

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

INTRODUCED

LLS NO. 26-0801.01 Conrad Imel x2313

HOUSE BILL 26-1212

HOUSE SPONSORSHIP

Flanell and Barron,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY TO CARRY A HANDGUN.**

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 grants a person who is at least 18 years old and permitted to possess a handgun pursuant to federal and state law the same authority to carry a concealed handgun as a person who holds a permit to carry a concealed handgun (permit). A person who carries a concealed handgun without a permit has the same rights, limitations, and authority to carry as a person who holds a permit.

A person may obtain a permit for the purpose of using the permit to carry a concealed handgun in another state that recognizes a Colorado

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

permit. The bill makes 18 years old the minimum age to obtain a permit. Under existing law, Colorado recognizes permits issued in other states that meet certain criteria, including that the holder of the out-of-state permit is at least 21 years old. The bill changes the minimum age for recognition of an out-of-state permit to 18 years old.

Under existing law, a permit is valid for 5 years. The bill makes a permit valid for the life of the permit holder. Existing permits, other than temporary emergency permits, are converted to lifetime permits. Because the bill makes permits valid for the life of the holder, the bill repeals provisions relating to the renewal of permits. The bill repeals the temporary emergency permit to carry a concealed handgun.

The bill repeals local government authority to regulate open or concealed carry of a handgun, including repealing the authority of special districts and the governing boards of institutions of higher education, as applicable.

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)(c) and (2)(f); and **add** (2)(g) and (3) as follows:

4 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**
5 **possession of weapons - concealed carry of a handgun without a**
6 **permit.**

7 (2) It is not an offense pursuant to this section if the defendant
8 was:

9 (c) A person who, at the time of carrying a concealed weapon,
10 held a valid written permit to carry a concealed weapon issued pursuant
11 to section 18-12-105.1, as it existed prior to its repeal, or, if the weapon
12 involved was a handgun, held a valid permit to carry a concealed handgun
13 ~~or a temporary emergency permit~~ issued pursuant to part 2 of this ~~article~~
14 ARTICLE 12; except that it ~~shall be~~ IS an offense ~~under~~ PURSUANT TO this
15 section if the person was carrying a concealed handgun in violation of ~~the~~
16 ~~provisions of~~ section 18-12-214; or

17 (f) A United States probation officer or a United States pretrial

1 services officer while on duty and serving in the state of Colorado under
2 the authority of rules and regulations promulgated by the judicial
3 conference of the United States; OR

4 (g) LAWFULLY CARRYING A CONCEALED HANDGUN PURSUANT TO
5 THE AUTHORITY GRANTED IN SUBSECTION (3) OF THIS SECTION.

6 (3) (a) A PERSON WHO IS AT LEAST EIGHTEEN YEARS OLD AND IS
7 PERMITTED TO POSSESS A HANDGUN PURSUANT TO FEDERAL AND STATE
8 LAW HAS THE SAME AUTHORITY TO CARRY A CONCEALED HANDGUN, AND
9 IS SUBJECT TO THE SAME LIMITATIONS, AS A PERSON WHO HOLDS A PERMIT
10 TO CARRY A CONCEALED HANDGUN, AS SET FORTH IN SECTION 18-12-214.

11 (b) NOTHING IN THIS SUBSECTION (3) PROHIBITS A PERSON FROM
12 APPLYING FOR AND OBTAINING A PERMIT TO CARRY A CONCEALED
13 HANDGUN PURSUANT TO PART 2 OF THIS ARTICLE 12 FOR THE PURPOSE OF
14 USING THE PERMIT TO CARRY A CONCEALED HANDGUN IN A STATE THAT
15 RECOGNIZES THE VALIDITY OF A PERMIT ISSUED IN COLORADO.

