

First Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 01-0110.01 Julie Pelegrin

SENATE BILL 01-083

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SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

(None)

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Senate Committees

Judiciary

House Committees

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A BILL FOR AN ACT

101      **CONCERNING PERMITS TO CARRY CONCEALED HANDGUNS, AND, IN**  
102            **CONNECTION THEREWITH, IDENTIFYING THE CARRYING OF**  
103            **CONCEALED HANDGUNS AS AN ISSUE OF STATEWIDE INTEREST,**  
104            **CREATING STATEWIDE STANDARDS FOR ISSUANCE OF PERMITS TO**  
105            **CARRY CONCEALED HANDGUNS, AND MAKING AN APPROPRIATION**  
106            **THEREFOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Authorization for permits.** Specifies that the issuance of permits to carry concealed handguns is a matter of statewide concern. Assigns

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.*

responsibility for issuing the permits to county sheriffs and the official having the duties of a sheriff in any city and county.

**Qualifications to receive permits.** Specifies the qualifications for receiving a permit, including:

- Residency;
- Age;
- Criminal history;
- Whether the applicant is the subject of a restraining order or an emergency protection order;
- Whether the applicant uses controlled substances or alcoholic beverages illegally or excessively;
- Mental health;
- Competence with a handgun;
- Whether the sheriff has grounds to believe the applicant would be dangerous to himself or herself or to others.

**Use of permits.** Specifies the contents of the permit and how the permit may be used. Identifies conditions under which a handgun is not considered concealed.

**Submittal of applications.** Specifies the documents, including an application, a permit fee, and, in some circumstances, a photograph, that an applicant must submit to a sheriff to apply for a concealed handgun permit. Instructs the sheriff to witness the applicant's signature on the permit application, verify the applicant's identity, take two full sets of the applicant's fingerprints, which must be sent to the Colorado Bureau of Investigation ("CBI"), and determine whether the applicant meets the requirements for obtaining a permit. Exempts certain persons from the background check. Specifies the procedures for denying a permit, including judicial review of the denial. Instructs the sheriff to notify the CBI of persons receiving permits. Directs the sheriff to establish the amount of the new and renewal permit fees based on the actual costs of issuing and renewing the permits, and sets caps on the fee amounts.

**Duties of CBI.** Requires the CBI to send one set of fingerprints to the federal bureau of investigation for processing and to process the other set of fingerprints. Requires the CBI to maintain a listing of valid permit holders that is available only to law enforcement agencies.

**Emergency permits.** Establishes procedures for sheriffs to issue emergency permits to any person who is in immediate danger.

**Maintaining and renewing permits.** Specifies conditions under which a permit may become invalid or may be suspended. Establishes procedures for renewing a permit, including the documents and fee to be filed.

**Exemptions.** Exempts peace officers, level I and level Ia, and comparable federal officers from the requirement to obtain a permit. Exempts peace officers, level II, while on duty, from the requirement to obtain a permit. Exempts law enforcement officers from other states from

the requirement to obtain a permit so long as the officer's state would exempt Colorado law enforcement officers. Exempts certain retired peace officers.

**Reciprocity.** Recognizes as valid in this state any permit issued by another state that recognizes the validity of Colorado permits.

**Carrying restrictions.** Specifies that a permit does not authorize a permittee to carry a concealed handgun in areas where carrying is prohibited by federal law, on government grounds, on school grounds, or in establishments where alcohol is served.

**Immunity.** Grants civil immunity to the CBI, local law enforcement agencies, and employees of said entities for the good faith implementation of the act. Grants civil immunity in suits for damages arising from issuance or denial of a permit to persons who provide information concerning an applicant.

**Existing permits.** Provides that permits issued prior to July 1, 2001, shall expire on June 30, 2002, or the date specified in the permit, whichever occurs first. Specifies procedures for renewing the permits.

Makes conforming amendments.

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

2 **SECTION 1.** Article 12 of title 18, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 2**

5 **PERMITS TO CARRY CONCEALED HANDGUNS**

6 **18-12-201. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
7 FINDS THAT:

8 (a) THERE EXISTS A WIDESPREAD INCONSISTENCY AMONG  
9 JURISDICTIONS WITHIN THE STATE WITH REGARD TO THE ISSUANCE OF  
10 PERMITS TO CARRY CONCEALED HANDGUNS;

11 (b) TO SOME DEGREE, THIS INCONSISTENCY AMONG JURISDICTIONS  
12 ARISES FROM INCONSISTENCY WITH REGARD TO THE CRITERIA FOR  
13 ISSUANCE OF PERMITS TO CARRY CONCEALED HANDGUNS;

14 (c) THIS INCONSISTENCY TOO OFTEN RESULTS IN THE ARBITRARY  
15 AND CAPRICIOUS DENIAL OF PERMITS TO CARRY CONCEALED HANDGUNS

1       BASED ON THE JURISDICTION OF RESIDENCE RATHER THAN THE  
2       QUALIFICATIONS FOR OBTAINING A PERMIT; AND

3               (d) THE CRITERIA AND PROCEDURES FOR THE ISSUANCE OF PERMITS  
4       TO CARRY CONCEALED HANDGUNS SHOULD BE CONSISTENT THROUGHOUT  
5       THE STATE TO ENSURE THE CONSISTENT IMPLEMENTATION OF STATE LAW.

6               (2) BASED ON THE FINDINGS SPECIFIED IN SUBSECTION (1) OF THIS  
7       SECTION, THE GENERAL ASSEMBLY HEREBY CONCLUDES THAT:

8               (a) THE ISSUANCE OF PERMITS TO CARRY CONCEALED HANDGUNS  
9       IS A MATTER OF STATEWIDE CONCERN;

10              (b) IT IS NECESSARY TO PROVIDE STATEWIDE UNIFORM STANDARDS  
11       FOR ISSUING PERMITS TO CARRY CONCEALED HANDGUNS FOR  
12       SELF-DEFENSE; AND

13              (c) IT IS NECESSARY THAT THE STATE OCCUPY THE FIELD OF  
14       REGULATION OF THE BEARING OF CONCEALED HANDGUNS FOR  
15       SELF-DEFENSE TO ENSURE THAT NO HONEST, LAW-ABIDING PERSON WHO  
16       QUALIFIES FOR A PERMIT UNDER THE PROVISIONS OF THIS PART 2 IS  
17       SUBJECTIVELY OR ARBITRARILY DENIED THE ABILITY TO CARRY A  
18       CONCEALED HANDGUN.

19              (3) IN ACCORDANCE WITH THE FINDINGS AND CONCLUSIONS  
20       SPECIFIED IN SUBSECTIONS (1) AND (2) OF THIS SECTION, THE GENERAL  
21       ASSEMBLY HEREBY INSTRUCTS EACH SHERIFF TO IMPLEMENT AND  
22       ADMINISTER THE PROVISIONS OF THIS PART 2. THE GENERAL ASSEMBLY  
23       DOES NOT DELEGATE TO THE SHERIFFS THE AUTHORITY TO REGULATE OR  
24       RESTRICT THE ISSUING OF PERMITS PROVIDED FOR IN THIS PART 2 BEYOND  
25       THE PROVISIONS OF THIS PART 2. ANY ACTION OR RULE THAT ENCUMBERS  
26       THE PERMIT PROCESS BY PLACING BURDENS ON THE APPLICANT BEYOND  
27       THOSE SWORN STATEMENTS AND SPECIFIED DOCUMENTS DETAILED IN THIS

1 PART 2 OR THAT CREATES RESTRICTIONS BEYOND THOSE SPECIFIED IN THIS  
2 PART 2 IS IN CONFLICT WITH THE INTENT OF THIS PART 2 AND IS PROHIBITED.

3 **18-12-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "BUREAU" MEANS THE COLORADO BUREAU OF INVESTIGATION  
6 WITHIN THE DEPARTMENT OF PUBLIC SAFETY.

7 (2) "DIRECTOR" MEANS THE DIRECTOR OF THE COLORADO BUREAU  
8 OF INVESTIGATION.

9 (3) "HANDGUN" MEANS A HANDGUN AS DEFINED IN SECTION  
10 18-12-101 (1) (e.5); EXCEPT THAT THE TERM DOES NOT INCLUDE A  
11 MACHINE GUN AS DEFINED IN SECTION 18-12-101 (1) (g).

