

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 16-0006.01 Richard Sweetman x4333

SENATE BILL 16-017

SENATE SPONSORSHIP

Neville T.,

HOUSE SPONSORSHIP

Neville P.,

Senate Committees

State, Veterans, & Military Affairs
Finance
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 SCHOOL GROUND AND**
106 **REDUCING 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://www.leg.state.co.us/billsummaries>.)

The bill allows a person who legally possesses a handgun under

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

SENATE
Amended 2nd Reading
February 22, 2016

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

4 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**
5 **possession of weapons.** (2) It shall 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 CONCEALED HANDGUN. THE AUTHORITY TO CARRY A CONCEALED
15 HANDGUN PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (g) IS
16 EQUAL IN ALL RESPECTS TO THE AUTHORITY GRANTED BY A PERMIT TO
17 CARRY A CONCEALED HANDGUN AS SPECIFIED IN SECTION 18-12-214. A
18 PERSON WHO CARRIES A CONCEALED HANDGUN PURSUANT TO THE
19 PROVISIONS OF THIS PARAGRAPH (g) HAS THE SAME RIGHTS AND IS
20 SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 18-12-214 AS APPLY
21 TO A PERSON WHO HOLDS A PERMIT TO CARRY A CONCEALED HANDGUN.

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

1 (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 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 CONCEALED HANDGUN. THE AUTHORITY TO CARRY A CONCEALED
13 HANDGUN PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (i) IS EQUAL
14 IN ALL RESPECTS TO THE AUTHORITY GRANTED BY A PERMIT TO CARRY A
15 CONCEALED HANDGUN AS SPECIFIED IN SECTION 18-12-214. A PERSON
16 WHO CARRIES A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF
17 THIS PARAGRAPH (i) HAS THE SAME RIGHTS AND IS SUBJECT TO THE
18 LIMITATIONS SPECIFIED IN SECTION 18-12-214 AS APPLY TO A PERSON WHO
19 HOLDS A PERMIT TO CARRY A CONCEALED HANDGUN.

20 **SECTION 3. Appropriation - adjustments to 2016 long bill.**

21 (1) To implement this act, appropriations made in the annual general
22 appropriation act for the 2016-17 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 related to identification is decreased by

1 \$41,832, and the related FTE is decreased by 1.4 FTE;

2 (b) The cash funds appropriation from the Colorado bureau of
3 investigation identification unit fund created in section 24-33.5-426,
4 C.R.S., for operating expenses related to identification is decreased by
5 \$93,020;

6 (c) The cash funds appropriation from the instant criminal
7 background check cash fund created in section 24-33.5-424 (3.5) (b),
8 C.R.S., for personal services related to state point of contact - national
9 instant criminal background check program is decreased by \$31,163; and

10 (d) The cash funds appropriation from the instant criminal
11 background check cash fund created in section 24-33.5-424 (3.5) (b),
12 C.R.S., for operating expenses related to state point of contact - national
13 instant criminal background check program is decreased by \$593.

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

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