

Colorado Legislative Council Staff Fiscal Note
**STATE AND LOCAL
 CONDITIONAL FISCAL IMPACT**

Drafting Number: LLS 12-0553
Prime Sponsor(s): Rep. Stephens

Date: January 13, 2012
Bill Status: House Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING THE PROHIBITION OF LIMITATIONS CONCERNING FIREARMS DURING AN OFFICIAL STATE OF EMERGENCY.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures	Potential increase.	
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2012-2013: None.		
Local Government Impact: Potential increase.		

Summary of Legislation

This bill prohibits the state or any of its political subdivisions from limiting the otherwise lawful use, display, possession or transfer of ammunition or a firearm during an official state of emergency. During an emergency, lawfully possessed firearms and ammunition may not be seized or confiscated, except as necessary to make an arrest, to gather evidence for a crime, or for purposes of self-defense. Civil actions may be brought in order to return a seized firearm or ammunition and against a person acting on behalf of the state or a political subdivision.

State and Local Expenditures

Overall, this bill could increase costs for state and local governments. Any such costs are contingent upon several conditions being met: the Governor declaring a disaster emergency, a representative of state or local government violating the new law, and an aggrieved person filing a civil action in county court. To the extent these conditions are met and the court finds in favor of the aggrieved person, court costs and awards for damages will increase. These amounts are anticipated to be minimal and have not been estimated.

Departments Contacted

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| Corrections | Education | Governor's Office |
| Higher Education | Human Services | Judicial |
| Law | Local Affairs | Military Affairs |
| Natural Resources | Public Health | Revenue |