

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0629.01 Richard Sweetman x4333

HOUSE BILL 15-1127

HOUSE SPONSORSHIP

Klingenschmitt, Becker J., Brown, Dore, Joshi, Lebsock, Lundeen, Navarro, Ransom, Tate, Thurlow, Van Winkle, Vigil

SENATE SPONSORSHIP

Garcia, Jahn, Lambert, Lundberg

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REDUCING CIVIL LIABILITY FOR BUSINESSES THAT**
102 **PERMIT THE CARRYING OF CONCEALED HANDGUNS.**

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>.)

An owner or operator of a place of business that makes its premises available to the public is not liable for damages in any civil action that are alleged to have occurred as a result of the place of business adopting a policy that allows the carrying of a concealed handgun by a person who possesses a permit to do so.

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.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds that:

4 (a) Many businesses in the state prohibit the carrying of handguns
5 on their premises, regardless of whether a person possesses a valid permit
6 to carry a concealed handgun;

7 (b) Such policies prevent law-abiding people from being able to
8 defend themselves and others in the event of a random assault or other act
9 of violence; and

10 (c) Although such policies are permissible under current law, with
11 this act the general assembly wishes to create an incentive for businesses
12 to allow responsible concealed handgun permittees to carry concealed
13 handguns on their premises, so as to create the potential for an armed
14 response to a random assault or other act of violence, which armed
15 response may reduce or prevent the infliction of death or serious injuries
16 upon innocent victims.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 13-21-128 as
18 follows:

19 **13-21-128. Immunity from civil liability - places of business**
20 **that permit the carrying of firearms.** (1) AN OWNER OR OPERATOR OF
21 A PLACE OF BUSINESS THAT MAKES ITS PREMISES AVAILABLE TO THE
22 PUBLIC IS NOT LIABLE FOR DAMAGES IN ANY CIVIL ACTION THAT ARE
23 ALLEGED TO HAVE OCCURRED AS A RESULT OF THE PLACE OF BUSINESS
24 ADOPTING A POLICY THAT ALLOWS THE CARRYING OF A CONCEALED
25 HANDGUN BY A PERSON WHO POSSESSES A PERMIT ISSUED PURSUANT TO
26 SECTION 18-12-206, C.R.S., ON THE PREMISES OF THE PLACE OF BUSINESS.

1 (2) THE IMMUNITY DESCRIBED IN SUBSECTION (1) OF THIS SECTION
2 FOR OWNERS AND OPERATORS OF CERTAIN PLACES OF BUSINESS DOES NOT
3 AFFECT THE LIABILITY OF ANY OTHER OWNER OR OPERATOR OF A PLACE OF
4 BUSINESS OR DIMINISH ANY RIGHTS THAT MAY BE AFFORDED TO SUCH AN
5 OWNER OR OPERATOR UNDER EXISTING LAW.

6 **SECTION 3. 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 5, 2015, if adjournment sine die is on May 6, 2015); 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 2016 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.