12 (4) "HANDGUN TRAINING CLASS" MEANS ANY HANDGUN SAFETY OR  
13 TRAINING CLASS OR COURSE THAT:

14 (a) IS OFFERED BY A LAW ENFORCEMENT AGENCY OR BY A JUNIOR  
15 COLLEGE, COLLEGE, OR UNIVERSITY OR BY A PRIVATE OR PUBLIC  
16 INSTITUTION, ORGANIZATION, OR HANDGUN TRAINING SCHOOL; AND

17 (b) USES INSTRUCTORS OR CURRICULUM CERTIFIED BY THE  
18 NATIONAL RIFLE ASSOCIATION OR BY THE PEACE OFFICERS STANDARDS AND  
19 TRAINING BOARD; AND

20 (c) INCLUDES TRAINING IN THE SAFE HANDLING AND STORAGE OF  
21 HANDGUNS, HANDGUN CARE AND MAINTENANCE, AND THE LAWFUL USE OF  
22 DEADLY PHYSICAL FORCE.

23 (5) "LAWFUL USE OF DEADLY PHYSICAL FORCE" MEANS THE USE OF  
24 DEADLY PHYSICAL FORCE, AS THAT TERM IS DEFINED IN SECTION 18-1-901  
25 (3) (d), BY PERSONS USING HANDGUNS IN CIRCUMSTANCES UNDER WHICH  
26 FORCE IS JUSTIFIED PURSUANT TO THE PROVISIONS OF PART 7 OF ARTICLE  
27 1 OF THIS TITLE.

1 (6) "PERMIT" MEANS A PERMIT TO CARRY A CONCEALED HANDGUN  
2 ISSUED PURSUANT TO THE PROVISIONS OF THIS PART 2; EXCEPT THAT  
3 "PERMIT" DOES NOT INCLUDE A TEMPORARY EMERGENCY PERMIT ISSUED  
4 PURSUANT TO SECTION 18-12-208.

5 (7) "SHERIFF" MEANS THE SHERIFF OF A COUNTY, OR HIS OR HER  
6 DESIGNEE, OR THE OFFICIAL WHO HAS THE DUTIES OF A SHERIFF IN A CITY  
7 AND COUNTY, OR HIS OR HER DESIGNEE.

8 (8) "TRAINING CERTIFICATE" MEANS A CERTIFICATE, AFFIDAVIT, OR  
9 OTHER DOCUMENT ISSUED BY THE INSTRUCTOR, SCHOOL, CLUB, OR  
10 ORGANIZATION THAT CONDUCTS A HANDGUN TRAINING CLASS THAT  
11 EVIDENCES AN APPLICANT'S SUCCESSFUL COMPLETION OF THE CLASS  
12 REQUIREMENTS.

13 **18-12-203. Criteria for obtaining a permit.** (1) EFFECTIVE JULY  
14 1, 2001, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A SHERIFF  
15 SHALL ISSUE A PERMIT TO CARRY A CONCEALED HANDGUN TO ANY  
16 APPLICANT WHO:

17 (a) IS A LEGAL RESIDENT OF THE STATE OF COLORADO. FOR  
18 PURPOSES OF THIS PART 2, ANY PERSON WHO IS A MEMBER OF THE ARMED  
19 FORCES AND IS STATIONED AT A MILITARY INSTALLATION IN THIS STATE,  
20 AND ANY MEMBER OF SUCH PERSON'S IMMEDIATE FAMILY, SHALL BE  
21 DEEMED TO BE A LEGAL RESIDENT OF THE STATE OF COLORADO.

22 (b) IS TWENTY-ONE YEARS OF AGE OR OLDER;

23 (c) IS NOT INELIGIBLE TO POSSESS A FIREARM PURSUANT TO  
24 SECTION 18-12-108 OR ANY FEDERAL LAW;

25 (d) HAS NOT BEEN PREVIOUSLY CONVICTED OF A FELONY UNDER  
26 THE LAWS OF THIS STATE, ANY OTHER STATE, OR THE UNITED STATES AND  
27 DOES NOT HAVE ANY UNRESOLVED FELONY CHARGES PENDING UNDER THE

1 LAWS OF THIS STATE, ANY OTHER STATE, OR THE UNITED STATES;

2 (e) HAS NOT BEEN CONVICTED OF PERJURY UNDER SECTION  
3 18-8-503, IN RELATION TO INFORMATION PROVIDED OR DELIBERATELY  
4 OMITTED ON A PERMIT APPLICATION SUBMITTED PURSUANT TO THIS PART  
5 2;

6 (f) HAS NOT BEEN PREVIOUSLY CONVICTED OF THIRD DEGREE  
7 ASSAULT AS DESCRIBED IN SECTION 18-3-204, MISDEMEANOR UNLAWFUL  
8 SEXUAL CONTACT AS DESCRIBED IN SECTION 18-3-404, MISDEMEANOR  
9 CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401, OR ANY MUNICIPAL  
10 ORDINANCE OR LAW OF ANY OTHER STATE OR THE UNITED STATES THAT  
11 INCLUDES SIMILAR ELEMENTS, WHERE THE OFFENSE INVOLVED DOMESTIC  
12 VIOLENCE AS DEFINED IN SECTION 18-6-800.3(1), AND DOES NOT HAVE ANY  
13 SUCH UNRESOLVED CHARGES PENDING UNDER THE LAWS OF THIS STATE,  
14 ANY OTHER STATE, OR THE UNITED STATES;

15 (g) IS NOT THE SUBJECT OF AN OUTSTANDING WARRANT FOR  
16 ARREST;

17 (h) HAS NOT, WITHIN THE TEN-YEAR PERIOD IMMEDIATELY  
18 PRECEDING SUBMITTAL OF THE PERMIT APPLICATION, BEEN ADJUDICATED  
19 A JUVENILE DELINQUENT PURSUANT TO ARTICLE 2 OF TITLE 19, C.R.S., OR  
20 SIMILAR LAWS OF ANY OTHER STATE FOR AN ACT THAT WOULD HAVE  
21 CONSTITUTED A FELONY HAD THE APPLICANT BEEN AN ADULT AT THE TIME  
22 OF THE COMMISSION OF THE ACT, AND DOES NOT HAVE ANY UNRESOLVED  
23 CHARGES FOR SUCH AN ACT PENDING UNDER THE LAWS OF THIS STATE, ANY  
24 OTHER STATE, OR THE UNITED STATES. A PERSON SHALL BE CONSIDERED  
25 ADJUDICATED WITHIN THE TEN-YEAR PERIOD IMMEDIATELY PRECEDING  
26 APPLICATION IF THE PERSON WAS NOT COMMITTED OR PLACED UNDER  
27 SUPERVISION PURSUANT TO SECTION 19-2-907, C.R.S., AND FEWER THAN

1 TEN YEARS HAVE ELAPSED BETWEEN THE DATE OF ADJUDICATION AND THE  
2 DATE OF APPLICATION, OR IF THE PERSON WAS COMMITTED OR PLACED  
3 UNDER SUPERVISION PURSUANT TO SECTION 19-2-907, C.R.S., AND FEWER  
4 THAN TEN YEARS HAVE ELAPSED BETWEEN THE DATE OF RELEASE FROM  
5 COMMITMENT OR SUPERVISION AND THE DATE OF APPLICATION.

6 (i) HAS NOT, WITHIN THE TEN-YEAR PERIOD IMMEDIATELY  
7 PRECEDING SUBMITTAL OF THE PERMIT APPLICATION, BEEN ADJUDICATED  
8 A JUVENILE DELINQUENT FOR ANY ACT THAT WOULD CONSTITUTE THIRD  
9 DEGREE ASSAULT AS DESCRIBED IN SECTION 18-3-204, MISDEMEANOR  
10 UNLAWFUL SEXUAL CONTACT AS DESCRIBED IN SECTION 18-3-404,  
11 MISDEMEANOR CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401, OR A  
12 VIOLATION OF ANY MUNICIPAL ORDINANCE OR LAW OF ANY OTHER STATE  
13 OR THE UNITED STATES THAT INCLUDES SIMILAR ELEMENTS, WHERE THE  
14 OFFENSE INVOLVED DOMESTIC VIOLENCE AS DEFINED IN SECTION  
15 18-6-800.3 (1), HAD THE APPLICANT BEEN AN ADULT AT THE TIME OF THE  
16 COMMISSION OF THE ACT, AND DOES NOT HAVE ANY UNRESOLVED CHARGES  
17 FOR SUCH AN ACT PENDING UNDER THE LAWS OF THIS STATE, ANY OTHER  
18 STATE, OR THE UNITED STATES. A PERSON SHALL BE CONSIDERED  
19 ADJUDICATED WITHIN THE TEN-YEAR PERIOD PRECEDING APPLICATION IF  
20 THE PERSON WAS NOT COMMITTED OR PLACED UNDER SUPERVISION  
21 PURSUANT TO SECTION 19-2-907, C.R.S., AND FEWER THAN TEN YEARS  
22 HAVE ELAPSED BETWEEN THE DATE OF ADJUDICATION AND THE DATE OF  
23 APPLICATION, OR IF THE PERSON WAS COMMITTED OR PLACED UNDER  
24 SUPERVISION PURSUANT TO SECTION 19-2-907, C.R.S., AND FEWER THAN  
25 TEN YEARS HAVE ELAPSED BETWEEN THE DATE OF RELEASE FROM  
26 COMMITMENT OR SUPERVISION AND THE DATE OF APPLICATION.

