLs so CDOR can set up a special division to charge taxpayers at large even more money to administer the collection of funds from FFLs so they can operate in Colorado. This law is classic libtard legislative waste that also violates the 14th Amendment of the US Constitution. Not that those who penned this legislation have ever read the United States Constitution.

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**Mike Axelrod**

*Gun Cleaners of Colorado*

Public Comment: Hours/Transfer Requirement

*Received on October 5, 2024*

I am concerned about the requirement that all transfers must be done during posted hours. As a small business, I cater to my customers. If I have someone "on the way" late in the day, and they are delayed, I wait. It's good customer service. Why does the law state that I cannot? This is an onerous intrusion into my business practices and desire to serve my customers.

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**Matt Johnson**

*Fenix Firearms*

Public Comment: Annual Fee

*Received on October 5, 2024*

I have a very small home-based FFL, the exact kind of small business that this bill aims to close, so thanks for that. I already think this bill is just a money grab by the Colorado state gov, and is simply out to encourage small FFLs to close doors. Is the 400\$ fee annual? Since the federal cost is 90\$ to renew for a couple years, obviously it makes sense for Colorado to charge an absurd amount more to have a permit.

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**Gary Prebyl**

*10x Rifleworks*

Public Comment: License  
*Received on October 5, 2024*

Does a Gunsmith only need this license?

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**Steven Roy**

*FFL owner*

Public Comment: Three-Day Waiting Period and License  
*Received on October 5, 2024*

The three day waiting period and the business license - I feel that both should be done away with.

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**Mike Severinsen**

*Rocky Mountain Pawn, Inc.*

Public Comment: Feel-good Law for the Purpose of Generating Revenue  
*Received on October 5, 2024*

The State Permit Application Eligibility Requirements are exactly the same as those required by the ATF for our FFL. In fact, the FFL requirements are even more strict. Both the federal FFL license application, along with the city's license, already require hours of operation as well. The ATF requires posted hours on the application so they know when they can do inspections, they do not call to make an appointment. Fingerprints for all Responsible Parties are already required to be submitted with your ATF application and a person's background is verified by the FBI. This state licensee does nothing new and is redundant in policies and procedures and seeks nothing more than to generate revenue and simply control the industry.

According to the state, Specific types of businesses such as insurance providers, banking institutions and electricians, must have a Colorado business license. The purpose of requiring a license is to authorize the individual in question to comply with specific training, education, safety, and reporting requirements. This new license does not offer or require any of those above-mentioned reasons. There is no training, no education program and does not require any reporting requirements. The ATF handles all reporting requirements already and offers training opportunities as well.

If no services are offered and no reporting is required, why require a third business license for an already burdened industry?

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**Jacob Cook**

*Colorado Reloaded*

Public Comment: License & Fee

*Received on October 6, 2024*

This whole license and fee is absolutely absurd. The ATF controls the firearms industry. The states do not. This should never have been passed. This is nothing more than gun-grabbers trying to shut down small businesses. Now you have Colorado charging an absurd fee to be licensed in the state. \$400 will guarantee that many small businesses like myself will have to close the doors. Another gun grab. How about we control the laws on the books Rather than create more issues and rules for law-abiding citizens?

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**Steven Allen**

*S. Al's Shooting Supplies*

Public Comment: Raising Fees for FFL Dealers

*Received on October 6, 2024*

This is nothing more than our anti-gun, anti-hunting Governor to try and put more small businesses, out of business.

I have lived my entire life in Colorado; have been in business for 40 years. I am not a big business. Just a small, mostly mail-order type business. I used my FFL for over 15 years to help the Rocky Mountain Elk Foundation, Ducks Unlimited, etc., when there was no large business in town to do it. I have used my FFL to purchase firearms for 4H youth shooting programs. I have followed all of the licensing requirements. I pay my quarterly sales tax. If CO really wants to help, they could focus on the many FFL holders that do not collect or pay sales tax on firearms. I have tried to talk with State and Local tax folks about this and they do nothing about it.

This additional fee will put even more strain on my profit margin. It is extremely difficult to compete with the big stores. Cabelas, Sportsmans Warehouse, Murdochs, Scheels, etc. This fee will not harm them whatsoever. This fee is designed solely to put the little guy out of business. Just another attack on the middle class.

So go ahead have your little ""comment"" period, so we are fooled into thinking we have a say and that you care about our thoughts. The bottom line is, you will do it no matter what. Are you going to publish all of the comments?? Yeah, that's what I thought.

