



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

**Drafting Number:** LLS 23-0835  
**Prime Sponsors:** Rep. Soper

**Date:** May 18, 2023  
**Bill Status:** Postponed Indefinitely  
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**Bill Topic:** **CONSTITUTIONAL CONCEALED CARRY OF A HANDGUN**

**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

Conditional upon voter approval, this resolution would have allowed persons to carry a concealed handgun in any part of the state. With voter approval, it would have minimally impacted state revenues and expenditures.

**Appropriation Summary:** No appropriation was required.

**Fiscal Note Status:** The fiscal note reflects the introduced resolution. This resolution was postponed indefinitely by the House State, Civic, Veterans, & Military Affairs Committee on May 1, 2023; therefore, the impacts identified in this analysis do not take effect.

## Summary of Legislation

Under current law, a person must be issued a permit to carry a concealed handgun. These permits are issued according to criteria set in statute, which include state and federal criminal history background checks and required training. This resolution refers a constitutional amendment to voters at the November 2024 statewide election that would allow persons at least 21 years of age and who are permitted to possess a handgun pursuant to federal and state law to carry a concealed handgun in any area of the state without a permit. The legislature may, by law, prohibit the carry of concealed handguns in the following locations:

- a place where the carrying of firearms is prohibited by federal law;
- onto the real property of public schools; and
- a public building with permanent screening equipment and where weapons of any kind are required to be left with security personnel.

## 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 creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

**Prior conviction data and assumptions.** This bill creates a new factual basis for the existing offense of unlawfully carrying a concealed weapon, a class 2 misdemeanor, by no longer requiring a permit. From FY 2019-21 to FY 2021-22, 18 offenders have been sentenced and convicted for this offense. Of the persons convicted, 16 were Male, 1 was Female, and 1 did not have a gender identified. Demographically, 8 were White, 8 were Black/African-American, 1 was Asian, and 1 did not have a race identified. Since firearm charges are often part of a criminal filing with more serious charges, this fiscal note assumes the criminal justice system impacts of this resolution are minimal. Visit [leg.colorado.gov/fiscalnotes](http://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## State Revenue and Expenditures

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures in the Judicial Department and the Department of Public Safety (DPS) as detailed below. These impacts are conditional upon voter approval of the referred measure.

**Judicial Department.** Under the bill, criminal fines and court fees, which are subject to TABOR, may decrease by a minimal amount. Similarly, any decrease in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, are assumed to be minimal and no change in appropriations is required.

**Department of Public Safety.** The bill decreases revenue and expenditures in the DPS related to conducting criminal history background checks to the extent that persons no longer seek a concealed carry permit. Because there are other concealed carry permit uses beyond only carrying a concealed weapon, any change in revenue and expenditures is expected to be minimal and 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. Additionally, sheriff offices may realize a decrease in revenue and related workload from concealed carry permit fees.

## Effective Date

If approved by voters at the 2024 election, this measure takes effect upon proclamation of the Governor, no later than 30 days after the official canvass of the vote is completed.

## State and Local Government Contacts

Counties  
Municipalities  
Special District Association

Higher Education  
Public Safety

Judicial  
Sheriffs