

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 17-0022.01 Richard Sweetman

SENATE BILL 17-005

SENATE SPONSORSHIP

Holbert,

HOUSE SPONSORSHIP

Neville P.,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING HANDGUN SAFETY TRAINING COURSES FOR SCHOOL**
102 **EMPLOYEES, AND, IN CONNECTION THEREWITH, PERMITTING**
103 **CERTAIN SCHOOL EMPLOYEES TO CARRY CONCEALED**
104 **HANDGUNS IN PUBLIC SCHOOLS.**

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://leg.colorado.gov>.)

The bill allows a county sheriff to provide a handgun safety training course to any employee of any public elementary, middle, junior high, or high school who also possesses a permit to carry a concealed

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 3, 2017

handgun. A sheriff who provides a handgun safety training course shall consult with the board of education of each school district in the sheriff's county, and, as may be appropriate, with the state charter school institute, to establish the curriculum for the course. The sheriff and each school district board, and, as may be appropriate, the state charter school institute, shall ensure that the curriculum includes consideration of any existing emergency response framework.

A person who possesses a valid permit to carry a concealed handgun (permittee) who is employed by a school district, charter school, or institute charter school may carry a concealed handgun onto the grounds of any school or charter school of the district or of the institute charter school if:

- ! The permittee has successfully completed a school employee handgun safety course provided by a county sheriff;
- ! The local board of education of the school district (local board) or, in the case of an institute charter school, the state charter school institute, has approved the curriculum of the sheriff's department that provided the handgun safety course;
- ! The permittee has received permission from the local board or, in the case of an institute charter school, from the state charter school institute, to carry a concealed handgun onto school grounds; and
- ! The permittee has notified the administration of the school, charter school, or institute charter school that he or she may be carrying a concealed handgun on school grounds.

Each local board and the state charter school institute may:

- ! Establish a maximum number of employees who may carry a concealed handgun in each school, charter school, and institute charter school; and
- ! Deny permission to carry a concealed handgun to any employee if granting permission to the employee would result in such a limit being exceeded.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 30-10-527 as
3 follows:

4 **30-10-527. Sheriff - school employee handgun safety training**
5 **course - curriculum - fee - expiration and renewal. (1) ON AND AFTER**

1 THE EFFECTIVE DATE OF THIS SECTION, A SHERIFF MAY PROVIDE A
2 HANDGUN SAFETY TRAINING COURSE TO ANY EMPLOYEE OF ANY PUBLIC
3 ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL WHO ALSO
4 POSSESSES A PERMIT TO CARRY A CONCEALED HANDGUN ISSUED
5 PURSUANT TO SECTION 18-12-206.

6 (2) (a) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING
7 COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL CONSULT
8 WITH EACH LOCAL BOARD OF EDUCATION IN THE SHERIFF'S COUNTY TO
9 ESTABLISH THE CURRICULUM FOR THE COURSE. THE SHERIFF AND EACH
10 SUCH LOCAL BOARD SHALL ENSURE THAT THE CURRICULUM:

11 (I) INCLUDES CONSIDERATION OF THE SCHOOL DISTRICT'S SCHOOL
12 RESPONSE FRAMEWORK ESTABLISHED PURSUANT TO SECTION 22-32-109.1

13 (4); AND

14 (II) SATISFIES INSURABILITY STANDARDS FOR ARMED SCHOOL
15 EMPLOYEES, WHICH STANDARDS ARE ESTABLISHED BY A STATEWIDE
16 ENTITY THAT ADMINISTERS A SELF-INSURANCE POOL FOR SCHOOL DISTRICT
17 EMPLOYEES.

18 (b) IF THE SHERIFF'S COUNTY INCLUDES ANY INSTITUTE CHARTER
19 SCHOOLS, THE SHERIFF SHALL ALSO CONSULT WITH THE STATE CHARTER
20 SCHOOL INSTITUTE TO ESTABLISH THE CURRICULUM FOR THE COURSE, AND
21 THE SHERIFF AND THE STATE CHARTER SCHOOL INSTITUTE SHALL ENSURE
22 THAT THE CURRICULUM INCLUDES CONSIDERATION OF EACH INSTITUTE
23 CHARTER SCHOOL'S SCHOOL RESPONSE FRAMEWORK ESTABLISHED
24 PURSUANT TO SECTION 22-30.5-503.5.

