

CHAPTER 205

CRIMINAL LAW AND PROCEDURE

SENATE BILL 96-214

BY SENATORS Tebedo, Ament, Dennis, Hopper, Wham, Hernandez, Perlmutter, L. Powers, and Weddig;
also REPRESENTATIVES Agler, Kerns, Lawrence, Musgrave, and Schwarz.

AN ACT

**CONCERNING THE AUTHORITY OF THE COLORADO BUREAU OF INVESTIGATION TO CONDUCT
CRIMINAL HISTORY INVESTIGATIONS OF PERSONS APPLYING FOR CONCEALED WEAPONS PERMITS,
AND MAKING AN APPROPRIATION FOR THE COSTS OF PROCESSING FINGERPRINT CHECKS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 18-12-105.1 (2), Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

18-12-105.1. Permits for concealed weapons - liability. (2) A sheriff or chief of police shall make an inquiry, INCLUDING A FINGERPRINT CHECK, into the background of an applicant for a permit to carry a concealed weapon to determine if the applicant would present a danger to others or to himself OR HERSELF if ~~he~~ THE APPLICANT is granted a permit. The sheriff or chief of police ~~will~~ SHALL not be liable for any damages ~~which~~ THAT may result from granting a permit, if the sheriff or chief of police, prior to granting a permit, ~~requested~~ REQUESTS a criminal history check of the applicant from the Colorado bureau of investigation, INCLUDING A REQUEST TO PROCESS THE APPLICANT'S FINGERPRINTS. THE COLORADO BUREAU OF INVESTIGATION, UPON REQUEST BY A CHIEF OF POLICE OR SHERIFF, SHALL CONDUCT A CRIMINAL HISTORY CHECK OF AN APPLICANT, INCLUDING BUT NOT LIMITED TO PROCESSING OF FINGERPRINTS, PURSUANT TO THIS SUBSECTION (2). The cost of such check shall be borne by the applicant.

SECTION 2. 24-33.5-412 (1), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-33.5-412. Functions of bureau - legislative review. (1) The bureau has the following authority:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(o) WHEN REQUESTED BY A POLICE CHIEF OR SHERIFF, TO CONDUCT A CRIMINAL HISTORY CHECK OF AN APPLICANT FOR A PERMIT TO CARRY A CONCEALED WEAPON, INCLUDING PROCESSING OF FINGERPRINTS, AS PROVIDED IN SECTION 18-12-105.1 (2), C.R.S.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys to come from fingerprint processing fees paid by persons applying for permits to carry concealed weapons pursuant to section 18-12-105.1, Colorado Revised Statutes, not otherwise appropriated, to the department of public safety for allocation to the Colorado bureau of investigation, for the fiscal year beginning July 1, 1996, the sum of one hundred fifty-one thousand four hundred fifty-five dollars (\$151,455) and 2.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 1996