27 (j) IS NOT THE SUBJECT OF ANY VALID RESTRAINING OR EMERGENCY

1 PROTECTION ORDER TO PREVENT DOMESTIC ABUSE ISSUED PURSUANT TO  
2 SECTION 13-14-102, C.R.S., OR ANY VALID RESTRAINING ORDER OR  
3 EMERGENCY PROTECTION ORDER ISSUED PURSUANT TO SECTION 14-10-107  
4 OR 14-10-108, C.R.S., SECTION 18-1-1001, SECTION 19-3-316 OR 19-4-111,  
5 C.R.S., OR RULE 365 OF THE COLORADO RULES OF COUNTY COURT CIVIL  
6 PROCEDURE;

7 (k) DOES NOT USE CONTROLLED SUBSTANCES WITHOUT A  
8 PRESCRIPTION AND HAS NEITHER BEEN RELEASED FROM COMMITMENT FOR  
9 THE ABUSE OF A CONTROLLED SUBSTANCE PURSUANT TO SECTION  
10 25-1-1104, 25-1-1105, 25-1-1106, OR 25-1-1107, C.R.S., NOR BEEN FOUND  
11 GUILTY OF A VIOLATION OF SECTION 18-18-404, 18-18-405, OR 18-18-406  
12 OR ANY LAW OF ANOTHER STATE OR OF THE UNITED STATES THAT HAS  
13 SIMILAR ELEMENTS RELATING TO CONTROLLED SUBSTANCES WITHIN THE  
14 TEN-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE ON WHICH THE  
15 PERMIT APPLICATION IS SUBMITTED;

16 (l) DOES NOT CHRONICALLY AND HABITUALLY USE ALCOHOLIC  
17 BEVERAGES TO THE EXTENT THAT THE APPLICANT'S NORMAL FACULTIES  
18 ARE IMPAIRED. IT SHALL BE PRESUMED THAT AN APPLICANT CHRONICALLY  
19 AND HABITUALLY USES ALCOHOLIC BEVERAGES TO THE EXTENT THAT THE  
20 APPLICANT'S NORMAL FACULTIES ARE IMPAIRED IF THE APPLICANT HAS  
21 BEEN COMMITTED AS AN ALCOHOLIC PURSUANT TO SECTION 25-1-308,  
22 25-1-309, 25-1-310, OR 25-1-311, C.R.S., OR HAS HAD TWO OR MORE  
23 ALCOHOL-RELATED CONVICTIONS OR REVOCATIONS UNDER SECTION  
24 42-4-1301 (1) OR (2) OR 42-2-126, C.R.S., OR ANY LAW OF ANOTHER STATE  
25 THAT HAS SIMILAR ELEMENTS, WITHIN THE TEN-YEAR PERIOD IMMEDIATELY  
26 PRECEDING THE DATE ON WHICH THE PERMIT APPLICATION IS SUBMITTED.

27 (m) HAS NOT BEEN ADJUDICATED AN INCAPACITATED PERSON

1 PURSUANT TO SECTION 15-14-304, C.R.S., OR ANY SIMILAR LAW OF  
2 ANOTHER STATE OR, IF THE APPLICANT HAS BEEN ADJUDICATED AN  
3 INCAPACITATED PERSON, A COURT HAS ISSUED AN ORDER DECLARING THE  
4 PERSON COMPETENT AT LEAST FIVE YEARS PRIOR TO THE DATE ON WHICH  
5 THE PERMIT APPLICATION IS SUBMITTED;

6 (n) HAS NOT BEEN COMMITTED TO A MENTAL INSTITUTION  
7 PURSUANT TO SECTION 27-10-106 OR 27-10-107, C.R.S., OR ANY SIMILAR  
8 LAW OF ANOTHER STATE, UNLESS THE APPLICANT PRODUCES A CERTIFICATE  
9 FROM A LICENSED PSYCHIATRIST STATING THAT THE APPLICANT HAS BEEN  
10 RELEASED FROM COMMITMENT FOR AT LEAST FIVE YEARS AND HAS NOT  
11 EXHIBITED A CONDITION THAT POSED A RISK TO PUBLIC SAFETY WITHIN THE  
12 FIVE-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE ON WHICH THE  
13 PERMIT APPLICATION IS SUBMITTED; AND

14 (o) DEMONSTRATES COMPETENCE WITH A HANDGUN BY  
15 SUBMITTING EITHER:

16 (I) A CERTIFICATE SHOWING HONORABLE DISCHARGE FROM  
17 MILITARY SERVICE THAT REFLECTS PISTOL QUALIFICATIONS OBTAINED  
18 WITHIN FIVE YEARS PRIOR TO THE DATE ON WHICH THE PERMIT  
19 APPLICATION IS SUBMITTED; OR

20 (II) A TRAINING CERTIFICATE FROM A HANDGUN TRAINING CLASS.  
21 THE APPLICANT SHALL SUBMIT THE ORIGINAL TRAINING CERTIFICATE OR A  
22 PHOTOCOPY THEREOF THAT IS CERTIFIED BY A NOTARY PUBLIC AS TO ITS  
23 ACCURACY.

24 (2) REGARDLESS OF WHETHER AN APPLICANT MEETS THE CRITERIA  
25 SPECIFIED IN SUBSECTION (1) OF THIS SECTION, IF THE SHERIFF HAS A  
26 REASONABLE BELIEF THAT DOCUMENTED PREVIOUS BEHAVIOR BY THE  
27 APPLICANT MAKES IT LIKELY THE APPLICANT WILL PRESENT A DANGER TO

1 SELF OR OTHERS IF THE APPLICANT RECEIVES A PERMIT TO CARRY A  
2 CONCEALED HANDGUN, THE SHERIFF MAY DENY THE PERMIT.

3 (3) THE SHERIFF SHALL DENY, REVOKE, OR REFUSE TO RENEW A  
4 PERMIT IF AN APPLICANT OR A PERMITTEE FAILS TO MEET ANY OF THE  
5 CRITERIA LISTED IN SUBSECTION (1) OF THIS SECTION AND MAY DENY,  
6 REVOKE, OR REFUSE TO RENEW A PERMIT ON THE GROUNDS SPECIFIED IN  
7 SUBSECTION (2) OF THIS SECTION. FOLLOWING ISSUANCE OF A PERMIT, IF  
8 THE ISSUING SHERIFF HAS REASON TO BELIEVE THAT A PERMITTEE NO  
9 LONGER MEETS THE CRITERIA SPECIFIED IN SUBSECTION (1) OF THIS  
10 SECTION OR THAT THE PERMITTEE PRESENTS A DANGER AS DESCRIBED IN  
11 SUBSECTION (2) OF THIS SECTION, THE SHERIFF SHALL SUSPEND THE PERMIT  
12 UNTIL SUCH TIME AS THE MATTER IS RESOLVED AND THE ISSUING SHERIFF  
13 DETERMINES THAT THE PERMITTEE IS ELIGIBLE TO POSSESS A PERMIT AS  
14 PROVIDED IN THIS SECTION.

