

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

PREAMENDED

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

LLS NO. 18-0201.01 Richard Sweetman x4333

SENATE BILL 18-097

SENATE SPONSORSHIP

Neville T., Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg

HOUSE SPONSORSHIP

Van Winkle, Buck, Everett, Humphrey, Leonard, Liston, Lundeen, Neville P., Ransom, Saine, Sandridge, Sias, Williams D.

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING ALLOWING A LAW-ABIDING PERSON TO CARRY A**
102 **CONCEALED HANDGUN WITHOUT A PERMIT, AND, IN**
103 **CONNECTION THEREWITH, PRESERVING CURRENT LAWS**
104 **RESTRICTING THE CARRYING OF CONCEALED HANDGUNS ON**
105 **CERTAIN PROPERTY INCLUDING PUBLIC SCHOOLS AND REDUCING**
106 **AN APPROPRIATION.**

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 person who legally possesses a handgun under

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

state and federal law to carry a concealed handgun in Colorado. A person who carries a concealed handgun under the authority created in the bill has the same carrying rights and is subject to the same limitations that apply to a person who holds a permit to carry a concealed handgun under current law, including the prohibition on the carrying of a concealed handgun on the grounds of a public elementary, middle, junior high, or high school.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-105, **amend**
3 (2) introductory portion and (2)(f); and **add** (2)(g) as follows:

4 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**
5 **possession of weapons.** (2) It ~~shall~~ IS not ~~be~~ an offense if the defendant
6 was:

7 (f) A United States probation officer or a United States pretrial
8 services officer while on duty and serving in the state of Colorado under
9 the authority of rules and regulations promulgated by the judicial
10 conference of the United States; OR

11 (g) A PERSON WHO WAS AT LEAST TWENTY-ONE YEARS OF AGE
12 AND LEGALLY POSSESSED A HANDGUN UNDER THE LAWS OF THIS STATE
13 AND OF THE UNITED STATES AND THE WEAPON INVOLVED IN THE INCIDENT
14 WAS A HANDGUN. THE AUTHORITY TO CARRY A CONCEALED HANDGUN
15 PURSUANT TO THIS SUBSECTION (2)(g) IS EQUAL IN ALL RESPECTS TO THE
16 AUTHORITY GRANTED BY A PERMIT TO CARRY A CONCEALED HANDGUN AS
17 SPECIFIED IN SECTION 18-12-214. A PERSON WHO CARRIES A CONCEALED
18 HANDGUN PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (2)(g) HAS
19 THE SAME RIGHTS AND IS SUBJECT TO THE SAME LIMITATIONS SPECIFIED IN
20 SECTION 18-12-214 AS APPLY TO A PERSON WHO HOLDS A PERMIT TO
21 CARRY A CONCEALED HANDGUN.

22 **SECTION 2.** In Colorado Revised Statutes, 18-12-105.5, **amend**

1 (3) introductory portion and (3)(h); and **add** (3)(i) as follows:

2 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
3 **possession of weapons - school, college, or university grounds.** (3) It
4 ~~shall~~ IS not ~~be~~ an offense under this section if:

5 (h) The person has possession of the weapon for use in an
6 educational program approved by a school which program includes, but
7 shall not be limited to, any course designed for the repair or maintenance
8 of weapons; OR

9 (i) THE PERSON IS AT LEAST TWENTY-ONE YEARS OF AGE AND MAY
10 LEGALLY POSSESS A HANDGUN UNDER THE LAWS OF THIS STATE AND OF
11 THE UNITED STATES AND THE WEAPON INVOLVED IN THE INCIDENT WAS
12 A HANDGUN. THE AUTHORITY TO CARRY A CONCEALED HANDGUN
13 PURSUANT TO THIS SUBSECTION (3)(i) IS EQUAL IN ALL RESPECTS TO THE
14 AUTHORITY GRANTED BY A PERMIT TO CARRY A CONCEALED HANDGUN AS
15 SPECIFIED IN SECTION 18-12-214. A PERSON WHO CARRIES A CONCEALED
16 HANDGUN PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (3)(i) HAS
17 THE SAME RIGHTS AND IS SUBJECT TO THE SAME LIMITATIONS SPECIFIED IN
18 SECTION 18-12-214 AS APPLY TO A PERSON WHO HOLDS A PERMIT TO
19 CARRY A CONCEALED HANDGUN.

20 **SECTION 3. Appropriation - adjustments to 2018 long bill.**

21 (1) To implement this act, appropriations made in the annual general
22 appropriation act for the 2018-19 state fiscal year to the department of
23 public safety for use by the Colorado bureau of investigation are adjusted
24 as follows:

25 (a) The cash funds appropriation from the Colorado bureau of
26 investigation identification unit fund created in section 24-33.5-426,
27 C.R.S., for personal services in the biometric identification and records

1 unit is decreased by \$53,445, and the related FTE is decreased by 1.0
2 FTE;

3 (b) The cash funds appropriation from the Colorado bureau of
4 investigation identification unit fund created in section 24-33.5-426,
5 C.R.S., for operating expenses in the biometric identification and records
6 unit is decreased by \$74,982;

7 (c) The cash funds appropriation from the instant criminal
8 background check cash fund created in section 24-33.5-424 (3.5)(b),
9 C.R.S., for personal services in the state point of contact - national instant
10 criminal background check program is decreased by \$48,330, and the
11 related FTE is decreased by 1.0 FTE; and

12 (d) The cash funds appropriation from the instant criminal
13 background check cash fund created in section 24-33.5-424 (3.5)(b),
14 C.R.S., for operating expenses in the state point of contact - national
15 instant criminal background check program is decreased by \$950.

16 **SECTION 4. Effective date - applicability.** This act takes effect
17 upon passage and applies to offenses committed on or after said date.

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.