



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 21-0565
Prime Sponsors: Rep. Neville

Date: February 23, 2021
Bill Status: House SCMVA
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Bill Topic: CONCEALED HANDGUNS ON SCHOOL GROUNDS

Summary of Fiscal Impact:

- | | |
|---|--|
| <input checked="" type="checkbox"/> State Revenue | <input 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 allows concealed carry permit holders to conceal carry on the property of any elementary, middle, junior high, or high school. This bill will have the following minimal impacts: decrease state revenue and expenditures, decrease local revenue, and both increase and decrease workload for different local governments.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

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 2018-2020, there have been 44 persons convicted and sentenced for this offense. Of the persons convicted, 38 were male, and 6 were female. Demographically, 33 were White, 9 were Black/African American, and 2 were Hispanic. During this period, 15 individuals were sentenced to the Department of Corrections (DOC).

Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue 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 class 6 felony case filings. As a result, any reduction in criminal fines and court fees is expected to be minimal. Similarly, potential reductions in workload and costs are assumed to be minimal for the trial courts, the Division of Probation, and agencies that provide representation to indigent persons in the Judicial Department, and for the Department of Corrections. No change in appropriations is required.

Local Government

Similar to the state, it is expected that any workload or cost decreases for district attorneys to prosecute fewer offenses, or for county jails to imprison fewer individuals under the bill will be minimal. District attorney offices and county jails are funded by counties. In addition, this bill could minimally increase workload for school districts, which will require additional staff to identify who is carrying a gun on school property and who has a permit to do so. Failure to do so could expose schools to liability under the Clare Davis Act.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Corrections
Higher Education
Municipalities
Sheriffs

District Attorneys
Information Technology
Public Safety

Education
Judicial
School Districts