

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0022.01 Richard Sweetman

SENATE BILL 17-005

SENATE SPONSORSHIP

Holbert,

HOUSE SPONSORSHIP

Neville P.,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING HANDGUN SAFETY TRAINING COURSES FOR SCHOOL**
102 **EMPLOYEES, AND, IN CONNECTION THEREWITH, PERMITTING**
103 **CERTAIN SCHOOL EMPLOYEES TO CARRY CONCEALED**
104 **HANDGUNS IN PUBLIC SCHOOLS.**

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>.)

The bill allows a county sheriff to provide a handgun safety training course to any employee of any public elementary, middle, junior high, or high school who also possesses a permit to carry a concealed

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

handgun. A sheriff who provides a handgun safety training course shall consult with the board of education of each school district in the sheriff's county, and, as may be appropriate, with the state charter school institute, to establish the curriculum for the course. The sheriff and each school district board, and, as may be appropriate, the state charter school institute, shall ensure that the curriculum includes consideration of any existing emergency response framework.

A person who possesses a valid permit to carry a concealed handgun (permittee) who is employed by a school district, charter school, or institute charter school may carry a concealed handgun onto the grounds of any school or charter school of the district or of the institute charter school if:

- ! The permittee has successfully completed a school employee handgun safety course provided by a county sheriff;
- ! The local board of education of the school district (local board) or, in the case of an institute charter school, the state charter school institute, has approved the curriculum of the sheriff's department that provided the handgun safety course;
- ! The permittee has received permission from the local board or, in the case of an institute charter school, from the state charter school institute, to carry a concealed handgun onto school grounds; and
- ! The permittee has notified the administration of the school, charter school, or institute charter school that he or she may be carrying a concealed handgun on school grounds.

Each local board and the state charter school institute may:

- ! Establish a maximum number of employees who may carry a concealed handgun in each school, charter school, and institute charter school; and
- ! Deny permission to carry a concealed handgun to any employee if granting permission to the employee would result in such a limit being exceeded.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 30-10-527 as
3 follows:

4 **30-10-527. Sheriff - school employee handgun safety training**
5 **course - curriculum - fee.** (1) ON AND AFTER THE EFFECTIVE DATE OF

1 THIS SECTION, A SHERIFF MAY PROVIDE A HANDGUN SAFETY TRAINING
2 COURSE TO ANY EMPLOYEE OF ANY PUBLIC ELEMENTARY, MIDDLE, JUNIOR
3 HIGH, OR HIGH SCHOOL WHO ALSO POSSESSES A PERMIT TO CARRY A
4 CONCEALED HANDGUN ISSUED PURSUANT TO SECTION 18-12-206.

5 (2) (a) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING
6 COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL CONSULT
7 WITH EACH LOCAL BOARD OF EDUCATION IN THE SHERIFF'S COUNTY TO
8 ESTABLISH THE CURRICULUM FOR THE COURSE. THE SHERIFF AND EACH
9 SUCH LOCAL BOARD SHALL ENSURE THAT THE CURRICULUM INCLUDES
10 CONSIDERATION OF THE SCHOOL DISTRICT'S SCHOOL RESPONSE
11 FRAMEWORK ESTABLISHED PURSUANT TO SECTION 22-32-109.1 (4).

12 (b) IF THE SHERIFF'S COUNTY INCLUDES ANY INSTITUTE CHARTER
13 SCHOOLS, THE SHERIFF SHALL ALSO CONSULT WITH THE STATE CHARTER
14 SCHOOL INSTITUTE TO ESTABLISH THE CURRICULUM FOR THE COURSE, AND
15 THE SHERIFF AND THE STATE CHARTER SCHOOL INSTITUTE SHALL ENSURE
16 THAT THE CURRICULUM INCLUDES CONSIDERATION OF EACH INSTITUTE
17 CHARTER SCHOOL'S SCHOOL RESPONSE FRAMEWORK ESTABLISHED
18 PURSUANT TO SECTION 22-30.5-503.5.

19 (3) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING
20 COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION MAY REQUIRE
21 EACH COURSE PARTICIPANT TO PAY A FEE TO THE SHERIFF, WHICH FEE MAY
22 NOT EXCEED THE DIRECT AND INDIRECT COSTS INCURRED BY THE SHERIFF
23 IN ADMINISTERING AND PROVIDING THE COURSE.