15 **18-12-204. Contents of permits - validity - carrying**  
16 **requirements.** (1) EACH PERMIT SHALL BEAR A COLOR PHOTOGRAPH OF  
17 THE PERMITTEE AND SHALL DISPLAY THE SIGNATURE OF THE SHERIFF WHO  
18 ISSUES THE PERMIT. A PERMIT IS VALID FOR A PERIOD OF FOUR YEARS  
19 AFTER THE DATE OF ISSUANCE AND MAY BE RENEWED AS PROVIDED IN  
20 SECTION 18-12-210. A PERMIT ISSUED PURSUANT TO THIS PART 2 IS  
21 EFFECTIVE IN ALL AREAS OF THE STATE, EXCEPT AS OTHERWISE PROVIDED  
22 IN SECTION 18-12-213.

23 (2) ANY PERMITTEE, IN COMPLIANCE WITH THE TERMS OF A PERMIT,  
24 MAY CARRY A CONCEALED HANDGUN NOTWITHSTANDING THE PROVISIONS  
25 OF SECTION 18-12-105. THE PERMITTEE SHALL CARRY THE PERMIT,  
26 TOGETHER WITH VALID PHOTO IDENTIFICATION, AT ALL TIMES DURING  
27 WHICH THE PERMITTEE IS IN ACTUAL POSSESSION OF A CONCEALED

1 HANDGUN AND SHALL PRODUCE BOTH DOCUMENTS UPON DEMAND BY A  
2 LAW ENFORCEMENT OFFICER. FAILURE TO PRODUCE A PERMIT UPON  
3 DEMAND BY A LAW ENFORCEMENT OFFICER RAISES A REBUTTABLE  
4 PRESUMPTION THAT THE PERSON DOES NOT HAVE A PERMIT. FAILURE TO  
5 CARRY AND PRODUCE A PERMIT AND IDENTIFICATION UPON DEMAND AS  
6 REQUIRED IN THIS SUBSECTION (2) IS A CLASS 2 MISDEMEANOR. A CHARGE  
7 OF FAILURE TO CARRY AND PRODUCE A PERMIT AND IDENTIFICATION UPON  
8 DEMAND PURSUANT TO THIS SUBSECTION (2) SHALL BE DISMISSED BY THE  
9 COURT IF, AT OR BEFORE THE PERMITTEE'S SCHEDULED COURT  
10 APPEARANCE, THE PERMITTEE EXHIBITS TO THE COURT A CURRENTLY VALID  
11 PERMIT AND VALID IDENTIFICATION ISSUED TO THE PERMITTEE.

12 (3) (a) ANY PERSON WHO MAY LAWFULLY POSSESS A HANDGUN  
13 MAY CARRY A HANDGUN UNDER THE FOLLOWING CIRCUMSTANCES  
14 WITHOUT OBTAINING A PERMIT:

15 (I) THE HANDGUN IS IN A CASE, COVER, OR ENCLOSURE DESIGNED  
16 SPECIFICALLY FOR CARRYING, COVERING, OR PROTECTING THE HANDGUN  
17 AND SUCH CASE, COVER, OR ENCLOSURE IS NOT FASTENED TO THE PERSON  
18 OR THE CLOTHING OF THE PERSON CARRYING THE HANDGUN; OR

19 (II) THE HANDGUN IS IN THE POSSESSION OF A PERSON WHO IS IN A  
20 PRIVATE AUTOMOBILE OR IN SOME OTHER PRIVATE MEANS OF CONVEYANCE  
21 AND WHO CARRIES THE HANDGUN FOR ANY LEGAL USE, INCLUDING  
22 SELF-DEFENSE, OR FOR TRANSPORTATION TO AND FROM ANY OTHER LEGAL  
23 ACTIVITY, INCLUDING BUT NOT LIMITED TO TARGET SHOOTING OR HUNTING.

24 (b) THE PROVISIONS OF THIS SUBSECTION (3) SHALL NOT BE  
25 CONSTRUED TO AUTHORIZE THE CARRYING OF A HANDGUN IN VIOLATION OF  
26 THE PROVISIONS OF SECTION 18-12-105 OR 18-12-105.5.

27 **18-12-205. Sheriff - application - procedure - background**

1     **check.** (1) (a) TO OBTAIN A PERMIT, A PERSON SHALL SUBMIT A PERMIT  
2     APPLICATION ON A STATEWIDE STANDARDIZED FORM DEVELOPED BY THE  
3     SHERIFFS AND AVAILABLE FROM THE SHERIFF OF ANY COUNTY OR CITY AND  
4     COUNTY. THE PERMIT APPLICATION FORM SHALL SOLICIT ONLY THE  
5     FOLLOWING INFORMATION FROM THE APPLICANT:

6             (I) THE APPLICANT’S FULL NAME, DATE OF BIRTH, AND ADDRESS;

7             (II) THE APPLICANT’S HOME ADDRESS FOR THE TEN-YEAR PERIOD  
8     IMMEDIATELY PRECEDING SUBMITTAL OF THE APPLICATION;

9             (III) WHETHER THE APPLICANT IS A RESIDENT OF THIS STATE AS OF  
10    THE DATE OF APPLICATION AND WHETHER THE APPLICANT HAS A VALID  
11    DRIVER’S LICENSE OR OTHER STATE-ISSUED PHOTO IDENTIFICATION OR  
12    MILITARY ORDER PROVING SUCH RESIDENCE; AND

13            (IV) WHETHER THE APPLICANT MEETS THE CRITERIA FOR  
14    OBTAINING A PERMIT SPECIFIED IN SECTION 18-12-203 (1).

15            (b) THE PERMIT APPLICATION FORM SHALL NOT REQUIRE ANY  
16    WAIVER OR RELEASE BY THE APPLICANT OF ANY RIGHT OR PRIVILEGE,  
17    INCLUDING BUT NOT LIMITED TO, THE WAIVER OR RELEASE OF ANY  
18    PRIVILEGED OR CONFIDENTIAL INFORMATION CONTAINED IN MEDICAL  
19    RECORDS.

20            (2) (a) AN APPLICANT SHALL COMPLETE THE PERMIT APPLICATION  
21    FORM AND RETURN IT, IN PERSON, TO THE SHERIFF OF THE COUNTY OR CITY  
22    AND COUNTY IN WHICH THE APPLICANT RESIDES. THE APPLICANT SHALL  
23    SIGN THE COMPLETED PERMIT APPLICATION FORM IN PERSON BEFORE THE  
24    SHERIFF. THE SIGNATURE SHALL BE GIVEN VOLUNTARILY UPON A SWORN  
25    OATH THAT THE APPLICANT KNOWS THE CONTENTS OF THE PERMIT  
26    APPLICATION AND THAT THE INFORMATION CONTAINED IN THE PERMIT  
27    APPLICATION IS TRUE AND CORRECT. ANY APPLICANT WHO KNOWINGLY

1 AND INTENTIONALLY MAKES ANY FALSE OR MISLEADING STATEMENT ON A  
2 PERMIT APPLICATION OR DELIBERATELY OMITTS ANY MATERIAL  
3 INFORMATION REQUESTED ON THE APPLICATION COMMITS PERJURY AS  
4 DEFINED IN SECTION 18-8-503. UPON CONVICTION, SAID APPLICANT SHALL  
5 BE PUNISHED AS PROVIDED IN SECTION 18-1-105. IN ADDITION, SAID  
6 APPLICANT SHALL BE DENIED THE RIGHT TO OBTAIN OR POSSESS A PERMIT,  
7 AND THE SHERIFF SHALL REVOKE SAID APPLICANT'S PERMIT IF ISSUED PRIOR  
8 TO CONVICTION.

9 (b) THE APPLICANT SHALL ALSO SUBMIT TO THE SHERIFF A PERMIT  
10 FEE NOT TO EXCEED ONE HUNDRED DOLLARS FOR PROCESSING THE PERMIT  
11 APPLICATION. THE SHERIFF SHALL SET THE AMOUNT OF THE PERMIT FEE AS  
12 PROVIDED IN SUBSECTION (5) OF THIS SECTION. IN ADDITION, THE  
13 APPLICANT SHALL SUBMIT AN AMOUNT SPECIFIED BY THE DIRECTOR,  
14 PURSUANT TO SECTION 24-72-306, C.R.S., FOR PROCESSING THE  
15 APPLICANT'S FINGERPRINTS THROUGH THE BUREAU AND THROUGH THE  
16 FEDERAL BUREAU OF INVESTIGATION. THE APPLICANT SHALL PAY THE  
17 AMOUNT FOR PROCESSING FINGERPRINTS IN THE FORM OF A MONEY ORDER  
18 OR A CASHIER'S CHECK MADE PAYABLE TO THE BUREAU. NEITHER THE  
19 PERMIT FEE NOR THE FINGERPRINT PROCESSING FEE SHALL BE REFUNDABLE  
20 IN THE EVENT THE SHERIFF DENIES THE APPLICANT'S PERMIT APPLICATION  
21 OR SUSPENDS OR REVOKES THE PERMIT SUBSEQUENT TO ISSUANCE.