16 **SECTION 2.** In Colorado Revised Statutes, 18-12-105.3, **amend**
17 (2)(e) and (4)(a) as follows:

18 **18-12-105.3. Unlawful carrying of a firearm in government**
19 **buildings - penalty - definitions - repeal.**

20 (2) This section does not apply to:

21 (e) A person who holds a valid permit to carry a concealed
22 handgun ~~or a temporary emergency permit~~ issued pursuant to part 2 of
23 this article 12 OR WHO IS LAWFULLY CARRYING A CONCEALED HANDGUN
24 PURSUANT TO THE AUTHORITY GRANTED IN SECTION 18-12-105 (3), AND
25 who is carrying a concealed handgun in the adjacent parking area of a
26 location listed in subsection (1) of this section.

27 (4) (a) This section does not prohibit a local government from

1 enacting an ordinance, regulation, or other law pursuant to section
2 ~~18-12-214~~ or 29-11.7-104 that prohibits a person from carrying a firearm
3 OTHER THAN A HANDGUN in a specified place.

4 **SECTION 3.** In Colorado Revised Statutes, 18-12-105.5, **amend**
5 (3) introductory portion and (3)(d.5) introductory portion as follows:

6 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
7 **possession of weapons - school, college, or university grounds -**
8 **definition.**

9 (3) It is not an offense ~~under~~ PURSUANT TO this section if:

10 (d.5) The weapon involved was a handgun, the person held a valid
11 permit to carry a concealed handgun ~~or a temporary emergency permit~~
12 issued pursuant to part 2 of this article 12 OR THE PERSON IS LAWFULLY
13 CARRYING A CONCEALED HANDGUN PURSUANT TO THE AUTHORITY
14 GRANTED IN SECTION 18-12-105 (3), and the person is carrying the
15 concealed handgun:

16 **SECTION 4.** In Colorado Revised Statutes, 18-12-106, **amend**
17 (1)(d) as follows:

18 **18-12-106. Prohibited use of weapons - definitions.**

19 (1) A person commits a class 1 misdemeanor if:

20 (d) The person ~~has in his or her possession~~ POSSESSES a firearm
21 while the person is under the influence of intoxicating liquor or of a
22 controlled substance, as defined in section 18-18-102 (5). Possession of
23 a permit issued ~~under~~ PURSUANT TO section 18-12-105.1, as it existed
24 prior to its repeal, or possession of a permit ~~or a temporary emergency~~
25 ~~permit~~ issued pursuant to part 2 of this ~~article~~ ARTICLE 12 is ~~no~~ NOT A
26 defense to a violation of this subsection (1).

27 **SECTION 5.** In Colorado Revised Statutes, 18-12-201, **amend**

1 (1)(c), (2)(a), and (2)(b); and **repeal** (1)(d) and (2)(c) as follows:

2 **18-12-201. Legislative declaration.**

3 (1) The general assembly finds that:

4 (c) Inconsistency regarding issuance of permits results in the
5 arbitrary and capricious denial of permits to carry concealed handguns
6 based on the jurisdiction of residence rather than the qualifications for
7 obtaining a permit; AND

8 ~~(d) Officials of local governments are uniquely equipped to make~~
9 ~~determinations as to where concealed handguns can be carried in their~~
10 ~~local jurisdictions; and~~

11 (2) Based on the findings specified in subsection (1) of this
12 section, the general assembly concludes that:

13 (a) The criteria and procedures for issuing permits to carry
14 concealed handguns is a matter of statewide concern; AND

15 (b) It is necessary to provide statewide uniform standards for
16 issuing permits to carry concealed handguns for self-defense. and

17 ~~(c) Whether concealed handguns can be carried in a specific area~~
18 ~~is a matter of state and local concern.~~

19 **SECTION 6.** In Colorado Revised Statutes, 18-12-202, **amend**
20 (6) as follows:

21 **18-12-202. Definitions - repeal.**

22 As used in this part 2, unless the context otherwise requires:

23 (6) "Permit" means a permit to carry a concealed handgun issued
24 pursuant to the provisions of this part 2. ~~except that "permit" does not~~
25 ~~include a temporary emergency permit issued pursuant to section~~
26 ~~18-12-209.~~

27 **SECTION 7.** In Colorado Revised Statutes, 18-12-202.5, **amend**

1 (4)(c) and (5) as follows:

2 **18-12-202.5. Concealed handgun training class - refresher**
3 **class - rules.**

4 (4) (c) A training certificate issued for the completion of a
5 refresher class is ~~valid for renewal of a permit to carry a concealed~~
6 ~~handgun pursuant to section 18-12-211, but is not valid for an initial~~
7 application for a permit to carry a concealed handgun pursuant to section
8 18-12-203 (1)(h)(VI).