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**Brian George**

*Scots Sporting Goods*

Public Comment: Extreme Government Overreach and the Destruction of Small Business

*Received on October 7, 2024*

All of the new bills signed by Governor Polis will destroy all small businesses that deal in firearms and ammunition in the State of Colorado. My margins are so slim on these items already that another 6.5% excise tax and another license to sell them is absolutely ridiculous. My margins on these items are already so slim that it will make it pointless to try and hold inventory on them on turn a profit. I own a sporting goods store, and we are the only shop in Estes Park that sells firearms and ammunition. With all of the road construction projects, forest fires, and now the extreme greed and inability of the State government to manage its money will likely lead to the demise of my business and a likely bankruptcy. This retail shop has been in Estes Park for 52 years, and my family depends on it to make a living. I have two young daughters that I am trying to raise and support. The pure fact that this is being controlled by the Department of Revenue makes it clear that it is only about taking more money from middle-class citizens because of the Democratic Party's inability to manage a budget and complete disregard for its own citizens that have lived in Colorado for years or as natives. You can count on me and my family never voting for a Democratic candidate ever again and lawsuits being filed against you.

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**George Hudspeth**

*Pine River Arms Merchant*

Public Comment: Renewal Fee

*Received on October 7, 2024*

A fee of \$400 to be paid by the applicant for a state permit at the time of filing an application for a permit for initial /setup is one thing but for renewal of a permit? Annually? How was this vetted and decided upon?

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**Matt Johnson**

*Business affiliation not provided*

Public Comment: Just Another Anti-Second Amendment Money Grab

*Received on October 8, 2024*

I feel like this is just a money grab to push more anti 2nd Amendment agenda. But my question is, is the insane fee of 400\$ going to be every year?



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**Brian George**

*Scots Sporting Goods*

**Public Comment: Ineffective Laws**

*Received on October 8, 2024*

How about you enforce the gun laws that are already in place? Or come to the realization that creating these laws only opens the door for an underground black market for the sale of firearms. Why would anyone want to pay an additional 6.5% tax on something they can just buy from a friend or relative? There are already so many guns in circulation it is impossible to stop or enforce. Law enforcement budgets are so low now they can't have enough officers and agents to stop the criminals and now you put the tax on law-abiding citizens that purchase them legally. Please explain the common sense in this because I am not seeing it.

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**Zachary Hester**

*Sentinel Machine, LLC*

**Public Comment: Regulatory Redundancy**

*October 10, 2024*

This bill appears to be written from a lack of understanding of federal regulations that already imposes nearly all of the same requirements on FFL businesses. By creating overlap with federal regulations, this creates additional burdens to operate small businesses in this state. It is not clear how any of the additional regulations will address anything related to gun violence, nor is there any data from analogous states, such as California, to suggest that adding regulations to these businesses increases public safety. Those of us to promote lawful and responsible possession and use of firearms will be most affected.

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**James Wetzler**

*Fossil Creek Firearms*

**Public Comment: Dealer Training and Fees for License (State Firearms Dealer)**

*Received on October 14, 2024*

Suggest reduction of license fees in combination with the inclusion of the training, which would automatically renew the license for the period in which the training is required.

A suggested fee of \$100 annual fee for license and training will reduce the impact of the state license program to the dealers and put in place the automatic renewal of both the training and license, reducing processing and paperwork for both dealers and state offices.

Additionally, any dealer who terminates the federal license in the middle of the proposed State licensure period by not renewing the training would not lose the excessive surplus, which would result with the current plan of \$400 per licensure cycle. The renewal can then be coordinated with the renewal of the Federal license keeping both in sync with one another. Termination of the Federal license would then eliminate an orphan state license EXPENCE since an out-of-cycle FFL termination leaves the state license unusable.

Reducing the fee and including training will make this new law less punitive for the honest business person who is just trying to make a legitimate living while still providing reasonable lawful control and safety insurance in this state.

Finally, alternative plan is to re-evaluate the actual need for annual training for dealers who are not likely to require training in a well-established business model where regulations are unlikely to change significantly, again reducing the punitive impact on legitimate businesses.

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## **Dana Springfield**

*Springfield Arms*

### **Public Comment: Where Do I Sign Up For Bill 1 CCR 214-1?**

*Received on October 15, 2024*

This is one of the most difficult rules/laws I've ever encountered.

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## **Shawn Barnett**

*Barnett Firearms*

### **Public Comment: House Bill 24-1351**

*Received on October 16, 2024*

To whom it may concern,

I am writing to express my concern about House Bill 24-1351, which proposes additional licensing requirements and fees for small business owners in the firearms industry. As a law-abiding citizen and business owner of Barnett Firearms, I strongly believe that this bill would unfairly burden small businesses and infringe upon the rights of responsible individuals.

The federal government's ATF has already conducted thorough background checks, ensuring that we meet the necessary requirements to operate legally. Duplicating this process at the state level would result in unnecessary costs, approximately \$400 annually, which would disproportionately affect small businesses already struggling to stay afloat.

Rather than targeting law-abiding citizens, I suggest focusing on measures to prevent criminals from obtaining firearms. Effective solutions should prioritize public safety while protecting the rights of responsible individuals.