25 (3) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING
26 COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION MAY REQUIRE
27 EACH COURSE PARTICIPANT TO PAY A FEE TO THE SHERIFF, WHICH FEE MAY

1 NOT EXCEED THE DIRECT AND INDIRECT COSTS INCURRED BY THE SHERIFF
2 IN ADMINISTERING AND PROVIDING THE COURSE.

3 (4) (a) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING
4 COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL PROVIDE
5 A CERTIFICATE OF COMPLETION TO EACH PERSON WHO COMPLETES THE
6 COURSE. THE CERTIFICATE, AT A MINIMUM, MUST INDICATE THE PERSON'S
7 NAME, THE SHERIFF'S OFFICE THAT PROVIDED THE COURSE, AND THE
8 EXPIRATION DATE OF THE PERSON'S CERTIFICATE, WHICH DATE IS
9 ESTABLISHED BY THE SHERIFF.

10 (b) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING
11 COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL ESTABLISH
12 A UNIFORM TIME FRAME FOR EXPIRATION AND RENEWAL OF CERTIFICATES
13 OF COMPLETION ISSUED BY THE SHERIFF'S OFFICE. THE SHERIFF SHALL
14 ENSURE THAT BEFORE ANY SUCH CERTIFICATE IS RENEWED FOR ANY
15 PERSON, THE PERSON SATISFIES REQUALIFYING REQUIREMENTS FOR ARMED
16 SCHOOL EMPLOYEES, WHICH STANDARDS ARE ESTABLISHED BY A
17 STATEWIDE ENTITY THAT ADMINISTERS A SELF-INSURANCE POOL FOR
18 SCHOOL DISTRICT EMPLOYEES.

19 **SECTION 2.** In Colorado Revised Statutes, 18-12-214, **add**
20 (3)(d) as follows:

21 **18-12-214. Authority granted by permit - carrying**
22 **restrictions.** (3) A permit issued pursuant to this part 2 does not
23 authorize a person to carry a concealed handgun onto the real property,
24 or into any improvements erected thereon, of a public elementary, middle,
25 junior high, or high school; except that:

26 (d) A PERMITTEE WHO IS EMPLOYED BY A SCHOOL DISTRICT,
27 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL MAY CARRY A

1 CONCEALED HANDGUN ONTO THE REAL PROPERTY, OR INTO ANY
2 IMPROVEMENT ERECTED THEREON, OF ANY SCHOOL OR CHARTER SCHOOL
3 OF THE DISTRICT OR OF THE INSTITUTE CHARTER SCHOOL IF:

4 (I) THE PERMITTEE HAS SUCCESSFULLY COMPLETED A SCHOOL
5 EMPLOYEE HANDGUN SAFETY COURSE PROVIDED BY A COUNTY SHERIFF
6 PURSUANT TO SECTION 30-10-527;

7 (II) THE LOCAL BOARD OF EDUCATION OF THE SCHOOL DISTRICT,
8 OR, IN THE CASE OF AN INSTITUTE CHARTER SCHOOL, THE STATE CHARTER
9 SCHOOL INSTITUTE, HAS APPROVED THE CURRICULUM OF THE SHERIFF'S
10 DEPARTMENT THAT PROVIDED THE HANDGUN SAFETY COURSE TO THE
11 PERMITTEE, AS DESCRIBED IN SECTION 22-32-109.1 (2)(d) OR 22-30.5-507
12 (13);

13 (III) THE PERMITTEE HAS RECEIVED WRITTEN PERMISSION FROM
14 THE LOCAL BOARD OF EDUCATION OR, IN THE CASE OF A CHARTER SCHOOL,
15 THE CHARTER SCHOOL BOARD AND, IF APPLICABLE, FROM THE STATE
16 CHARTER SCHOOL INSTITUTE, TO CARRY A CONCEALED HANDGUN ONTO
17 SCHOOL GROUNDS; AND

18 (IV) THE PERMITTEE HAS NOTIFIED IN WRITING THE
19 ADMINISTRATION OF THE SCHOOL, CHARTER SCHOOL, OR INSTITUTE
20 CHARTER SCHOOL THAT HE OR SHE MAY BE CARRYING A CONCEALED
21 HANDGUN ON SCHOOL GROUNDS AS AUTHORIZED BY THIS SUBSECTION
22 (3)(d).

