

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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.*

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.