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The Division has received the following comments via the Firearms Dealer Division's Rulemaking email. 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.

Craig Greager
Greager Enterprises

RE: Colorado FFL Required
Received on March 5, 2025

This will put me out of business. I sell guns in a small town of 500 people, and the outrageous fee that Colorado will require is cost prohibitive. Also I must have a second job to survive, because it is such a small community, and the nearest ffl is 3 hours away, and adds cost of travel, risk of accident, and more air pollution. Ridiculous law, and also unconstitutional as the Feds already are doing background checks thru the COLORADO CBI. The same people will be doing the same checks. Nothing more than harassment from our state government. So Colorado is going to the dogs unless our elected representatives get some sunshine on their heads. Do it now. Stop this absolute harassment.

RESPONSE FROM THE DIVISION - April 4, 2025

Thank you for sharing your rulemaking comment. Colorado Revised Statute section 18-12-401.5 requires the state permit, and the Firearms Dealer Division does not have the authority to change those requirements.

Sheila Watson
Colorado Gun Doctor

RE: Firearms dealer license fee
Received on March 5, 2025

Do the owners listed on a FFL license have to be finger printed and take the tests

RESPONSE FROM THE DIVISION - March 6, 2025

Owners are considered a Responsible Person because of the level of control they hold over the sale of firearms; therefore, owners are required to be fingerprinted and take the test. The relevant statutes and rules regarding fingerprinting and training are as follows:

- Colorado Revised Statutes 18-12-406
- Colorado Revised Statutes 18-12-407
- Rule 1-115
- Rule 2-100
- Rule 2-300
- Rule 2-400

For your convenience, please follow these links to access the files:



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[Firearms Dealer Code](#)

[Firearms Dealer Rules](#)

Follow-up question received on March 6, 2025

Will you send out fingerprint cards and the information we need to get it done and where to send it

RESPONSE FROM THE DIVISION - March 6, 2025

The Colorado Bureau of Investigations is responsible for this process. The submission of fingerprint cards to the CBI for purposes of a criminal history check is outlined in statute 18-12-407(3)(b), which only provides for two options for getting fingerprints taken: a local law enforcement agency or "any third-party approved by the Colorado Bureau of Investigation..." The CBI informed the Division that the only two approved third-party fingerprint vendors are IdentoGo and Colorado Fingerprinting.

When available, the Division will post links to approved vendors and specific reporting codes on the website (<https://sbg.colorado.gov/firearms-dealer-division>). Additionally, a message will be broadcast to all who have signed up to receive industry updates. If you have not already done so, please sign up at <https://lp.constantcontactpages.com/si/HEXxzz8>.

Jonathan Melnick
Basalt Firearms, LLC

RE: Basalt Firearms opinion
Received on March 26, 2025

my biggest concern is why would you penalize those law abiding shooters (hunters, clay, trap, farmers, hikers, etc.) ?? you know from years of experience that those Coloradans' never cause any problems and bring billions of dollars to our state?? where is the logic? the people that break the law buy their weapons from black market dealers so this legislation will do no good whatsoever?? the Senator that experienced the untimely death of his young son deserves our utmost respect and condolence. unfortunately he is blaming a profoundly honest culture in Colorado. i suspect that the people that buy their guns and endure legal background checks probably never commit crimes of violence?? please consider the generations of Colorado hunting and sport shooting population and remove the extra 6.5% penalty for buying guns and ammo and show some respect for the people that made Colorado the skiing and hunting capital of America!!

thank you for allowing me to voice my opinion.....

Jim Harris
Jim's Hunting Supplies

RE: Opinion
Received on March 26, 2025

It's a democrat government anti fire arm government overreach and a money grab to do the same thing ATF already does. Control is all they want as well as putting small businesses out of business. A big BS law.



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Jacki McAndrews
P.M. Guns & Supplies

RE: Fingerprint requirements for FFL Licensees
Received on March 28, 2025

My husband and I are the FFL licensees and our business, P.M. Guns & Supplies, is an S-Corporation. We are the corporate officers and managers of the business. We have submitted fingerprints and had extensive background checks conducted by the ATF to obtain our Federal Firearms License and our Class III (SOTA) License. We believe that we have met the fingerprint and criminal background requirements to do business in any State in the country as well as Colorado. We were also issued Colorado Concealed Carry permits by the Larimer County Sheriff's Department and again had fingerprints and background checks completed.