9 (5) A verified instructor shall provide a training certificate that
10 includes the printed name and original signature of the class instructor to
11 any student who completes a concealed handgun training class ~~or a~~
12 ~~refresher class~~ so that the student may submit the certificate to a sheriff
13 as part of an initial application for ~~or an application for renewal of,~~ a
14 permit to carry a concealed handgun. The training certificate must clearly
15 indicate ~~whether~~ THAT the student completed a concealed handgun
16 training class ~~or~~ AND NOT a refresher class.

17 **SECTION 8.** In Colorado Revised Statutes, 18-12-202.7, **amend**
18 (2)(a) as follows:

19 **18-12-202.7. Concealed handgun training class - instructor**
20 **verification.**

21 (2) To become a verified instructor, an applicant must:

22 (a) Hold a valid permit to carry a concealed handgun issued
23 pursuant this part 2; ~~that is not a temporary emergency permit issued~~
24 ~~pursuant to section 18-12-209;~~ and

25 **SECTION 9.** In Colorado Revised Statutes, 18-12-203, **amend**
26 (1) introductory portion, (1)(b), and (3)(a) as follows:

27 **18-12-203. Criteria for obtaining a permit.**

1 (1) ~~Beginning May 17, 2003,~~ Except as set forth in this section,
2 a sheriff shall issue a permit to carry a concealed handgun to an applicant
3 who:

4 (b) Is ~~twenty-one~~ EIGHTEEN years of age OLD or older;

5 (3) (a) The sheriff shall deny OR revoke ~~or refuse to renew~~ a
6 permit if an applicant or a permittee fails to meet one of the criteria listed
7 in subsection (1) of this section and may deny OR revoke ~~or refuse to~~
8 ~~renew~~ a permit on the grounds specified in subsection (2) of this section.

9 **SECTION 10.** In Colorado Revised Statutes, 18-12-204, **amend**
10 (1)(b) and (3)(a) introductory portion; **repeal** (2)(b); and **add** (1)(c) as
11 follows:

12 **18-12-204. Permit contents - validity - carrying requirements.**

13 (1) (b) A permit is valid for a ~~period of five years after the date of~~
14 ~~issuance and may be renewed as provided in section 18-12-211~~ THE LIFE
15 OF THE PERMIT HOLDER UNLESS SUSPENDED OR REVOKED. A permit issued
16 pursuant to this part 2 ~~including a temporary emergency permit issued~~
17 ~~pursuant to section 18-12-209,~~ is effective in all areas of the state, except
18 as otherwise provided in section 18-12-214.

19 (c) A PERMIT, OTHER THAN A TEMPORARY EMERGENCY PERMIT,
20 ISSUED PURSUANT TO THIS PART 2 PRIOR TO THE EFFECTIVE DATE OF THIS
21 SUBSECTION (1)(c) THAT IS VALID ON THE EFFECTIVE DATE OF THIS
22 SUBSECTION (1)(c) DOES NOT EXPIRE AND IS VALID FOR THE LIFE OF THE
23 PERMIT HOLDER UNLESS SUSPENDED OR REVOKED. THE ISSUING SHERIFF
24 SHALL ISSUE A PERMITTEE A REPLACEMENT PERMIT WITHOUT AN
25 EXPIRATION DATE UPON REQUEST OF THE PERMITTEE AND RECEIPT OF A
26 FIFTEEN DOLLAR FEE.

