

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 27, 2024  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB24-131 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike lines 16 through 20.

2 Strike pages 3 through 8.

3 Page 9, strike line 1 and substitute:

4 "SECTION 2. In Colorado Revised Statutes, **add** 18-12-105.3 as  
5 follows:

6 **18-12-105.3. Unlawful carrying of a firearm in government**  
7 **buildings - penalty - definitions.** (1) A PERSON SHALL NOT KNOWINGLY  
8 CARRY A FIREARM, WHETHER LOADED OR NOT LOADED, IN ANY OF THE  
9 FOLLOWING LOCATIONS, INCLUDING THEIR ADJACENT PARKING AREAS:

10 (a) ON THE PROPERTY OF OR WITHIN ANY BUILDING IN WHICH:

11 (I) THE CHAMBERS, GALLERIES, OR OFFICES OF THE GENERAL  
12 ASSEMBLY, OR EITHER HOUSE THEREOF, ARE LOCATED;

13 (II) A LEGISLATIVE HEARING OR MEETING OF THE GENERAL  
14 ASSEMBLY IS BEING CONDUCTED; OR

15 (III) THE OFFICIAL OFFICE OF ANY MEMBER, OFFICER, OR  
16 EMPLOYEE OF THE GENERAL ASSEMBLY IS LOCATED;

17 (b) UNLESS PERMITTED BY A LOCAL GOVERNMENT, AS DESCRIBED  
18 IN SUBSECTION (4)(b) OF THIS SECTION, ON THE PROPERTY OR WITHIN ANY  
19 BUILDING IN WHICH:

20 (I) THE CHAMBERS OR GALLERIES OF A LOCAL GOVERNMENT'S  
21 GOVERNING BODY ARE LOCATED;

22 (II) A MEETING OF A LOCAL GOVERNMENT'S GOVERNING BODY IS  
23 BEING CONDUCTED; OR

24 (III) THE OFFICIAL OFFICE OF ANY ELECTED MEMBER OF A LOCAL  
25 GOVERNMENT'S GOVERNING BODY OR OF THE CHIEF EXECUTIVE OFFICER