24 **SECTION 2.** In Colorado Revised Statutes, 18-12-214, **add**
25 (3)(d) as follows:

26 **18-12-214. Authority granted by permit - carrying**
27 **restrictions.** (3) A permit issued pursuant to this part 2 does not

1 authorize a person to carry a concealed handgun onto the real property,
2 or into any improvements erected thereon, of a public elementary, middle,
3 junior high, or high school; except that:

4 (d) A PERMITTEE WHO IS EMPLOYED BY A SCHOOL DISTRICT,
5 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL MAY CARRY A
6 CONCEALED HANDGUN ONTO THE REAL PROPERTY, OR INTO ANY
7 IMPROVEMENT ERECTED THEREON, OF ANY SCHOOL OR CHARTER SCHOOL
8 OF THE DISTRICT OR OF THE INSTITUTE CHARTER SCHOOL IF:

9 (I) THE PERMITTEE HAS SUCCESSFULLY COMPLETED A SCHOOL
10 EMPLOYEE HANDGUN SAFETY COURSE PROVIDED BY A COUNTY SHERIFF
11 PURSUANT TO SECTION 30-10-527;

12 (II) THE LOCAL BOARD OF EDUCATION OF THE SCHOOL DISTRICT,
13 OR, IN THE CASE OF AN INSTITUTE CHARTER SCHOOL, THE STATE CHARTER
14 SCHOOL INSTITUTE, HAS APPROVED THE CURRICULUM OF THE SHERIFF'S
15 DEPARTMENT THAT PROVIDED THE HANDGUN SAFETY COURSE TO THE
16 PERMITTEE, AS DESCRIBED IN SECTION 22-32-109.1 (2)(d) OR 22-30.5-507
17 (13);

18 (III) THE PERMITTEE HAS RECEIVED PERMISSION FROM THE LOCAL
19 BOARD OF EDUCATION OR, IN THE CASE OF AN INSTITUTE CHARTER
20 SCHOOL, FROM THE STATE CHARTER SCHOOL INSTITUTE, TO CARRY A
21 CONCEALED HANDGUN ONTO SCHOOL GROUNDS; AND

22 (IV) THE PERMITTEE HAS NOTIFIED THE ADMINISTRATION OF THE
23 SCHOOL, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL THAT HE OR
24 SHE MAY BE CARRYING A CONCEALED HANDGUN ON SCHOOL GROUNDS AS
25 AUTHORIZED BY THIS SUBSECTION (3)(d).

26 **SECTION 3.** In Colorado Revised Statutes, 22-32-109.1, **add**
27 (2)(d) as follows:

1 **22-32-109.1. Board of education - specific powers and duties**
2 **- safe school plan - conduct and discipline code - safe school reporting**
3 **requirements - school response framework - school resource officers**
4 **- definitions - repeal. (2) Safe school plan.** In order to provide a
5 learning environment that is safe, conducive to the learning process, and
6 free from unnecessary disruption, each school district board of education
7 or institute charter school board for a charter school authorized by the
8 charter school institute shall, following consultation with the school
9 district accountability committee and school accountability committees,
10 parents, teachers, administrators, students, student councils where
11 available, and, where appropriate, the community at large, adopt and
12 implement a safe school plan, or review and revise, as necessary in
13 response to any relevant data collected by the school district, any existing
14 plans or policies already in effect. In addition to the aforementioned
15 parties, each school district board of education, in adopting and
16 implementing its safe school plan, may consult with victims' advocacy
17 organizations, school psychologists, local law enforcement, and
18 community partners. The plan, at a minimum, must include the following:

19 **(d) Concealed handgun permittees - approval of sheriffs'**
20 **curriculums.** (I) FOR THE PURPOSES OF SECTION 18-12-214 (3)(d), THE
21 LOCAL BOARD OF EACH SCHOOL DISTRICT MAY APPROVE THE CURRICULUM
22 OF ANY SHERIFF'S DEPARTMENT THAT OFFERS AN EMPLOYEE HANDGUN
23 SAFETY COURSE PURSUANT TO SECTION 30-10-527. IF A LOCAL BOARD
24 APPROVES SUCH A CURRICULUM, AN EMPLOYEE OF AN ELEMENTARY,
25 MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL OF THE SCHOOL DISTRICT, OR OF
26 ANY CHARTER SCHOOL OF THE SCHOOL DISTRICT WHO COMPLETES THE
27 HANDGUN SAFETY COURSE, MAY REQUEST PERMISSION FROM THE LOCAL

1 BOARD TO CARRY A CONCEALED HANDGUN ONTO THE REAL PROPERTY, OR
2 INTO ANY IMPROVEMENTS ERECTED THEREON, OF ANY PUBLIC
3 ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL OF THE SCHOOL
4 DISTRICT, OR OF ANY CHARTER SCHOOL OF THE SCHOOL DISTRICT.