27 (2) (b) ~~The provisions of paragraph (a) of this subsection (2) apply~~

1 ~~to temporary emergency permits issued pursuant to section 18-12-209.~~

2 (3) (a) A person who may lawfully possess a handgun may carry
3 a handgun under the following circumstances ~~without obtaining a permit~~
4 and the handgun ~~shall not be~~ IS NOT considered concealed:

5 **SECTION 11.** In Colorado Revised Statutes, 18-12-205, **amend**
6 (5) as follows:

7 **18-12-205. Sheriff - application - procedure - background**
8 **check.**

9 (5) The sheriff in each county or city and county in the state shall
10 establish the amount of the ~~new and renewal permit fees~~ FEE within his
11 ~~or her~~ THE SHERIFF'S jurisdiction. The amount of the ~~new and renewal~~
12 ~~permit fees shall~~ FEE MUST comply with the limits specified in ~~paragraph~~
13 ~~(b) of subsection (2)~~ SUBSECTION (2)(b) of this section ~~and section~~
14 ~~18-12-211 (1), respectively. The fee amounts shall~~ AND MUST reflect the
15 actual direct and indirect costs to the sheriff of processing permit
16 applications ~~and renewal applications~~ pursuant to this part 2.

17 **SECTION 12.** In Colorado Revised Statutes, 18-12-207, **amend**
18 (1) as follows:

19 **18-12-207. Judicial review - permit denial - permit suspension**
20 **- permit revocation.**

21 (1) If a sheriff denies a permit application ~~refuses to renew a~~
22 ~~permit~~, or suspends or revokes a permit, the applicant or permittee may
23 seek judicial review of the sheriff's decision. The applicant or permittee
24 may seek judicial review either in lieu of or subsequent to the sheriff's
25 second review.

26 **SECTION 13.** In Colorado Revised Statutes, 18-12-208, **amend**
27 (1) and (2)(a) as follows:

1 **18-12-208. Colorado bureau of investigation - duties.**

2 (1) Upon receipt of a permit applicant's fingerprints from a sheriff
3 SUBMITTED pursuant to section 18-12-205 (4), ~~or upon a sheriff's request~~
4 ~~pursuant to section 18-12-211 (1)~~; the bureau shall process the full set of
5 fingerprints to obtain any available state criminal justice information or
6 federal information pursuant to section 16-21-103 (5) C.R.S.; and shall
7 report any information received to the sheriff. In addition, within ten days
8 after receiving the fingerprints, the bureau shall forward one set of the
9 fingerprints to the federal bureau of investigation for processing to obtain
10 any available state criminal justice information or federal information.

11 (2) The bureau shall use the fingerprints received pursuant to this
12 part 2 solely for the purposes of:

13 (a) Obtaining information for the issuance ~~or renewal~~ of permits;
14 and

15 **SECTION 14.** In Colorado Revised Statutes, **repeal** 18-12-209
16 as follows:

17 **18-12-209. Issuance by sheriffs of temporary emergency**
18 **permits.**

19 ~~(1) Notwithstanding any provisions of this part 2 to the contrary,~~
20 ~~a sheriff, as provided in this section, may issue a temporary emergency~~
21 ~~permit to carry a concealed handgun to a person whom the sheriff has~~
22 ~~reason to believe may be in immediate danger.~~

23 ~~(2) (a) To receive a temporary emergency permit, a person shall~~
24 ~~submit to the sheriff of the county or city and county in which the person~~
25 ~~resides or in which the circumstances giving rise to the emergency exist~~
26 ~~the items specified in section 18-12-205; except that an applicant for a~~
27 ~~temporary emergency permit need not submit documentary evidence~~

1 demonstrating competence with a handgun as required under section
2 18-12-205 (3)(a), and the applicant shall submit a temporary permit fee
3 not to exceed twenty-five dollars, as set by the sheriff. Upon receipt of the
4 documents and fee, the sheriff shall request that the bureau conduct a
5 criminal history record check of the bureau files and a search of the
6 national instant criminal background check system. The sheriff may issue
7 a temporary emergency permit to the applicant if the sheriff determines
8 the person may be in immediate danger and the criminal history record
9 check shows that the applicant meets the criteria specified in section
10 18-12-203; except that the applicant need not demonstrate competence
11 with a handgun and the applicant may be eighteen years of age or older.