22 (3) IN ADDITION TO THE ITEMS SPECIFIED IN SUBSECTION (2) OF THIS  
23 SECTION, THE APPLICANT, WHEN SUBMITTING THE COMPLETED PERMIT  
24 APPLICATION, SHALL SUBMIT THE FOLLOWING ITEMS TO THE SHERIFF:

25 (a) DOCUMENTARY EVIDENCE DEMONSTRATING COMPETENCE WITH  
26 A HANDGUN AS SPECIFIED IN SECTION 18-12-203 (1) (o); AND

27 (b) A FULL FRONTAL VIEW COLOR PHOTOGRAPH OF THE APPLICANT

1 TAKEN WITHIN THE THIRTY DAYS IMMEDIATELY PRECEDING SUBMITTAL OF  
2 THE PERMIT APPLICATION; EXCEPT THAT THE APPLICANT NEED NOT SUBMIT  
3 A PHOTOGRAPH IF THE SHERIFF PHOTOGRAPHS THE APPLICANT FOR  
4 PURPOSES OF ISSUING A PERMIT. ANY PHOTOGRAPH SUBMITTED SHALL  
5 SHOW THE APPLICANT'S FULL HEAD, INCLUDING HAIR AND FACIAL  
6 FEATURES, AND THE DEPICTION OF THE APPLICANT'S HEAD SHALL MEASURE  
7 ONE AND ONE-EIGHTH INCHES WIDE AND ONE AND ONE-FOURTH INCHES  
8 HIGH.

9 (4) (a) THE SHERIFF SHALL WITNESS THE APPLICANT'S SIGNATURE  
10 ON THE PERMIT APPLICATION AS PROVIDED IN SUBSECTION (2) OF THIS  
11 SECTION AND VERIFY THAT THE PERSON MAKING APPLICATION FOR A  
12 PERMIT IS THE SAME PERSON WHO APPEARS IN ANY PHOTOGRAPH  
13 SUBMITTED AND THE SAME PERSON WHO SIGNED THE PERMIT APPLICATION  
14 FORM. TO VERIFY THE APPLICANT'S IDENTITY, THE APPLICANT SHALL  
15 PRESENT TO THE SHERIFF THE APPLICANT'S VALID COLORADO DRIVER'S  
16 LICENSE OR VALID COLORADO OR MILITARY PHOTO IDENTIFICATION.

17 (b) AFTER VERIFYING THE APPLICANT'S IDENTITY, THE SHERIFF  
18 SHALL TAKE TWO COMPLETE SETS OF THE APPLICANT'S FINGERPRINTS. THE  
19 SHERIFF SHALL SUBMIT BOTH SETS OF FINGERPRINTS TO THE BUREAU. IN  
20 THE EVENT A LEGIBLE SET OF FINGERPRINTS, AS DETERMINED BY THE  
21 BUREAU OR THE FEDERAL BUREAU OF INVESTIGATION, CANNOT BE  
22 OBTAINED AFTER TWO ATTEMPTS, THE SHERIFF SHALL CONDUCT A NAME  
23 CHECK, RATHER THAN A FINGERPRINT CHECK.

24 (c) (I) AFTER RECEIPT OF A PERMIT APPLICATION AND THE ITEMS  
25 SPECIFIED IN THIS SECTION, THE SHERIFF SHALL VERIFY THAT THE  
26 APPLICANT MEETS THE CRITERIA SPECIFIED IN SECTION 18-12-203 (1) AND  
27 IS NOT A DANGER AS DESCRIBED IN SECTION 18-12-203 (2). SUCH

1 VERIFICATION AT A MINIMUM SHALL INCLUDE A SEARCH OF THE NATIONAL  
2 INSTANT CRIMINAL BACKGROUND CHECK SYSTEM AND A SEARCH OF THE  
3 STATE CRIMINAL JUSTICE INFORMATION SYSTEM TO DETERMINE WHETHER  
4 THE APPLICANT MEETS THE CRITERIA SPECIFIED IN SECTION 18-12-203 (1).  
5 THE SHERIFF SHALL CONSULT WITH ANY OTHER LOCAL LAW ENFORCEMENT  
6 AGENCIES LOCATED IN THE SHERIFF'S JURISDICTION.

7 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF  
8 THIS PARAGRAPH (c), AN APPLICANT WHO MEETS ANY OF THE FOLLOWING  
9 CONDITIONS SHALL BE DEEMED TO MEET THE CRITERIA SPECIFIED IN  
10 SECTION 18-12-203 (1) AND SHALL BE DEEMED NOT TO BE A DANGER AS  
11 DESCRIBED IN SECTION 18-12-203 (2), AND THE SHERIFF NEED NOT  
12 CONDUCT ANY TYPE OF BACKGROUND CHECK ON SUCH APPLICANT:

13 (A) THE APPLICANT IS A FEDERALLY LICENSED FIREARM DEALER;  
14 OR

15 (B) THE APPLICANT HOLDS A CLASS 3 FEDERAL LICENSE  
16 AUTHORIZING THE APPLICANT TO OWN FULLY AUTOMATIC FIREARMS; OR

17 (C) THE APPLICANT HOLDS A FEDERAL GOVERNMENT SECURITY  
18 CLEARANCE.

19 (5) THE SHERIFF IN EACH COUNTY OR CITY AND COUNTY IN THE  
20 STATE SHALL ESTABLISH THE AMOUNT OF THE NEW AND RENEWAL PERMIT  
21 FEES WITHIN HIS OR HER JURISDICTION. THE AMOUNT OF THE NEW AND  
22 RENEWAL PERMIT FEES SHALL COMPLY WITH THE LIMITS SPECIFIED IN  
23 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION AND SECTION  
24 18-12-210 (1), RESPECTIVELY. THE FEE AMOUNTS SHALL REFLECT THE  
25 ACTUAL DIRECT AND INDIRECT COSTS TO THE SHERIFF OF PROCESSING  
26 PERMIT APPLICATIONS AND RENEWAL APPLICATIONS PURSUANT TO THIS  
27 PART 2.

1           **18-12-206. Sheriff - issuance or denial of permits - notice to**

2           **bureau.** (1) WITHIN NINETY DAYS AFTER THE DATE OF RECEIPT OF THE  
3 ITEMS SPECIFIED IN SECTION 18-12-205, THE SHERIFF SHALL:

4           (a) APPROVE THE PERMIT APPLICATION AND ISSUE THE PERMIT; OR

5           (b) DENY THE PERMIT APPLICATION BASED SOLELY ON THE GROUND  
6 THAT THE APPLICANT FAILS TO QUALIFY UNDER THE CRITERIA LISTED IN  
7 SECTION 18-12-203 (1) OR THAT THE APPLICANT WOULD BE A DANGER AS  
8 DESCRIBED IN SECTION 18-12-203 (2). IF THE SHERIFF DENIES THE PERMIT  
9 APPLICATION, HE OR SHE SHALL NOTIFY THE APPLICANT IN WRITING,  
10 STATING THE GROUNDS FOR DENIAL AND INFORMING THE APPLICANT OF THE  
11 RIGHT TO SEEK JUDICIAL REVIEW PURSUANT TO RULE 106 OF THE  
12 COLORADO RULES OF CIVIL PROCEDURE.

13           (2) IF THE SHERIFF DOES NOT RECEIVE THE RESULTS OF THE  
14 FINGERPRINT CHECKS CONDUCTED BY THE BUREAU AND BY THE FEDERAL  
15 BUREAU OF INVESTIGATION WITHIN NINETY DAYS AFTER RECEIVING A  
16 PERMIT APPLICATION, THE SHERIFF SHALL DETERMINE WHETHER TO GRANT  
17 OR DENY THE PERMIT APPLICATION WITHOUT CONSIDERING SUCH  
18 INFORMATION. IF, UPON RECEIPT OF SUCH INFORMATION, THE SHERIFF  
19 FINDS THAT THE PERMIT WAS ISSUED OR DENIED ERRONEOUSLY, BASED ON  
20 THE CRITERIA SPECIFIED IN SECTION 18-12-203 (1) AND (2), THE SHERIFF  
21 SHALL EITHER ISSUE OR REVOKE THE PERMIT, WHICHEVER IS APPROPRIATE.