Our employee has a concealed carry permit issued by the Larimer County Sheriff's Department as well. It seems redundant to also submit fingerprints and have another criminal background check for the State license and am requesting that this requirement be waived for FFL Licensees and Colorado Concealed Carry holders. Thank you for your consideration.

RESPONSE FROM THE DIVISION - April 2, 2025

The Division appreciates your perspective; however, the statute requires a fingerprint-based criminal history background check and makes no exceptions for previous background checks associated with other state or federal licensing requirements.

Joseph Morgan
Ridgeline Firearms

RE: Rule 3-110. Required Records and Retention
Received on March 28, 2025

Rule 3-110. Required Records and Retention.
Section B
Subsection 4 b. (8) Purchaser's occupation.

Isn't recording a person occupation an unnecessary overreach? This is not a question on 4473, and while all the other requirements can be sourced and proof provided from a state ID/Drivers License and form 4473 the purchasers employment cannot be obtained without a separate "asking" or proven in any case. I cannot make the connection to why what one does for income has to do with a firearm purchase or ownership if they are lawfully allowed to purchase and own . I also don't believe dealers should be put into this awkward question asking that has nothing to do with what's being purchased. Furthermore since we cannot ask for or provide proof of the purchasers occupation I suspect most people will simply be unemployed at the moment of purchase.

Please consider a change.

RESPONSE FROM THE DIVISION - April 2, 2025

Thank you for your question. The Division understands that requesting the purchaser's occupation is not required on Form 4473. However, the General Assembly included it in the statute and we are required to follow the statute. Should the General Assembly amend this requirement in the future, our rules and form



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will reflect any changes.

Aaron Craigie
Heart Armory

RE: Fingerprints
Received on March 30, 2025

It does not seem appropriate for CBI to only start taking prints 8 days prior to all FFL and employees needing to submit prints. An 8 day window with criminal consequences is not fair or appropriate. CBI needs to start taking them now or the required date needs to be pushed back for a reasonable amount of time for this to be accomplished. 60 days is a minimum but should probably be closer to 90. When entering the code found on google for identago it pulls up marijuana. Why is the code required not included in the email stating fingerprints needs to be done. It feels like the FDD is attempting to make compliance as difficult as possible and promoting a culture of failure not compliance.

RESPONSE FROM THE DIVISION - April 4, 2025

Thank you for your comments. The Division is aware of the short timeline contained in this legislation and is committed to working with industry members who make a good-faith effort to meet those requirements. Colorado Revised Statute 18-12-407, requiring fingerprinting is not effective until July 1, 2025, and CBI cannot begin accepting fingerprints until that date. FDD is waiting on CBI to provide the codes that Identago and Colorado Fingerprinting need. We anticipate receiving the codes in the very near future and will broadcast an industry update as soon as we receive them.

If you have not already done so, please visit our web page to sign up for industry updates at <https://sbg.colorado.gov/firearms-dealer-division>.

David Martinek

RE: Comments on Proposed CCR 214-1
Received on March 29, 2025

I've read nothing in proposed rules exempting the "dealer" (i.e., owner, sole proprietor, etc.) from the training and fingerprinting requirements since those issues are supposedly already complied with in order to obtain the FFL. The rules only require the dealer to insure that his/her employees comply with those requirements. Please clarify.

RESPONSE FROM THE DIVISION - April 2, 2025

Thank you for contacting the Division. There is no exemption for the dealer as the dealer is also a Responsible Person and an Employee. The statute and the rules contain requirements for the "dealer" to comply with training and fingerprinting. The relevant language is found in the statute at 18-12-406 and in Rules 2-300 and 2-400.