12 (b) (I) A temporary emergency permit issued pursuant to this
13 section is valid for a period of ninety days after the date of issuance. Prior
14 to or within ten days after expiration of a temporary emergency permit,
15 the permittee may apply to the sheriff of the county or city and county in
16 which the person resides or in which the circumstances giving rise to the
17 emergency exist for renewal of the permit. The sheriff may renew a
18 temporary emergency permit once for an additional ninety-day period;
19 except that, if the permittee is younger than twenty-one years of age, the
20 sheriff may renew the temporary emergency permit for subsequent
21 ninety-day periods until the permittee reaches twenty-one years of age.

22 (H) If the sheriff is not the same sheriff who issued the temporary
23 emergency permit to the permittee:

24 (A) The permittee shall submit to the renewing sheriff, in addition
25 to the materials described in section 18-12-205, a legible photocopy of the
26 temporary emergency permit; and

27 (B) The renewing sheriff shall contact the office of the sheriff

1 who issued the temporary emergency permit and confirm that the issuing
2 sheriff has not revoked or suspended the temporary emergency permit.

3 **SECTION 15.** In Colorado Revised Statutes, 18-12-210, **repeal**
4 (3) as follows:

5 **18-12-210. Maintenance of permit - address change - invalidity**
6 **of permit.**

7 (3) ~~The provisions of this section apply to temporary emergency~~
8 ~~permits issued pursuant to section 18-12-209.~~

9 **SECTION 16.** In Colorado Revised Statutes, **repeal** 18-12-211
10 as follows:

11 **18-12-211. Renewal of permits.**

12 (1) (a) ~~Within one hundred twenty days prior to expiration of a~~
13 ~~permit, the permittee may obtain a renewal form from the sheriff of the~~
14 ~~county or city and county in which the permittee resides or from the~~
15 ~~sheriff of the county or city and county in which the permittee maintains~~
16 ~~a secondary residence or owns or leases real property used by the~~
17 ~~permittee in a business and renew the permit by demonstrating~~
18 ~~competence with a handgun, as described in subsection (3) of this section,~~
19 ~~and submitting to the sheriff a completed renewal form; an affidavit~~
20 ~~stating that the permittee remains qualified pursuant to the criteria~~
21 ~~specified in section 18-12-203 (1)(a) to (1)(g); and the required renewal~~
22 ~~fee not to exceed fifty dollars, as set by the sheriff pursuant to section~~
23 ~~18-12-205 (5). The renewal form must meet the requirements specified~~
24 ~~in section 18-12-205 (1) for an application.~~

25 (b) ~~If the sheriff is not the same sheriff who issued the permit to~~
26 ~~the permittee:~~

27 (f) ~~The permittee shall submit to the renewing sheriff, in addition~~

1 to the materials described in paragraph (a) of this subsection (1), a legible
2 photocopy of the permit; and

3 (H) ~~The renewing sheriff shall contact the office of the sheriff~~
4 ~~who issued the permit and confirm that the issuing sheriff has not revoked~~
5 ~~or suspended the permit.~~

6 (c) ~~The sheriff shall verify pursuant to section 18-12-205 (4) that~~
7 ~~the permittee meets the criteria specified in section 18-12-203 (1)(a) to~~
8 ~~(1)(g) and is not a danger as described in section 18-12-203 (2) and shall~~
9 ~~either renew or deny the renewal of the permit in accordance with the~~
10 ~~provisions of section 18-12-206 (1). If the sheriff denies renewal of a~~
11 ~~permit, the permittee may seek a second review of the renewal application~~
12 ~~by the sheriff and may submit additional information for the record. The~~
13 ~~permittee may also seek judicial review as provided in section 18-12-207.~~