22           (3) WITHIN THIRTY DAYS AFTER ISSUING A PERMIT OR RENEWING  
23 A PERMIT PURSUANT TO SECTION 18-12-210, THE SHERIFF SHALL SUBMIT TO  
24 THE BUREAU THE NAME, ADDRESS, AND PHYSICAL DESCRIPTION OF THE  
25 PERMITTEE AND THE PERMIT EXPIRATION DATE. IF A PERMIT IS REVOKED  
26 PRIOR TO THE EXPIRATION DATE, THE SHERIFF SHALL IMMEDIATELY NOTIFY  
27 THE BUREAU OF THE REVOCATION.

1           **18-12-207. Colorado bureau of investigation - duties.** (1) UPON  
2 RECEIPT OF A PERMIT APPLICANT'S FINGERPRINTS FROM A SHERIFF  
3 PURSUANT TO SECTION 18-12-205 (4), THE BUREAU SHALL PROCESS THE  
4 FULL SET OF FINGERPRINTS TO OBTAIN ANY AVAILABLE STATE OR FEDERAL  
5 CRIMINAL JUSTICE INFORMATION PURSUANT TO SECTION 16-21-103 (5),  
6 C.R.S., AND SHALL REPORT ANY INFORMATION RECEIVED TO THE SHERIFF.  
7 IN ADDITION, WITHIN TEN DAYS AFTER RECEIVING THE FINGERPRINTS, THE  
8 BUREAU SHALL FORWARD ONE SET OF THE FINGERPRINTS TO THE FEDERAL  
9 BUREAU OF INVESTIGATION FOR PROCESSING TO OBTAIN ANY AVAILABLE  
10 STATE OR FEDERAL CRIMINAL JUSTICE INFORMATION.

11           (2) THE BUREAU SHALL MAINTAIN AN AUTOMATED LISTING OF THE  
12 NAME, ADDRESS, AND PHYSICAL DESCRIPTION OF EACH PERSON WHO HOLDS  
13 A VALID PERMIT AND THE NAME OF THE SHERIFF WHO ISSUED THE PERMIT.  
14 THE BUREAU SHALL ALSO MAINTAIN A LIST OF THE STATES WHOSE PERMITS  
15 ARE ENTITLED TO RECIPROCITY UNDER SECTION 18-12-212. THE  
16 INFORMATION SPECIFIED IN THIS SUBSECTION (2) SHALL BE AVAILABLE  
17 ON-LINE TO ALL LAW ENFORCEMENT AGENCIES THROUGH THE COLORADO  
18 CRIME INFORMATION CENTER. THE INFORMATION IDENTIFYING PERMIT  
19 HOLDERS AND ISSUING SHERIFFS SHALL NOT BE AVAILABLE FROM THE  
20 BUREAU TO THE PUBLIC PURSUANT TO PART 2 OF ARTICLE 72 OF TITLE 24,  
21 C.R.S., COMMONLY KNOWN AS THE "OPEN RECORDS ACT".

22           **18-12-208. Issuance by sheriffs of temporary emergency**  
23 **permits.** (1) NOTWITHSTANDING ANY PROVISIONS OF THIS PART 2 TO THE  
24 CONTRARY, A SHERIFF SHALL ISSUE A TEMPORARY EMERGENCY PERMIT TO  
25 CARRY A CONCEALED HANDGUN TO ANY PERSON RESIDING IN THE SHERIFF'S  
26 JURISDICTION WHO APPLIES PURSUANT TO THIS SECTION AND WHO THE  
27 SHERIFF HAS REASON TO BELIEVE MAY BE IN IMMEDIATE DANGER.

1           (2) TO RECEIVE A TEMPORARY EMERGENCY PERMIT, A PERSON  
2 SHALL SUBMIT TO THE SHERIFF OF THE COUNTY OR CITY AND COUNTY IN  
3 WHICH THE PERSON RESIDES THE ITEMS SPECIFIED IN SECTION 18-12-205;  
4 EXCEPT THAT AN APPLICANT FOR A TEMPORARY EMERGENCY PERMIT NEED  
5 NOT SUBMIT DOCUMENTARY EVIDENCE DEMONSTRATING COMPETENCE  
6 WITH A HANDGUN AS REQUIRED UNDER SECTION 18-12-205 (3) (a), AND THE  
7 APPLICANT SHALL SUBMIT A TEMPORARY PERMIT FEE NOT TO EXCEED  
8 TWENTY-FIVE DOLLARS, AS SET BY THE SHERIFF. UPON RECEIPT OF SAID  
9 DOCUMENTS, THE SHERIFF SHALL CONDUCT A COMPUTER RECORDS CHECK  
10 OF THE BUREAU AND THE FEDERAL BUREAU OF INVESTIGATION CRIMINAL  
11 HISTORY FILES. THE SHERIFF SHALL ISSUE A TEMPORARY EMERGENCY  
12 PERMIT TO THE APPLICANT IF THE COMPUTER RECORDS CHECK SHOWS THAT  
13 THE APPLICANT MEETS THE CRITERIA SPECIFIED IN SECTION 18-12-203.  
14 ANY TEMPORARY EMERGENCY PERMIT ISSUED PURSUANT TO THIS SECTION  
15 SHALL BE VALID FOR A PERIOD OF NINETY DAYS AFTER THE DATE OF  
16 ISSUANCE AND MAY BE RENEWED BY THE ISSUING SHERIFF ONCE WITHIN  
17 TEN DAYS AFTER EXPIRATION FOR AN ADDITIONAL PERIOD OF NINETY DAYS.

18           **18-12-209. Maintenance of permit - address change - invalidity**  
19 **of permit.** (1) WITHIN THIRTY DAYS AFTER A PERMITTEE CHANGES HIS OR  
20 HER PERMANENT ADDRESS OR WITHIN THREE BUSINESS DAYS AFTER HIS OR  
21 HER PERMIT IS LOST, STOLEN, OR DESTROYED, THE PERMITTEE SHALL  
22 NOTIFY THE ISSUING SHERIFF OF THE CHANGE OF ADDRESS OR PERMIT LOSS,  
23 THEFT, OR DESTRUCTION. FAILURE TO NOTIFY THE SHERIFF PURSUANT TO  
24 THIS SUBSECTION (1) IS A CLASS 1 PETTY OFFENSE.

25           (2) IF A PERMIT IS LOST, STOLEN, OR DESTROYED, THE PERMIT IS  
26 AUTOMATICALLY INVALID. THE PERSON TO WHOM THE PERMIT WAS ISSUED  
27 MAY OBTAIN A DUPLICATE OR SUBSTITUTE THEREFOR UPON PAYMENT OF

1 FIFTEEN DOLLARS TO THE ISSUING SHERIFF AND UPON SUBMISSION OF A  
2 NOTARIZED STATEMENT TO THE ISSUING SHERIFF THAT THE PERMIT HAS  
3 BEEN LOST, STOLEN, OR DESTROYED.

4 **18-12-210. Renewal of permits.** (1) WITHIN NINETY DAYS PRIOR  
5 TO EXPIRATION OF THE PERMIT, THE PERMITTEE MAY OBTAIN A RENEWAL  
6 FORM FROM THE ISSUING SHERIFF AND RENEW THE PERMIT BY SUBMITTING  
7 TO THE ISSUING SHERIFF A COMPLETED RENEWAL FORM, A NOTARIZED  
8 AFFIDAVIT STATING THAT THE PERMITTEE REMAINS QUALIFIED PURSUANT  
9 TO THE CRITERIA SPECIFIED IN SECTION 18-12-203 (1) AND THAT THE  
10 PERMITTEE DOES NOT POSE A DANGER AS DESCRIBED IN SECTION 18-12-203  
11 (2), AND THE REQUIRED RENEWAL FEE NOT TO EXCEED FIFTY DOLLARS, AS  
12 SET BY THE SHERIFF PURSUANT TO SECTION 18-12-205 (5). UPON RECEIPT  
13 OF THE PERMIT RENEWAL DOCUMENTS, THE SHERIFF SHALL VERIFY  
14 PURSUANT TO SECTION 18-12-205 (4) (c) THAT THE PERMITTEE MEETS THE  
15 CRITERIA SPECIFIED IN SECTION 18-12-203 (1) AND IS NOT A DANGER AS  
16 DESCRIBED IN SECTION 18-12-203 (2) AND SHALL EITHER RENEW OR DENY  
17 THE RENEWAL OF THE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF  
18 SECTION 18-12-206 (1).

