



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1040

FINAL FISCAL NOTE

Drafting Number: LLS 20-0809
Prime Sponsors: Rep. Neville

Date: June 29, 2020
Bill Status: Postponed Indefinitely
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Bill Topic: **CONCEALED HANDGUNS ON SCHOOL GROUNDS**

Summary of Fiscal Impact:

| | |
|---|--|
| <input checked="" type="checkbox"/> State Revenue | <input checked="" type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

This bill would have allowed concealed carry permit holders to conceal carry on the property of any elementary, middle, junior high, or high school. This bill would have minimally decreased state and local revenue and expenditures on an ongoing basis.

Appropriation Summary: No appropriation was required.

Fiscal Note Status: This fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill allows an individual with a concealed carry permit to carry a concealed handgun onto the real property of a public elementary, middle, junior high, or high school.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. The following sections outline data on crimes that are comparable to the offense in this bill and discuss assumptions on future rates of criminal convictions under the bill.

Unlawfully carrying or possession of a weapon on school grounds. This bill allows concealed carry permit holders to carry a concealed handgun onto the real property of a public school. Under current law, a permit holder commits a class 6 felony if he or she carries a concealed handgun onto the real property of a public school. From FY 2017-18 to FY 2019-20, there have been 37 offenders convicted and sentenced for this offense. Of the persons sentenced, 33 were male and 4 were female. Demographically, 24 were White, 10 were African American, 2 were Hispanic, and 1 was Asian. During that period, 8 individuals were sentenced to county jail and 17 were sentenced to the Department of Corrections (DOC). It is unknown how many individuals convicted of this crime were convicted solely because they had a concealed carry permit and carried their weapon on school ground.

State Revenue and Expenditures

This analysis assumes that the majority of concealed carry permit owners adhere to current law and therefore, there will be a minimal impact on the class 6 felony case filings. As a result, any reduction in criminal fines and court fees, and the related TABOR impact is expected to be minimal. Similarly, potential workload reductions for the Judicial Department, the Division of Probation, agencies that provide representation to indigent persons, and the Department of Corrections require no change in appropriations. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

Local Government

Similar to the state, it is expected that any workload or cost decreases for district attorneys to prosecute less offenses, or for county jails to imprison less individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

Effective Date

This bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on January 23, 2020.

State and Local Government Contacts

Corrections
Higher Education
Municipalities
Sheriffs

District Attorneys
Information Technology
Public Safety

Education
Judicial
School Districts