

**JBC STAFF FISCAL ANALYSIS
SENATE 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

JBC Analyst: Paul Doyle
Phone: 866-2061
Date Prepared: February 19, 2003

Summary of Amendments Made to the Bill After the 01/13/03 Legislative Council Staff Fiscal Note was Prepared (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 the purpose for which an issuing sheriff may maintain a database of persons receiving permits.
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.

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 a blank appropriations clause. Attached is **J.001** which appropriates a total of \$908,806 spending authority and 5.6 FTE to the CBI. 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

1. Based on language in the bill, it is not clear if the \$49.00 fee collected by the CBI is in addition to or a part of the total fee submitted to a sheriff for processing the permit. Page 16, lines 14 through 22, indicate the sheriff in each county or city and county in the state shall establish the amount of the permit fees within their jurisdiction. According to page 14, line 17 that fee is not to exceed \$100. However, on page 14, line 19, the bill states that in addition the applicant shall submit an amount to the CBI. Is the fee to the CBI intended to be separate or part of the maximum \$100 amount included in the bill? The Legislative Council Staff Fiscal Note assumes that the total fee would be \$100. If so, clarifying language may be needed.