23 **SECTION 3.** In Colorado Revised Statutes, 22-32-109.1, **add**
24 (2)(d) as follows:

25 **22-32-109.1. Board of education - specific powers and duties**
26 **- safe school plan - conduct and discipline code - safe school reporting**
27 **requirements - school response framework - school resource officers**

1 - **definitions - repeal.** (2) **Safe school plan.** In order to provide a
2 learning environment that is safe, conducive to the learning process, and
3 free from unnecessary disruption, each school district board of education
4 or institute charter school board for a charter school authorized by the
5 charter school institute shall, following consultation with the school
6 district accountability committee and school accountability committees,
7 parents, teachers, administrators, students, student councils where
8 available, and, where appropriate, the community at large, adopt and
9 implement a safe school plan, or review and revise, as necessary in
10 response to any relevant data collected by the school district, any existing
11 plans or policies already in effect. In addition to the aforementioned
12 parties, each school district board of education, in adopting and
13 implementing its safe school plan, may consult with victims' advocacy
14 organizations, school psychologists, local law enforcement, and
15 community partners. The plan, at a minimum, must include the following:

16 (d) **Concealed handgun permittees - approval of sheriffs'**
17 **curriculums.** (I) FOR THE PURPOSES OF SECTION 18-12-214 (3)(d), THE
18 LOCAL BOARD OF EACH SCHOOL DISTRICT MAY APPROVE THE CURRICULUM
19 OF ANY SHERIFF'S DEPARTMENT THAT OFFERS AN EMPLOYEE HANDGUN
20 SAFETY COURSE PURSUANT TO SECTION 30-10-527. IF A LOCAL BOARD
21 APPROVES SUCH A CURRICULUM, AN EMPLOYEE OF AN ELEMENTARY,
22 MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL OF THE SCHOOL DISTRICT, OR OF
23 ANY CHARTER SCHOOL OF THE SCHOOL DISTRICT WHO COMPLETES THE
24 HANDGUN SAFETY COURSE, MAY REQUEST PERMISSION FROM THE LOCAL
25 BOARD AND, IF APPLICABLE, FROM THE CHARTER SCHOOL BOARD TO
26 CARRY A CONCEALED HANDGUN ONTO THE REAL PROPERTY, OR INTO ANY
27 IMPROVEMENTS ERECTED THEREON, OF ANY PUBLIC ELEMENTARY,

1 MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL OF THE SCHOOL DISTRICT, OR OF
2 ANY CHARTER SCHOOL OF THE SCHOOL DISTRICT.

3 (II) A LOCAL BOARD THAT HAS APPROVED A SHERIFF'S
4 CURRICULUM AS DESCRIBED IN SUBSECTION (2)(d)(I) OF THIS SECTION MAY
5 ALLOW AN EMPLOYEE OF AN ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH
6 SCHOOL OF THE SCHOOL DISTRICT, OR, IF PERMISSION IS GRANTED BY THE
7 CHARTER SCHOOL BOARD, OF ANY CHARTER SCHOOL OF THE SCHOOL
8 DISTRICT, TO CARRY A CONCEALED HANDGUN ON SCHOOL GROUNDS AS
9 LONG AS THE EMPLOYEE POSSESSES A PERMIT ISSUED PURSUANT TO PART
10 2 OF ARTICLE 12 OF TITLE 18 AND ALL OF THE CONDITIONS DESCRIBED IN
11 SECTION 18-12-214 (3)(d) ARE SATISFIED. HOWEVER, EACH LOCAL BOARD
12 ANDEACHCHARTERSCHOOLBOARD MAY ESTABLISH A MAXIMUM NUMBER
13 OF EMPLOYEES WHO MAY CARRY A CONCEALED HANDGUN IN EACH
14 SCHOOL AND CHARTER SCHOOL OF THE SCHOOL DISTRICT, AND EACH
15 LOCAL BOARD ANDEACHCHARTERSCHOOLBOARD MAY DENY PERMISSION
16 TO ANY EMPLOYEE IF GRANTING PERMISSION TO THE EMPLOYEE WOULD
17 RESULT IN SUCH A LIMIT BEING EXCEEDED.