19 (2) A PERMITTEE WHO FAILS TO FILE A RENEWAL FORM ON OR  
20 BEFORE THE PERMIT EXPIRATION DATE MAY RENEW THE PERMIT BY PAYING  
21 A LATE FEE OF FIFTEEN DOLLARS IN ADDITION TO THE RENEWAL FEE  
22 ESTABLISHED PURSUANT TO SUBSECTION (1) OF THIS SECTION. NO PERMIT  
23 SHALL BE RENEWED SIX MONTHS OR MORE AFTER ITS EXPIRATION DATE,  
24 AND THE PERMIT SHALL BE DEEMED TO HAVE PERMANENTLY EXPIRED. A  
25 PERSON WHOSE PERMIT HAS PERMANENTLY EXPIRED MAY REAPPLY FOR A  
26 PERMIT, BUT THE PERSON SHALL SUBMIT AN APPLICATION FOR A PERMIT  
27 AND THE FEE REQUIRED PURSUANT TO SECTION 18-12-205. A PERSON WHO

1 KNOWINGLY AND INTENTIONALLY FILES FALSE OR MISLEADING  
2 INFORMATION OR DELIBERATELY OMITTS MATERIAL INFORMATION REQUIRED  
3 UNDER THIS SECTION IS SUBJECT TO CRIMINAL PROSECUTION FOR PERJURY  
4 UNDER SECTION 18-8-503.

5 **18-12-211. Exemption.** (1) THIS PART 2 SHALL NOT APPLY TO  
6 PEACE OFFICERS, LEVELS I AND Ia, AS DEFINED IN SECTION 18-1-901 (3) (1)  
7 (I) AND (3) (1) (II), AND FEDERAL OFFICERS WHOSE DUTIES ARE  
8 COMPARABLE TO THOSE PERFORMED BY PEACE OFFICERS, LEVELS I AND Ia.  
9 IN ADDITION, THIS PART 2 SHALL NOT APPLY TO PEACE OFFICERS, LEVEL II,  
10 AS DEFINED IN SECTION 18-1-901 (3) (1) (III), WHILE ON DUTY.

11 (2) THIS PART 2 SHALL NOT APPLY TO LAW ENFORCEMENT OFFICERS  
12 EMPLOYED BY JURISDICTIONS OUTSIDE THIS STATE, SO LONG AS THE  
13 FOREIGN EMPLOYING JURISDICTION EXEMPTS PEACE OFFICERS EMPLOYED  
14 BY JURISDICTIONS WITHIN COLORADO FROM ANY CONCEALED HANDGUN OR  
15 CONCEALED WEAPONS LAWS IN EFFECT IN THE FOREIGN EMPLOYING  
16 JURISDICTION.

17 (3) THIS PART 2 SHALL NOT APPLY TO ANY RETIRED PEACE OFFICER,  
18 LEVEL I OR Ia, AS DEFINED IN SECTION 18-1-901 (3) (1) (I) AND (3) (1) (II),  
19 WITHIN THE FIRST FIVE YEARS AFTER RETIREMENT SO LONG AS THE RETIRED  
20 PEACE OFFICER HAS A LETTER SIGNED BY HIS OR HER LAST COMMANDING  
21 OFFICER ATTESTING THAT THE RETIRED OFFICER MEETS THE CRITERIA  
22 SPECIFIED IN SECTION 18-12-203 (1).

23 **18-12-212. Reciprocity.** ANY PERMIT TO CARRY A CONCEALED  
24 HANDGUN OR A CONCEALED WEAPON THAT IS ISSUED BY A STATE THAT  
25 RECOGNIZES THE VALIDITY OF PERMITS ISSUED PURSUANT TO THIS PART 2  
26 SHALL BE VALID IN THIS STATE IN ALL RESPECTS AS A PERMIT ISSUED  
27 PURSUANT TO THIS PART 2.

1           **18-12-213. Authority granted by permit - carrying restrictions.**

2           (1) (a) A PERMIT TO CARRY A CONCEALED HANDGUN AUTHORIZES THE  
3 PERMIT HOLDER TO CARRY A CONCEALED HANDGUN IN ALL AREAS OF THE  
4 STATE, EXCEPT AS SPECIFICALLY LIMITED IN THIS SECTION. A PERMIT DOES  
5 NOT AUTHORIZE THE PERMIT HOLDER TO USE A HANDGUN IN A MANNER  
6 THAT WOULD VIOLATE ANY PROVISION OF STATE LAW.

7           (b) A PEACE OFFICER MAY TEMPORARILY DISARM ANY PERMIT  
8 HOLDER, INCIDENT TO A LAWFUL STOP OF THE PERMIT HOLDER. THE PEACE  
9 OFFICER SHALL RETURN THE HANDGUN TO THE PERMIT HOLDER PRIOR TO  
10 DISCHARGING THE PERMIT HOLDER FROM THE SCENE. THE PEACE OFFICER  
11 NEED NOT RETURN THE HANDGUN IF THE STOP RESULTS IN THE ARREST OF  
12 THE PERMIT HOLDER.

13           (2) A PERMIT ISSUED PURSUANT TO THIS PART 2 DOES NOT  
14 AUTHORIZE ANY PERSON TO CARRY A CONCEALED HANDGUN INTO ANY  
15 PLACE WHERE THE CARRYING OF FIREARMS IS PROHIBITED BY FEDERAL  
16 LAW.

17           (3) A PERMIT ISSUED PURSUANT TO THIS PART 2 DOES NOT  
18 AUTHORIZE A PERSON TO CARRY A CONCEALED HANDGUN INTO ANY OF THE  
19 FOLLOWING:

20           (a) ANY BUILDING THAT HOUSES ANY OFFICE OF STATE OR LOCAL  
21 GOVERNMENT, INCLUDING BUT NOT LIMITED TO ANY BUILDING IN WHICH  
22 COURT ROOMS ARE LOCATED;

23           (b) ANY HIGH SCHOOL, COLLEGE, UNIVERSITY, OR PROFESSIONAL  
24 ATHLETIC EVENT THAT DOES NOT INVOLVE THE USE OF HANDGUNS;

25           (c) THE REAL ESTATE AND ALL IMPROVEMENTS ERECTED THEREON  
26 OF ANY PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH  
27 SCHOOL; EXCEPT THAT A PERMITTEE MAY HAVE A HANDGUN ON THE REAL

1 ESTATE OF SAID PUBLIC OR PRIVATE SCHOOL SO LONG AS THE HANDGUN  
2 REMAINS IN HIS OR HER VEHICLE AND, IF THE PERMITTEE IS NOT IN THE  
3 VEHICLE, THE HANDGUN IS IN A LOCKED COMPARTMENT WITHIN THE  
4 VEHICLE;

5 (d) IN THE PORTION OF ANY PREMISES LICENSED TO SELL ALCOHOL  
6 BEVERAGES FOR ON-PREMISES CONSUMPTION, AS PROVIDED IN ARTICLES 46  
7 AND 47 OF TITLE 12, C.R.S., THAT IS USED PRIMARILY FOR THE SALE OF  
8 ALCOHOL BEVERAGES.

9 (4) NOTHING IN THIS PART 2 SHALL BE CONSTRUED TO LIMIT,  
10 RESTRICT, OR PROHIBIT IN ANY MANNER THE EXISTING RIGHTS OF ANY  
11 INDIVIDUAL, PRIVATE PROPERTY OWNER, PRIVATE TENANT, PRIVATE  
12 EMPLOYER, OR PRIVATE BUSINESS ENTITY TO CONTROL THE POSSESSION OF  
13 HANDGUNS ON ANY PROPERTY OWNED OR CONTROLLED BY THE  
14 INDIVIDUAL, PRIVATE PROPERTY OWNER, PRIVATE TENANT, PRIVATE  
15 EMPLOYER, OR PRIVATE BUSINESS ENTITY.

16 **18-12-214. Immunity.** (1) THE BUREAU AND ANY LOCAL LAW  
17 ENFORCEMENT AGENCY AND ANY INDIVIDUAL EMPLOYED BY THE BUREAU  
18 OR A LOCAL LAW ENFORCEMENT AGENCY SHALL NOT BE LIABLE FOR ANY  
19 DAMAGES THAT MAY RESULT FROM GOOD FAITH COMPLIANCE WITH THE  
20 PROVISIONS OF THIS PART 2.

