



Legislative Council Staff

Research Note

Version: Final

Date: 3/28/2017

Bill Number

Senate Bill 17-008

Sponsors

Senator Hill
Representative Lebsock

Short Title

***Legalize Gravity Knives And
Switchblades***

Research Analyst

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Status

This research note reflects the final version of the bill which was signed by the Governor on March 23, 2017, and becomes effective August 9, 2017, assuming no referendum petition is filed.

Background

Colorado law first prohibited possession of mechanical knives in 1951. This prohibition remained in place until a new law was enacted in 1971. Under the 1971 law, gravity knives and switchblade knives were included in the definition of "illegal weapon," and possession of an illegal weapon was classified as a class 1 misdemeanor. In 1979, the law was amended to include a definition of "dangerous weapons" and create an analogous prohibition on possessing a dangerous weapon, a class 5 felony. Gravity knives and switchblade knives have continued to be classified as "illegal weapons."

Twelve states, including Colorado, prohibit the possession of gravity knives or switchblades. Generally, in these states, possession is a misdemeanor, and there are exemptions from the prohibition for law enforcement or military personnel carrying out their duties. The remaining 38 states do not prohibit possession of gravity knives or switchblades, including six states that have repealed such a prohibition since 2013. However, even where possession is permitted, there may be limitations on use, such as prohibitions on carrying, sale, or transfer. In some states, gravity knives or switchblades are considered deadly or dangerous weapons, so, while not illegal to possess, if such a knife is used in a criminal act, it may result in different criminal charges or increased penalties.

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Senate Action

Senate Judiciary Committee (January 25, 2017). At the hearing, the committee heard testimony in favor of the bill from representatives of the County Sheriffs of Colorado and a private citizen. The committee referred the bill to the Committee of the Whole.

Senate second reading (January 30, 2017). The Senate passed the bill on second reading with no amendments.

Senate third reading (February 1, 2017). The Senate passed the bill on third reading with no amendments.

House Action

House Judiciary Committee (March 2, 2017). At the hearing, the committee heard testimony on the bill from representatives of the County Sheriffs of Colorado, Knife Rights, and the American Knife and Tool Institute. The committee referred the bill to the House Committee of the Whole.

House second reading (March 8, 2017). The House passed the bill on second reading with no amendments.

House third reading (March 9, 2017). The House passed the bill on third reading with no amendments.

Relevant Research

Legislative Council Staff, *Laws Regarding Gravity and Switchblade Knives*, Issue Brief, February, 2017: <https://tinyurl.com/hytcarn>.