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July 10, 2013

Colorado Department of Public Safety
Executive Director James H. Davis
700 Kipling Street, Suite 1000
Denver CO 80215

RE: Additional Technical Guidance on the Interpretation and Application of House Bill 13-1224, Large-Capacity Magazine Ban

Dear Executive Director Davis:

As discussed in my letter to you of May 16 this year, House Bill 13-1224, which regulates the sale, transfer, and possession of "large capacity magazines," was passed during this year's legislative session and became effective July 1, 2013. We continue to review the law and "provide technical guidance on how the law should be interpreted and enforced."

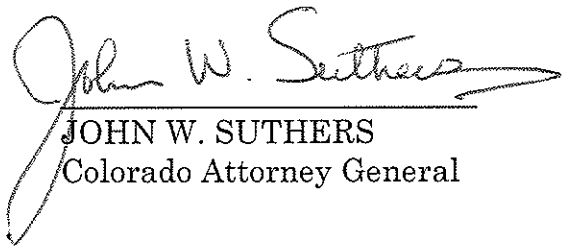
This letter sets forth the additional technical guidance requested today by the Governor.

1) Magazines with a capacity of 15 or fewer rounds are not large capacity magazines as defined in HB 13-1224 whether or not they have removable base plates. The baseplates themselves do not enable the magazines to be expanded, and they serve functions aside from expansion—notably, they allow the magazines to be cleaned and repaired. To actually convert them to higher capacity, one must purchase additional equipment or permanently alter their operation mechanically. Unless so altered, they are not prohibited.

2) The phrase "continuous possession" in HB 1224 shall be afforded its reasonable, every-day interpretation, which is the fact of having or holding property in one's power or the exercise of dominion over property, that is uninterrupted in time, sequence, substance, or extent. "Continuous possession" does not require a

large-capacity magazine owner to maintain literally continuous physical possession of the magazine. "Continuous possession" is only lost by a voluntary relinquishment of dominion and control.

Sincerely,



JOHN W. SUTHERS
Colorado Attorney General

cc: Governor John Hickenlooper
Jack Finlaw, Chief Legal Counsel to Governor Hickenlooper