I urge you to reconsider the implications of House Bill 24-1351 and seek alternative solutions that truly serve the people.

Thank you for your time and consideration.

Sincerely,

Shawn Barnett  
Barnett Firearms  
720-830-5199  
[www.barnett-firearms.com](http://www.barnett-firearms.com)  
[BarnettFirearms@yahoo.com](mailto:BarnettFirearms@yahoo.com)

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## **John Vossler**

*2A Ventures*

### **Public Comment: Rule 2-100 Comments and Questions**

*Received on October 16, 2024*

For B(1)(m)(i) and C(2)(c)(viii) - referencing fingerprint requirements,

Currently, the ATF supports handling fingerprints electronically using EFT (Electronic Fingerprint Transmission) files. These files are generated at a limited number of sites. The file contains the fingerprints and some demographic data and is encrypted. These electronic fingerprints are used for ATF eForms 1 and eForms 4. Please see this URL for more information:

[https://printscan.com/Agencies/ATF?source=google&medium=adwords&keyword=&matchtype=&device=c&utm\\_term=&utm\\_campaign=PMAX+-+Retargeting+Signal&utm\\_source=adwords&utm\\_medium=pc&hsa\\_acc=9584520635&hsa\\_cam=20812522064&hsa\\_grp=&hsa\\_ad=&hsa\\_src=x&hsa\\_tgt=&hsa\\_kw=&hsa\\_mt=&hsa\\_net=adwords&hsa\\_ver=3&gad\\_source=1&gclid=Cj0KCQjwyL24BhCtARIsALo0fSAAnelmBc\\_qS73tGgwpNx0dxsIIZn47Qa6vkifmO9z3factCUBJycUaAj5sEALw\\_wcB](https://printscan.com/Agencies/ATF?source=google&medium=adwords&keyword=&matchtype=&device=c&utm_term=&utm_campaign=PMAX+-+Retargeting+Signal&utm_source=adwords&utm_medium=pc&hsa_acc=9584520635&hsa_cam=20812522064&hsa_grp=&hsa_ad=&hsa_src=x&hsa_tgt=&hsa_kw=&hsa_mt=&hsa_net=adwords&hsa_ver=3&gad_source=1&gclid=Cj0KCQjwyL24BhCtARIsALo0fSAAnelmBc_qS73tGgwpNx0dxsIIZn47Qa6vkifmO9z3factCUBJycUaAj5sEALw_wcB)

For D(1)(a) - Concerning incomplete applications,

If an incomplete application is received, will the dealer be notified by any means to enable them to amend and resubmit the application for both initial or renewal?

General question:

Will there be any method to sync up the three-year period that the Colorado permit is valid for with the three-year period that the Federal permit is valid for? The Federal FFL is valid based on the calendar year. Always expiring on 01 January of a given year. Having two different expiration dates is harder to manage. The FFL is issued during any part of the calendar year and expires on 01 January 3 years from the current year. So applying for the Federal FFL in November will result effectively in a two year license. It would be ideal to have the Colorado permit in sync with the Federal FFL.

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## **Dana Springfield**

*Springfield Arms*

### **Public Comment: How Do I Sign Up for Gun Dealer Permit?**

*Received on October 18, 2024*

How do I sign up for a gun dealer permit?

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## **Denise Landin**

*EZPawn Colorado, Inc. and EZCORP*

### **Public Comment: Proposed Revisions and Explanation of Same to Draft Rules on Applications and Renewals Posted by the Division on October 4, 2024**

*Received on October 18, 2024*

*Ms. Landin prepared [two \(2\) attached PDF documents](#) that she was unable to upload through the public comment Google Form. She emailed these comments to the Division on October 16, 2024.*

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## **Nathan Dechairo**

*Daily Pawn LLC and Colorado Pawnbrokers Association*

### **Public Comment: Comments and Thoughts on Section 2: State Permit Application and State Permit Requirements**

*Received on October 18, 2024*

Under Section C(2)(b), it states,

“A renewal application shall not be accepted after the expiration of a state permit.”

I believe that there should be a grace period of at least 14 calendar days. Also, if you were to let your license lapse, I think the FFL holder should be allowed to reapply on a fast track. I would suggest a the allowance for a temporary permit status in these instances. This way, once an FFL holder has their permit expired, they could submit a request to extend their permit 30-60 calendar days to allow them to fulfill the renewal process.

Under Section C(2)(d), it states,

“A Dealer that timely submits a sufficient renewal application may continue to engage in the business as a Dealer until the Division has acted on the renewal application.”

I would like to receive this acknowledgment in writing, either electronically or via mail.

Under Section D(1)(a), it states,

“The Division will not act upon an incomplete application.”

Will we be notified that it is incomplete? If so, would it be immediate?

Under Section D(1)(c), it states,

“The Division may not extend the deadline to act on a renewal application.”

Is there flexibility here? If so, I would like to refer back to my first comment.