

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING PERMITS THAT AUTHORIZE PERSONS WHO DEMONSTRATE COMPETENCE WITH HANDGUNS TO CARRY CONCEALED HANDGUNS IN ALL STATUTORILY AUTHORIZED AREAS OF THE STATE, AND, IN CONNECTION THEREWITH, IDENTIFYING THE CARRYING OF CONCEALED HANDGUNS AS AN ISSUE OF STATEWIDE CONCERN, CREATING STATEWIDE STANDARDS FOR ISSUANCE OF PERMITS TO CARRY CONCEALED HANDGUNS, AND MAKING AN APPROPRIATION.

Prime Sponsors: Senator Chlouber
Representative White

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Date Prepared: March 9, 2003

Summary of Amendments Made to the Bill After the 01/13/03 Legislative Council Staff Revised Fiscal Note was Prepared (Amended by the Senate Committee Veterans & Military Affairs Committee 02/10/03, Senate Appropriations Committee 02/21/03, and Senate Second Reading 02/24/03)

Amended by the Senate Veterans & Military Affairs Committee 02/10/03

1. Strikes language requiring an applicant to pay for processing fingerprint with a money order or cashier's check.
2. Clarifies that a sheriff may maintain a database of permittees. This information is not to be shared for the purpose of creating or maintaining a statewide or regional database of permittees.
3. Clarifies that the court may, rather than shall, award attorney fees to the prevailing party if an individual's permit is denied, suspended or revoked.
4. Clarifies the conditions under which a sheriff may issue a temporary emergency permit.
5. Requires that if a permittee has a handgun on school property and if the permittee is not in the vehicle, the handgun must be in a compartment within the locked vehicle.
6. Extends the date a permit issued prior to the effective date of this bill is to expire to June 30, 2007 from June 30, 2005.

Amended by Senate Appropriations Committee 02/21/03

1. Added an Appropriations Clause which appropriates \$908,806 and 5.6 FTE for FY 2003-04. This is consistent with the Legislative Council Staff Fiscal Note dated 01/13/03.

Amended by the Senate on Second Reading 2/24/03

1. Strikes language that information is not to be shared for the purpose of creating or maintaining a statewide or regional database of permittees. Clarifies that upon request from another criminal justice agency for law enforcement purposes, a sheriff may provide information on persons issued a permit at the sheriffs discretion. A database operated for this purpose or operated by a state agency shall be searchable only by name.
2. Amends one of the competency requirements for a permit to include a training certificate from a handgun training class obtained within ten years preceding submittal of the application, rather than the last five years.

The amendments do not change the fiscal impact of the bill as delineated in the Legislative Council Staff Fiscal Note dated January 13, 2003.

JBC Staff Concurrence with Legislative Council Fiscal Note

Concurs **Does Not Concur** **Updated**

Amendments/Appropriation Status

Based on the Legislative Council Staff Fiscal Note, each applicant would pay \$49.00 for a criminal background check to the Colorado Bureau of Investigation (CBI). Of this amount, \$27.00 is for the CBI to conduct a background checks through the state system and \$22.00 is for the Federal Bureau of Investigation (FBI) to perform a criminal background check at the federal level. The amount collected for the federal background check is passed through to the FBI and is cash funds exempt. The amount to be used for the criminal background check through the state system is cash funds.

The bill currently contains an appropriations clause which appropriates a total of \$908,806 spending authority and 5.6 FTE to the CBI in the Department of Public Safety for FY 2003-04. Of this amount, \$523,696 is cash funds and \$385,110 is cash funds exempt. These amounts are consistent with the Legislative Council Staff Fiscal Note dated January 13, 2003.

Sponsor Amendments

Staff is not aware of any sponsor amendments.

Questions and Concerns

None.