14 (2) ~~A permittee who fails to file a renewal form on or before the~~
15 ~~permit expiration date may renew the permit by paying a late fee of~~
16 ~~fifteen dollars in addition to the renewal fee established pursuant to~~
17 ~~subsection (1) of this section. No permit shall be renewed six months or~~
18 ~~more after its expiration date, and the permit shall be deemed to have~~
19 ~~permanently expired. A person whose permit has permanently expired~~
20 ~~may reapply for a permit, but the person shall submit an application for~~
21 ~~a permit and the fee required pursuant to section 18-12-205. A person~~
22 ~~who knowingly and intentionally files false or misleading information or~~
23 ~~deliberately omits material information required under this section is~~
24 ~~subject to criminal prosecution for perjury under section 18-8-503.~~

25 (3) ~~A permittee seeking renewal pursuant to this section may~~
26 ~~demonstrate competence with a handgun by submitting:~~

27 (a) ~~Evidence of demonstrating competence with firearms through~~

1 participation in organized shooting competitions, current military service,
2 or current certification as a peace officer pursuant to article 2.5 of title 16;

3 (b) Evidence that, at the time the application is submitted, the
4 applicant is a verified instructor;

5 (c) Proof of honorable discharge from a branch of the United
6 States armed forces that reflects pistol qualifications obtained within the
7 ten years preceding submittal of the renewal form;

8 (d) A certificate showing retirement from a Colorado law
9 enforcement agency that reflects pistol qualifications obtained within the
10 ten years preceding submittal of the renewal form; or

11 (e) A training certificate that includes the original signature of the
12 class instructor from a concealed handgun training class or a refresher
13 class, described in section 18-12-202.5, obtained within six months prior
14 to submitting a renewal form.

15 **SECTION 17.** In Colorado Revised Statutes, 18-12-212, **amend**
16 (2) as follows:

17 **18-12-212. Exemption.**

18 (2) Notwithstanding any provision of this part 2 to the contrary,
19 a retired peace officer, level I or Ia, as defined in section 18-1-901
20 (3)(I)(I) and (3)(I)(II), as ~~said~~ THE section existed prior to its repeal in
21 2003, within the first five years after retirement may obtain a permit by
22 submitting to the sheriff of the jurisdiction in which the retired peace
23 officer resides a letter signed by the sheriff or chief of police of the
24 jurisdiction by which the peace officer was employed immediately prior
25 to retirement attesting that the retired officer meets the criteria specified
26 in section 18-12-203 (1). A retired peace officer who submits a letter
27 pursuant to this subsection (2) is not subject to the fingerprint or criminal

1 history check requirements specified in this part 2 and is not required to
2 pay the permit application fee. Upon receipt of a letter submitted pursuant
3 to this subsection (2), the sheriff shall issue the permit. ~~A permit issued~~
4 ~~pursuant to this subsection (2) may not be renewed. Upon expiration of~~
5 ~~the permit, the permittee may apply for a new permit as provided in this~~
6 ~~part 2.~~

7 **SECTION 18.** In Colorado Revised Statutes, 18-12-213, **amend**
8 (1) introductory portion and (1)(a) as follows:

9 **18-12-213. Reciprocity.**

10 (1) A permit to carry a concealed handgun or a concealed weapon
11 that is issued by a state that recognizes the validity of permits issued
12 pursuant to this part 2 ~~shall be~~ IS valid in this state in all respects as a
13 permit issued pursuant to this part 2 if the permit is issued to a person
14 who is:

15 (a) ~~Twenty-one~~ EIGHTEEN years ~~of age~~ OLD or older; and

16 **SECTION 19.** In Colorado Revised Statutes, 18-12-214, **amend**
17 (1)(a); and **repeal** (1)(c), (2.5), and (6) as follows:

18 **18-12-214. Authority granted by permit - carrying**
19 **restrictions.**

20 (1) (a) A permit to carry a concealed handgun authorizes the
21 permittee to carry a concealed handgun in all areas of the state, except as
22 specifically limited in this section. A permit does not authorize the
23 permittee to use a handgun in a manner that would violate a provision of
24 state law. A LOCAL GOVERNMENT DOES NOT HAVE THE AUTHORITY TO
25 ADOPT OR ENFORCE AN ORDINANCE OR RESOLUTION THAT CONFLICTS WITH
26 ANY PROVISION OF THIS PART 2.