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Kathleen Hallgren
Everytown for Gun Safety

RE: Recommendations to help maximize the protective impact of HB 24-1353
Received on March 30, 2025

Everytown for Gun Safety applauds the Colorado legislature and Governor Polis for enacting HB 24-1353, a critical piece of legislation which will ensure proper oversight of firearm dealers and protect Colorado communities. The law will undoubtedly prevent unscrupulous dealers from facilitating illegal firearm sales or engaging in reckless business practices, and ultimately help stem the flow of guns into the illegal market.

HB 24-1353 will also help fill key gaps in federal law regulating gun dealers, as the federal system has historically failed to protect the public with meaningful regulation and oversight of dealers. While the Biden Administration took steps to protect communities by issuing several bold executive actions and life-saving policies, the Trump-Vance Administration has already vowed to abandon that dealer oversight work, making it more important than ever for states like Colorado to establish strong systems of their own.

Everytown has reviewed the Colorado Department of Revenue, Firearm Dealer Division's current set of proposed firearm dealer rules and regulations published on the 2024-2025 Firearms Dealer Rules Working Group website. For consideration at the upcoming Rulemaking Hearing and at this critical moment in implementing the law more broadly, Everytown provides the recommendations below to help maximize the protective impact of the law. We hope the Department considers adopting these recommendations in the forthcoming official rules, or incorporating them into any relevant implementation policies and practices going forward.

Security Requirements

The importance of dealer security cannot be understated— robberies and burglaries from dealers are a significant source of illegally trafficked guns.¹ In 2022, over 17,000 firearms were reported lost or stolen by federally licensed gun dealers nationally, which amounts to over 45 guns per day moving to illegal markets where they can be trafficked and used in crimes.² And in its recent report examining thousands of gun trafficking investigations between 2017 and 2021, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) also found that 17 percent — or 1,452 cases — involved thefts from FFLs.³

ATF has published a guide with information on security measures that retailers can implement to prevent thefts, including physical security and other internal and external loss prevention controls.⁴ But adoption of the practices and procedures in the guide is completely voluntary, and there is no federal law or regulation that requires gun dealers to implement any security measures to safeguard their premises and make themselves less vulnerable to loss or theft.

HB 24-1353 includes important and protective requirements for securing guns, requiring gun dealers to secure all firearms in a manner that prevents unauthorized use except when they are being shown to a customer, repaired, or otherwise worked on. The law specifies that securing a firearm may include keeping the firearm in a locked container including a locked display case, installing a locked device, or activating safety characteristics if the firearm is a personalized firearm.⁵

Proposed Rule 2-500 wisely includes additional security measures: Guns are not considered secured if they are stored loaded with ammunition, and a dealer's business premises must be securely locked outside of normal business hours. The Department should expand the rule a step further to require that guns may not be visible outside of the business premises during non-business hours and to require that business premises be equipped with an alarm and a video surveillance system. Indeed, the ATF guide urges dealers to utilize alarm and video surveillance systems, and the Illinois State Police credit Illinois's video security system requirement, coupled with targeted enforcement of the law, with significant declines in firearm thefts from gun dealers.⁶



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Records and Retention

The retention of business records and records of firearm inventory allows authorities to trace guns recovered from crime scenes, makes it easier for dealers to find and report missing firearms, and enables authorities to uncover malfeasance during inspections.

HB 24-1353 requires dealers to keep a record of each pistol or revolver sold, rented, or exchanged at retail.⁷ Proposed Rule 3-110 requires dealers to retain all books and records necessary to show fully the business transactions of the dealer for a period including the current and three prior tax years. It also requires dealers to keep and maintain an inventory of all firearms stored, displayed, or available for sale, lease, loan, assignment, transfer, consignment, to be given away or received as collateral or sold to repay a loan provided by the dealer for a period of three years.

The Department should extend these time periods, requiring dealers to permanently keep a record of their inventory and transaction records.

Moreover, under federal law, when a dealer goes out of business, it is required to submit all of its business records to the ATF for purposes of facilitating future crime gun traces. But ATF is prohibited from “consolidating or centralizing” these records, ultimately delaying the time in which law enforcement can solve gun crimes. We are also concerned there is a danger in the new Trump Administration that the requirement for out of business records to be sent to ATF could be partially repealed.