1 OF A LOCAL GOVERNMENT IS LOCATED; OR  
2 (c) A COURTHOUSE OR ANY OTHER BUILDING OR PORTION OF A  
3 BUILDING USED FOR COURT PROCEEDINGS.  
4 (2) THIS SECTION DOES NOT APPLY TO:  
5 (a) A PEACE OFFICER CARRYING A FIREARM PURSUANT TO THE  
6 AUTHORITY GRANTED IN SECTION 16-2.5-101 (2);  
7 (b) A MEMBER OF THE UNITED STATES ARMED FORCES OR  
8 COLORADO NATIONAL GUARD WHEN ENGAGED IN THE LAWFUL  
9 DISCHARGE OF THE MEMBER'S OFFICIAL DUTIES;  
10 (c) SECURITY PERSONNEL EMPLOYED OR RETAINED BY AN ENTITY  
11 THAT CONTROLS OR OPERATES A PLACE DESCRIBED IN THIS SECTION WHILE  
12 ENGAGED IN THE SECURITY PERSONNEL'S OFFICIAL DUTIES;  
13 (d) LAW ENFORCEMENT PERSONNEL, DEFENSE COUNSEL  
14 PERSONNEL, AND COURT PERSONNEL CARRYING OR POSSESSING A FIREARM  
15 IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS PART OF THE LAWFUL  
16 AND COMMON PRACTICES OF A LEGAL PROCEEDING; AND  
17 (e) A PERSON WHO HOLDS A VALID PERMIT TO CARRY A  
18 CONCEALED HANDGUN OR A TEMPORARY EMERGENCY PERMIT ISSUED  
19 PURSUANT TO PART 2 OF THIS ARTICLE 12 WHO IS CARRYING A CONCEALED  
20 HANDGUN IN THE ADJACENT PARKING AREA OF A LOCATION LISTED IN  
21 SUBSECTION (1) OF THIS SECTION.  
22 (3) A PERSON COMMITS UNLAWFUL CARRYING OF A FIREARM IN A  
23 GOVERNMENT BUILDING IF THE PERSON VIOLATES SUBSECTION (1) OF THIS  
24 SECTION. UNLAWFUL CARRYING OF A FIREARM IN A GOVERNMENT  
25 BUILDING IS A CLASS 1 MISDEMEANOR.  
26 (4) (a) THIS SECTION DOES NOT PROHIBIT A LOCAL GOVERNMENT  
27 FROM ENACTING AN ORDINANCE, REGULATION, OR OTHER LAW PURSUANT  
28 TO SECTION 18-12-214 OR 29-11.7-104 THAT PROHIBITS A PERSON FROM  
29 CARRYING A FIREARM IN A SPECIFIED PLACE.  
30 (b) A LOCAL GOVERNMENT MAY ENACT AN ORDINANCE,  
31 REGULATION, OR OTHER LAW THAT PERMITS A PERSON TO CARRY A  
32 FIREARM AT PLACE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION.  
33 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
34 REQUIRES:  
35 (a) "GOVERNING BODY" HAS THE SAME MEANING SET FORTH IN  
36 SECTION 29-1-102.  
37 (b) "LOCAL GOVERNMENT" MEANS ANY CITY, COUNTY, CITY AND  
38 COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THIS  
39 STATE, OR ANY DEPARTMENT, AGENCY, OR INSTRUMENTALITY THEREOF.  
40 **SECTION 3.** In Colorado Revised Statutes, 18-12-105.5, **amend**  
41 (1)(a), (1)(b)(II), (3) introductory portion, (3)(d.5), and (3)(h); **repeal**  
42 (3)(d); and **add** (1)(a.5), (3)(i), and (3)(j) as follows:  
43 **18-12-105.5. Unlawfully carrying a weapon - unlawful**

1 **possession of weapons - school, college, or university grounds.**  
2 (1) (a) A person shall not knowingly and unlawfully and without legal  
3 authority carry, bring, or have in the person's possession a deadly weapon  
4 as defined in section 18-1-901 (3)(e) THAT IS NOT A FIREARM in or on the  
5 real estate and all improvements erected thereon of any public or private  
6 elementary, middle, junior high, high, or vocational school or any public  
7 or private college, university, or seminary; except for the purpose of  
8 presenting an authorized public demonstration or exhibition pursuant to  
9 instruction in conjunction with an organized school or class, for the  
10 purpose of carrying out the necessary duties and functions of an employee  
11 of an educational institution that require the use of a deadly weapon THAT  
12 IS NOT A FIREARM, or for the purpose of participation in an authorized  
13 extracurricular activity or on an athletic team.

14 (a.5) A PERSON SHALL NOT KNOWINGLY CARRY A FIREARM, EITHER  
15 OPENLY OR CONCEALED, IN OR ON THE REAL ESTATE AND ALL  
16 IMPROVEMENTS ERECTED THEREON OF ANY PUBLIC OR PRIVATE  
17 PRESCHOOL; PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH,  
18 HIGH, OR VOCATIONAL SCHOOL; OR ANY PUBLIC OR PRIVATE COLLEGE,  
19 UNIVERSITY, OR SEMINARY; EXCEPT FOR THE PURPOSE OF PRESENTING AN  
20 AUTHORIZED PUBLIC DEMONSTRATION OR EXHIBITION PURSUANT TO  
21 INSTRUCTION IN CONJUNCTION WITH AN ORGANIZED SCHOOL OR CLASS,  
22 FOR THE PURPOSE OF CARRYING OUT THE NECESSARY DUTIES AND  
23 FUNCTIONS OF AN EMPLOYEE OF AN EDUCATIONAL INSTITUTION THAT  
24 REQUIRE THE USE OF A FIREARM, OR FOR THE PURPOSE OF PARTICIPATION  
25 IN AN AUTHORIZED EXTRACURRICULAR ACTIVITY OR ON AN ATHLETIC  
26 TEAM.