27 (c) ~~(f) A local government, including a special district, or the~~

1 governing board of an institution of higher education, including the board
2 of directors of the Auraria higher education center, may enact an
3 ordinance, resolution, rule, or other regulation that prohibits a permittee
4 from carrying a concealed handgun in a building or specific area within
5 the local government's or governing board's jurisdiction, or for a special
6 district, in a building or specific area under the direct control or
7 management of the district, including a building or facility managed
8 pursuant to an agreement between the district and a contractor. An
9 ordinance, resolution, or other regulation prohibiting a permittee from
10 carrying a concealed handgun may only impose a civil penalty for a
11 violation and require the person to leave the premises. For a first offense,
12 the ordinance, resolution, or other regulation may not impose a fine that
13 exceeds fifty dollars and may not impose a sentence of incarceration. A
14 person who does not leave the premises when required may be subject to
15 criminal penalties.

16 (H) If a local government or governing board prohibits carrying
17 a concealed handgun in a building or specific area, the local government
18 or governing board shall post signs at the public entrances to the building
19 or specific area informing persons that carrying a concealed handgun is
20 prohibited in the building or specific area. The notice required by this
21 section may be included on a sign describing open carry restrictions
22 posted in accordance with section 29-11.7-104.

23 (2.5) A permit issued pursuant to this part 2 does not authorize a
24 person to carry a concealed handgun into a place where the carrying of
25 concealed handguns is prohibited by a local ordinance, resolution, rule,
26 or other regulation.

27 (6) The provisions of this section apply to temporary emergency

1 ~~permits issued pursuant to section 18-12-209.~~

2 **SECTION 20.** In Colorado Revised Statutes, **amend** 29-11.7-104
3 as follows:

4 **29-11.7-104. Regulation - carrying - posting.**

5 (1) A local government may enact an ordinance, regulation, or
6 other law that prohibits the open carrying of a firearm, OTHER THAN A
7 HANDGUN, in a building or specific area within the local government's
8 jurisdiction. If a local government enacts an ordinance, regulation, or
9 other law that prohibits the open carrying of a firearm, OTHER THAN A
10 HANDGUN, in a building or specific area, the local government shall post
11 signs at the public entrances to the building or specific area informing
12 persons that the open carrying of firearms, OTHER THAN HANDGUNS, is
13 prohibited in the building or specific area.

14 (2) A LOCAL GOVERNMENT DOES NOT HAVE THE AUTHORITY TO
15 ENACT AN ORDINANCE, REGULATION, OR OTHER LAW THAT PROHIBITS THE
16 OPEN CARRYING OF A HANDGUN IN A BUILDING OR SPECIFIC AREA WITHIN
17 THE LOCAL GOVERNMENT'S JURISDICTION.

18 **SECTION 21.** In Colorado Revised Statutes, 25-20.5-1206,
19 **amend** (3) as follows:

20 **25-20.5-1206. Rules - report.**

21 (3) On or before December 31, 2027, and on or before December
22 31 every fifth year thereafter, the office shall issue a report to the general
23 assembly summarizing gun violence prevention measures adopted by
24 local jurisdictions pursuant to article 11.7 of title 29. ~~or section~~
25 ~~18-12-214.~~ The office shall make the report publicly available on its
26 website or, if the office does not have a dedicated website, on a web page
27 of the department's website. Notwithstanding section 24-1-136 (11)(a)(I),

1 the report required pursuant to this subsection (3) continues indefinitely.

2 **SECTION 22. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2026 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.