The Department should therefore require gun dealers to send all inventory records and completed firearm transactions to the Department when the gun dealer goes out of business or otherwise terminates its operations. Requiring these records to be sent to a state agency will enable authorities to quickly identify firearms retrieved at crime scenes, and will ensure they continue to be available for tracing purposes if changes are made in the existing federal system.

Annual Report:

Collection and publication of detailed data are critical to demonstrating to lawmakers and the public at large that the law is working as intended and having a protective impact on Colorado communities. They are also important in helping to identify gaps in enforcement and areas where implementation can be improved. HB 24-1353 takes a substantial step in this effort, requiring the Department to submit an annual report to the joint budget committee on firearm dealer permitting in the prior state fiscal year and requiring the report to include, *at a minimum*: “the number of permit applications received, granted, and denied; the number of permits revoked and the basis for the revocation; the number of dealer inspections conducted; the amount of fee money collected and deposited into the firearm dealer permit cash fund and the amount of money spent from the fund; and the total amounts spent on permitting costs and inspection costs.”⁸

This data will provide valuable insight into certain elements of the permitting system as well as its fiscal impacts. The Department should commit to making the annual report publicly available, and it should include in the report the outcomes of all inspections as well as the number of disciplinary actions taken each year, broken down by type of action. This will enable the Department to not only demonstrate compliance with the mandates of the law, but also present the quantitative impacts of its lifesaving work. Under the Biden Administration, ATF published much of this data at the federal level, but we can expect backsliding in inspections and publication under the Trump Administration. Publishing this data in Colorado will also enable other states considering implementing dealer licensing systems to look to this state as a successful model for an effective dealer licensing system – a state with strong gun culture that is also a leader in protecting its communities with commonsense firearm regulation.

Notes:

¹ Department of the Treasury, Bureau of Alcohol, Tobacco & Firearms, “Following the Gun: Enforcing



COLORADO
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Federal Laws Against Firearms Traffickers,” June 2000, at xi

² ATF, “Federal Firearms Licensee Theft/Loss Report – 2022,” accessed March 28, 2024,
<https://www.atf.gov/resource-center/federal-firearms-licensee-theftloss-report-2022>

³ ATF, National Firearms Commerce and Trafficking Assessment (NFCTA), Volume III, “Part III: Firearm Trafficking Channels and Methods Used,” April 2024, 2, <https://www.atf.gov/firearms/docs/report/nfcta-volume-iii-part-iii/download> ⁴ <https://www.atf.gov/file/109806/download>

⁵ Codified at Colo. Rev. Stat. § 18-12-406(2)

⁶ Illinois State Police News Release, “Guns Stolen from Firearms Dealers Drops Following Illinois State Police Inspections,” January 23, 2025, <https://isp.illinois.gov/Media/CompletePressRelease/2104>

⁷ Codified at Colo. Rev. Stat. § 18-12-402

⁸ Codified at CRS § 18-12-401.5(12)

RESPONSE FROM THE DIVISION - April 2, 2025

Thank you for sharing your thoughts with the Division.

John Ortner
Caribou Tactical

RE: Proposed CO State license rules
Received on March 28, 2025

As a small business FFL that does this more of a hobby than an actual business requiring me to have a license at \$400 every three years is a ridiculous fee when I already have to pay for a federal firearms license fee and an LLC in the state of Colorado and my taxes based on what I do sell. This is a ridiculous revenue generation of a small businesses in an attempt to get those that can't afford or don't want to offset an additional cost to what few clients we have to close our doors. As somebody who fixes and repairs guns and will occasionally sell one to a client where repairs are either too costly or Not feasible this is a ridiculous notion. If you want a license for firearm dealers, it should be based on volume of those sold of the general public for example 90% of my book were modifications done to an out of state FFL for state compliancy and in the 2 1/2 years I have been an FFL I have sold exactly 5 firearms to the public. This “law” requiring a license needs to be stopped and reevaluated for more of these brain dead Democrats, who don't understand what gun rights are make another grab at it.

RESPONSE FROM THE DIVISION - April 4, 2025

Thank you for your rulemaking comment. Written comments are always accepted and reviewed, and we appreciate all feedback from our industry partners.