27 (b) (II) A person who violates ~~subsection (1)(a)~~ SUBSECTION  
28 (1)(a.5) of this section commits a ~~class 5 felony if the weapon involved~~  
29 ~~is a firearm, as defined in section 18-1-901~~ CLASS 1 MISDEMEANOR.

30 (3) It ~~shall not be~~ IS NOT an offense under this section if:

31 (d) ~~The person, at the time of carrying a concealed weapon, held~~  
32 ~~a valid written permit to carry a concealed weapon issued pursuant to~~  
33 ~~section 18-12-105.1, as said section existed prior to its repeal, except that~~  
34 ~~it shall be an offense under this section if the person was carrying a~~  
35 ~~concealed handgun in violation of the provisions of section 18-12-214~~  
36 ~~(3); or~~

37 (d.5) The weapon involved was a handgun, ~~and the person held a~~  
38 ~~valid permit to carry a concealed handgun or a temporary emergency~~  
39 ~~permit issued pursuant to part 2 of this article, except that it shall be an~~  
40 ~~offense under this section if the person was carrying a concealed handgun~~  
41 ~~in violation of the provisions of ARTICLE 12, AND THE PERSON IS~~  
42 CARRYING THE HANDGUN:

43 (I) ON THE REAL PROPERTY, OR INTO ANY IMPROVEMENTS

1 ERECTED THEREON, OF A PUBLIC ELEMENTARY, MIDDLE, JUNIOR HIGH, OR  
2 HIGH SCHOOL IN ACCORDANCE WITH THE AUTHORITY GRANTED PURSUANT  
3 TO section 18-12-214 (3); or

4 (II) IN A PARKING AREA OF A PRESCHOOL OR A PUBLIC OR PRIVATE  
5 COLLEGE, UNIVERSITY, OR SEMINARY; OR

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

10 (i) THE WEAPON INVOLVED IS A FIREARM; THE PERSON CARRYING  
11 THE FIREARM IS EMPLOYED OR RETAINED AS SECURITY PERSONNEL BY A  
12 PRESCHOOL OR A PUBLIC OR PRIVATE COLLEGE, UNIVERSITY, OR  
13 SEMINARY; AND THE PERSON IS CARRYING THE FIREARM WHILE ENGAGED  
14 IN THE PERSON'S OFFICIAL DUTIES AS SECURITY PERSONNEL; OR

15 (j) A PRESCHOOL IS ON THE SAME REAL ESTATE AS ANOTHER  
16 BUILDING OR IMPROVEMENT THAT IS NOT A SCHOOL AND THAT IS OPEN TO  
17 THE PUBLIC AND THE PERSON IS CARRYING A FIREARM ON AN AREA OF  
18 REAL ESTATE OR ANY IMPROVEMENT THEREON THAT IS NOT DESIGNATED  
19 AS A PRESCHOOL.

20 **SECTION 4.** In Colorado Revised Statutes, 1-13-724, **amend**  
21 (1)(a)(III), (1)(b)(I), (3)(a), (3)(b), (3)(c) introductory portion, and  
22 (3)(c)(I) as follows:

23 **1-13-724. Unlawfully carrying a firearm at a polling location**  
24 **or drop box - exception - legislative declaration.** (1) (a) The general  
25 assembly finds and declares that:

26 (III) ~~Openly carried~~ Firearms in or near a polling location or drop  
27 box may intimidate, threaten, or coerce voters, affecting Coloradans'  
28 exercise of their voting rights; and

29 (b) The general assembly further declares that:

30 (I) Regulating ~~openly carried~~ firearms at polling locations and  
31 drop boxes is substantially related to the general assembly's interest in  
32 ensuring all Colorado voters have the right to vote in an environment that  
33 is safe FROM GUN VIOLENCE and free from intimidation;

34 (3) (a) It is unlawful for any person to ~~openly~~ carry a firearm, as  
35 defined in section 18-1-901 (3)(h), within any polling location, or within  
36 one hundred feet of a drop box or any building in which a polling location  
37 is located, as publicly posted by the designated election official, on the  
38 day of any election or during the time when voting is permitted for any  
39 election. The designated election official responsible for any central count  
40 facility, polling location, or drop box involved in that election cycle shall  
41 visibly place a sign notifying persons of the one-hundred-foot no ~~open~~  
42 carry zone for firearms required pursuant to this section.

43 (b) It is unlawful for any person to ~~openly~~ carry a firearm, as

1 defined in section 18-1-901 (3)(h), within a central count facility, or  
2 within one hundred feet of any building in which a central count facility  
3 is located, during any ongoing election administration activity related to  
4 an active election conducted by the designated election official, as  
5 publicly posted by the designated election official.

6 (c) This ~~subsection (1)~~ SUBSECTION (3) does not apply to:

7 (I) A person who ~~openly~~ carries a firearm that the person owns on  
8 the person's private property that is within the one-hundred-foot buffer  
9 zone or while traveling directly between the person's private property and  
10 a place outside the one-hundred-foot buffer zone; or

11 **SECTION 5.** In Colorado Revised Statutes, 18-12-105, **amend**  
12 (1) introductory portion, (1)(c), and (2) introductory portion; and **add**  
13 (2)(b.5) as follows:

14 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**  
15 **possession of weapons.** (1) A person commits a class 1 misdemeanor if  
16 ~~such~~ THE person knowingly and unlawfully:

17 (c) Without legal authority, carries, brings, or has in ~~such~~ THE  
18 person's possession ~~a firearm~~ or any explosive, incendiary, or other  
19 dangerous device on the property of or within any building in which the  
20 chambers, galleries, or offices of the general assembly, or either house  
21 thereof, are located, or in which a legislative hearing or meeting is being  
22 or is to be conducted, or in which the official office of any member,  
23 officer, or employee of the general assembly is located.

24 (2) It ~~shall not be~~ IS NOT an offense PURSUANT TO THIS SECTION  
25 if the defendant was:

26 (b.5) CARRYING A CONCEALED FIREARM AT A SPECIFIC LOCATION  
27 IN VIOLATION OF SECTION 1-13-724, 18-12-105.3, OR 18-12-105.5.

28 **SECTION 6.** In Colorado Revised Statutes, 18-12-214, **amend**  
29 (3.5) as follows:

30 **18-12-214. Authority granted by permit - carrying restrictions**  
31 **- local authority.** (3.5) A permit issued pursuant to this part 2 does not  
32 authorize a person to carry a concealed handgun:

33 (a) Onto the real property, or into any improvements erected  
34 thereon, of a PRESCHOOL OR A public OR PRIVATE college, ~~or~~ university,  
35 ~~if the carrying of concealed handguns is prohibited by the governing~~  
36 ~~board of the college or university~~ OR SEMINARY IN VIOLATION OF SECTION  
37 18-12-105.5;

38 (b) IN A GOVERNMENT BUILDING IN VIOLATION OF SECTION  
39 18-12-105.3;

40 (c) AT A POLLING LOCATION, DROP BOX, OR CENTRAL COUNT  
41 FACILITY, IN VIOLATION OF SECTION 1-13-724."

42 Renumber succeeding sections accordingly.

1 Page 1, strike line 102 and substitute "SPACES RECOGNIZED BY THE  
2 UNITED STATES SUPREME COURT AS PLACES AT WHICH LONGSTANDING  
3 LAWS PROHIBITED CARRYING FIREARMS."

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