5 (II) A LOCAL BOARD THAT HAS APPROVED A SHERIFF'S
6 CURRICULUM AS DESCRIBED IN SUBSECTION (2)(d)(I) OF THIS SECTION MAY
7 ALLOW AN EMPLOYEE OF AN ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH
8 SCHOOL OF THE SCHOOL DISTRICT, OR OF ANY CHARTER SCHOOL OF THE
9 SCHOOL DISTRICT, TO CARRY A CONCEALED HANDGUN ON SCHOOL
10 GROUNDS AS LONG AS THE EMPLOYEE POSSESSES A PERMIT ISSUED
11 PURSUANT TO PART 2 OF ARTICLE 12 OF TITLE 18 AND ALL OF THE
12 CONDITIONS DESCRIBED IN SECTION 18-12-214 (3)(d) ARE SATISFIED.
13 HOWEVER, EACH LOCAL BOARD MAY ESTABLISH A MAXIMUM NUMBER OF
14 EMPLOYEES WHO MAY CARRY A CONCEALED HANDGUN IN EACH SCHOOL
15 AND CHARTER SCHOOL OF THE SCHOOL DISTRICT, AND EACH LOCAL BOARD
16 MAY DENY PERMISSION TO ANY EMPLOYEE IF GRANTING PERMISSION TO
17 THE EMPLOYEE WOULD RESULT IN SUCH A LIMIT BEING EXCEEDED.

18 (III) IF A LOCAL BOARD APPROVES A SHERIFF'S CURRICULUM, AS
19 DESCRIBED IN SUBSECTION (2)(d)(I) OF THIS SECTION, AND AUTHORIZES
20 ONE OR MORE EMPLOYEES TO CARRY A CONCEALED HANDGUN IN EACH
21 SCHOOL AND CHARTER SCHOOL OF THE SCHOOL DISTRICT, ANY RECORDS
22 PERSONALLY IDENTIFYING SUCH EMPLOYEES ARE NOT PUBLIC RECORDS
23 FOR THE PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF
24 ARTICLE 72 OF TITLE 24.

25 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-507, **add**
26 (13) as follows:

27 **22-30.5-507. Institute charter school - requirements -**

1 **authority - rules.** (13) (a) FOR THE PURPOSES OF SECTION 18-12-214
2 (3)(d), THE STATE CHARTER SCHOOL INSTITUTE MAY APPROVE THE
3 CURRICULUM OF ANY SHERIFF'S DEPARTMENT THAT OFFERS AN EMPLOYEE
4 HANDGUN SAFETY COURSE PURSUANT TO SECTION 30-10-527. IF THE
5 STATE CHARTER SCHOOL INSTITUTE APPROVES SUCH A CURRICULUM, AN
6 EMPLOYEE OF ANY INSTITUTE CHARTER SCHOOL WHO COMPLETES THE
7 HANDGUN SAFETY COURSE MAY CARRY A CONCEALED HANDGUN ONTO
8 THE REAL PROPERTY, OR INTO ANY IMPROVEMENTS ERECTED THEREON, OF
9 ANY INSTITUTE CHARTER SCHOOL WITHIN THE SHERIFF'S COUNTY.

10 (b) IF THE STATE CHARTER SCHOOL INSTITUTE APPROVES A
11 SHERIFF'S CURRICULUM AS DESCRIBED IN SUBSECTION (13)(a) OF THIS
12 SECTION, THE INSTITUTE MAY ALLOW AN EMPLOYEE OF AN INSTITUTE
13 CHARTER SCHOOL TO CARRY A CONCEALED HANDGUN ON SCHOOL
14 GROUNDS AS LONG AS THE EMPLOYEE POSSESSES A PERMIT ISSUED
15 PURSUANT TO PART 2 OF ARTICLE 12 OF TITLE 18 AND ALL OF THE
16 CONDITIONS DESCRIBED IN SECTION 18-12-214 (3)(d) ARE SATISFIED.
17 HOWEVER, THE STATE CHARTER SCHOOL INSTITUTE MAY ESTABLISH A
18 MAXIMUM NUMBER OF EMPLOYEES WHO MAY CARRY A CONCEALED
19 HANDGUN IN EACH INSTITUTE CHARTER SCHOOL, AND THE STATE CHARTER
20 SCHOOL INSTITUTE MAY DENY PERMISSION TO ANY EMPLOYEE IF
21 GRANTING PERMISSION TO THE EMPLOYEE WOULD RESULT IN SUCH A LIMIT
22 BEING EXCEEDED.

23 (c) IF THE STATE CHARTER SCHOOL INSTITUTE APPROVES A
24 SHERIFF'S CURRICULUM, AS DESCRIBED IN SUBSECTION (13)(a) OF THIS
25 SECTION, AND AUTHORIZES ONE OR MORE EMPLOYEES TO CARRY A
26 CONCEALED HANDGUN ON THE GROUNDS OF AN INSTITUTE CHARTER
27 SCHOOL, ANY RECORDS PERSONALLY IDENTIFYING SUCH EMPLOYEES ARE

1 NOT PUBLIC RECORDS FOR THE PURPOSES OF THE "COLORADO OPEN
2 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

3 **SECTION 5. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2018 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.