21 (2) ANY LAW ENFORCEMENT OFFICER OR AGENCY, ANY MEDICAL  
22 PERSONNEL, AND ANY ORGANIZATION THAT OFFERS HANDGUN TRAINING  
23 CLASSES AND ITS PERSONNEL WHO IN GOOD FAITH PROVIDE INFORMATION  
24 REGARDING AN APPLICANT SHALL NOT BE LIABLE FOR ANY DAMAGES THAT  
25 MAY RESULT FROM ISSUANCE OR DENIAL OF A PERMIT.

26 **18-12-215. Permits issued prior to July 1, 2001.** (1) ANY  
27 PERMIT ISSUED PURSUANT TO SECTION 18-12-105.1, AS IT EXISTED PRIOR

1 TO JULY 1, 2001, SHALL PERMANENTLY EXPIRE ON JUNE 30, 2002, OR ON  
2 ANY EXPIRATION DATE SPECIFIED ON THE PERMIT, WHICHEVER OCCURS  
3 FIRST. ANY PERSON WHO SUBMITTED A FULL SET OF FINGERPRINTS TO  
4 OBTAIN A PERMIT PRIOR TO JULY 1, 2001, UPON EXPIRATION OF SAID  
5 PERMIT, MAY APPLY FOR RENEWAL OF SAID PERMIT AS PROVIDED IN THIS  
6 PART 2. ANY PERSON WHO DID NOT SUBMIT A FULL SET OF FINGERPRINTS  
7 TO OBTAIN A PERMIT PRIOR TO JULY 1, 2001, UPON EXPIRATION OF SAID  
8 PERMIT, MAY APPLY FOR A NEW PERMIT AS PROVIDED IN THIS PART 2.

9 (2) WITHIN NINETY DAYS PRIOR TO THE EXPIRATION OF ANY PERMIT  
10 ISSUED PURSUANT TO SECTION 18-12-105.1, AS IT EXISTED PRIOR TO JULY  
11 1, 2001, THE ISSUING AUTHORITY SHALL SEND A NOTICE OF EXPIRATION TO  
12 THE PERMIT HOLDER TO NOTIFY THE PERMIT HOLDER OF THE PERMIT  
13 EXPIRATION AS PROVIDED IN SUBSECTION (1) OF THIS SECTION AND OF HIS  
14 OR HER ABILITY TO RENEW THE PERMIT OR OBTAIN A NEW PERMIT AS  
15 PROVIDED IN SUBSECTION (1) OF THIS SECTION.

16 **SECTION 2. Repeal.** 18-12-105.1, Colorado Revised Statutes,  
17 is repealed.

18 **SECTION 3.** 18-12-105 (2) (c), Colorado Revised Statutes, is  
19 amended to read:

20 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**  
21 **possession of weapons.** (2) It shall not be an offense if the defendant  
22 was:

23 (c) A person who, ~~prior to~~ AT the time of carrying a concealed  
24 weapon, ~~has been issued a~~ HELD A VALID written permit TO CARRY A  
25 CONCEALED WEAPON ISSUED pursuant to section 18-12-105.1, ~~to carry the~~  
26 ~~weapon by the chief of police of a city or city and county, or the sheriff~~  
27 ~~of a county~~ AS IT EXISTED PRIOR TO JULY 1, 2001, OR, IF THE WEAPON

1 INVOLVED WAS A HANDGUN, HELD A VALID PERMIT TO CARRY A  
2 CONCEALED HANDGUN ISSUED PURSUANT TO PART 2 OF THIS ARTICLE;  
3 EXCEPT THAT IT SHALL BE AN OFFENSE UNDER THIS SECTION IF THE  
4 DEFENDANT WAS CARRYING A CONCEALED HANDGUN IN VIOLATION OF THE  
5 PROVISIONS OF SECTION 18-12-213; or

6 **SECTION 4.** 18-12-105.5 (3) (d), Colorado Revised Statutes, is  
7 amended to read:

8 **18-12-105.5. Unlawfully carrying a weapon - unlawful**  
9 **possession of weapons - school, college, or university grounds.** (3) It  
10 shall not be an offense under this section if:

11 (d) The person, ~~prior to~~ AT the time of carrying a concealed  
12 weapon, ~~has been issued a~~ HELD A VALID written permit TO CARRY A  
13 CONCEALED WEAPON ISSUED pursuant to section 18-12-105.1, ~~to carry the~~  
14 ~~weapon by the chief of police of a city or city and county or the sheriff of~~  
15 ~~a county~~ AS IT EXISTED PRIOR TO JULY 1, 2001, OR, IF THE WEAPON  
16 INVOLVED WAS A HANDGUN, HELD A VALID PERMIT TO CARRY A  
17 CONCEALED HANDGUN ISSUED PURSUANT TO PART 2 OF THIS ARTICLE;  
18 EXCEPT THAT IT SHALL BE AN OFFENSE UNDER THIS SECTION IF THE  
19 DEFENDANT WAS CARRYING A CONCEALED HANDGUN IN VIOLATION OF THE  
20 PROVISIONS OF SECTION 18-12-213; or

21 **SECTION 5.** 18-12-106 (1) (d), Colorado Revised Statutes, is  
22 amended to read:

23 **18-12-106. Prohibited use of weapons.** (1) A person commits a  
24 class 2 misdemeanor if:

25 (d) ~~He~~ THE PERSON has in his OR HER possession a firearm while  
26 ~~he~~ THE PERSON is under the influence of intoxicating liquor or of a  
27 controlled substance, as defined in section 12-22-303 (7), C.R.S.

1 Possession of a permit issued under section 18-12-105.1, AS IT EXISTED  
2 PRIOR TO JULY 1, 2001, OR POSSESSION OF A PERMIT ISSUED PURSUANT TO  
3 PART 2 OF THIS ARTICLE is no defense to a violation of this subsection (1).

4 **SECTION 6.** 24-33.5-412 (1) (o), Colorado Revised Statutes, is  
5 amended to read:

6 **24-33.5-412. Functions of bureau - legislative review.** (1) The  
7 bureau has the following authority:

8 (o) ~~When requested by a police chief or sheriff, to conduct a~~  
9 ~~criminal history check of an applicant for a permit to carry a concealed~~  
10 ~~weapon, including processing of fingerprints, as provided in section~~  
11 ~~18-12-105.1(2), C.R.S.;~~ TO CARRY OUT THE DUTIES SET FORTH IN PART 2  
12 OF ARTICLE 12 OF TITLE 18, C.R.S.;

13 **SECTION 7.** 30-10-523, Colorado Revised Statutes, is amended  
14 to read:

15 **30-10-523. Sheriff - permits for concealed handguns.** The  
16 sheriff of each county ~~may~~ AND THE OFFICIAL WHO HAS THE DUTIES OF A  
17 SHERIFF IN EACH CITY AND COUNTY SHALL issue written permits to carry  
18 concealed weapons. ~~Any such permit shall be issued in accordance with~~  
19 ~~section 18-12-105.1, C.R.S.~~ HANDGUNS AS PROVIDED IN PART 2 OF  
20 ARTICLE 12 OF TITLE 18, C.R.S.

21 **SECTION 8. Repeal.** 31-4-112.1, Colorado Revised Statutes, is  
22 repealed as follows:

23 **31-4-112.1. Chief of police - permits for concealed handguns.**  
24 ~~The chief of police of a city or city and county may issue written permits~~  
25 ~~to carry concealed weapons. Any such permit shall be issued in~~  
26 ~~accordance with section 18-12-105.1, C.R.S.~~

27 **SECTION 9. Appropriation.** In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys collected  
2 pursuant to section 18-12-205 (2) (b), Colorado Revised Statutes, to the  
3 department of public safety for allocation to the Colorado bureau of  
4 investigation, for the fiscal year beginning July 1, 2001, the sum of five  
5 hundred thirty-one thousand eight hundred sixty-eight dollars (\$531,868)  
6 and 1.0 FTE, or so much thereof as may be necessary, for the  
7 implementation of this act.

8           **SECTION 10. Effective date - applicability.** This act shall take  
9 effect July 1, 2001. Sections 3, 4, and 5 of this act shall apply to offenses  
10 committed on or after said date.

11           **SECTION 11. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.