18 (III) IF A LOCAL BOARD APPROVES A SHERIFF'S CURRICULUM, AS
19 DESCRIBED IN SUBSECTION (2)(d)(I) OF THIS SECTION, AND AUTHORIZES
20 ONE OR MORE EMPLOYEES TO CARRY A CONCEALED HANDGUN IN EACH
21 SCHOOL AND CHARTER SCHOOL OF THE SCHOOL DISTRICT, ANY RECORDS
22 PERSONALLY IDENTIFYING SUCH EMPLOYEES ARE NOT PUBLIC RECORDS
23 FOR THE PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF
24 ARTICLE 72 OF TITLE 24.

25 SECTION 4. In Colorado Revised Statutes, 22-30.5-507, add
26 (13) as follows:

27 22-30.5-507. Institute charter school - requirements -

1 **authority - rules.** (13) (a) FOR THE PURPOSES OF SECTION 18-12-214
2 (3)(d), THE STATE CHARTER SCHOOL INSTITUTE MAY APPROVE THE
3 CURRICULUM OF ANY SHERIFF'S DEPARTMENT THAT OFFERS AN EMPLOYEE
4 HANDGUN SAFETY COURSE PURSUANT TO SECTION 30-10-527. IF THE
5 STATE CHARTER SCHOOL INSTITUTE APPROVES SUCH A CURRICULUM, AN
6 EMPLOYEE OF ANY INSTITUTE CHARTER SCHOOL WHO COMPLETES THE
7 HANDGUN SAFETY COURSE, IF PERMISSION IS GRANTED BY THE INSTITUTE
8 CHARTER SCHOOL BOARD, MAY CARRY A CONCEALED HANDGUN ONTO THE
9 REAL PROPERTY, OR INTO ANY IMPROVEMENTS ERECTED THEREON, OF ANY
10 INSTITUTE CHARTER SCHOOL WITHIN THE SHERIFF'S COUNTY.

11 (b) IF THE STATE CHARTER SCHOOL INSTITUTE APPROVES A
12 SHERIFF'S CURRICULUM AS DESCRIBED IN SUBSECTION (13)(a) OF THIS
13 SECTION, AND IF PERMISSION IS GRANTED BY THE INSTITUTE CHARTER
14 SCHOOL BOARD, THE INSTITUTE MAY ALLOW AN EMPLOYEE OF AN
15 INSTITUTE CHARTER SCHOOL TO CARRY A CONCEALED HANDGUN ON
16 SCHOOL GROUNDS AS LONG AS THE EMPLOYEE POSSESSES A PERMIT ISSUED
17 PURSUANT TO PART 2 OF ARTICLE 12 OF TITLE 18 AND ALL OF THE
18 CONDITIONS DESCRIBED IN SECTION 18-12-214 (3)(d) ARE SATISFIED.
19 HOWEVER, THE STATE CHARTER SCHOOL INSTITUTE ANDEACHINSTITUTE
20 CHARTER SCHOOL BOARD MAY ESTABLISH A MAXIMUM NUMBER OF
21 EMPLOYEES WHO MAY CARRY A CONCEALED HANDGUN IN EACH INSTITUTE
22 CHARTER SCHOOL, AND THE STATE CHARTER SCHOOL INSTITUTE ANDEACH
23 INSTITUTE CHARTER SCHOOL BOARD MAY DENY PERMISSION TO ANY
24 EMPLOYEE IF GRANTING PERMISSION TO THE EMPLOYEE WOULD RESULT IN
25 SUCH A LIMIT BEING EXCEEDED.

26 (c) IF THE STATE CHARTER SCHOOL INSTITUTE APPROVES A
27 SHERIFF'S CURRICULUM, AS DESCRIBED IN SUBSECTION (13)(a) OF THIS

1 SECTION, AND AUTHORIZES ONE OR MORE EMPLOYEES TO CARRY A
2 CONCEALED HANDGUN ON THE GROUNDS OF AN INSTITUTE CHARTER
3 SCHOOL, ANY RECORDS PERSONALLY IDENTIFYING SUCH EMPLOYEES ARE
4 NOT PUBLIC RECORDS FOR THE PURPOSES OF THE "COLORADO OPEN
5 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

6 **SECTION 5. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2018 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.