

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0670.01 Richard Sweetman x4333

HOUSE BILL 14-1166

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Tochtrop,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RENEWAL OF CONCEALED HANDGUN PERMITS BY**
102 **COLORADO COUNTY SHERIFFS.**

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/bills summaries>.)

Under current law, a person who possesses a concealed handgun permit or a temporary emergency concealed handgun permit who seeks to renew the permit must seek such renewal from the sheriff who issued the permit.

The bill permits a permit holder to renew the permit with the

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.

HOUSE
2nd Reading Unamended
February 14, 2014

sheriff of the county or city and county in which the applicant resides or with the sheriff of the county or city and county in which the applicant maintains a secondary residence or owns or leases real property used by the applicant in a business. A temporary emergency concealed handgun permit holder may renew the temporary emergency permit with the sheriff of the county or city and county in which the person resides or in which the circumstances giving rise to the emergency exist.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-205, **amend**
3 (2) (a) as follows:

4 **18-12-205. Sheriff - application - procedure - background**
5 **check.** (2) (a) An applicant shall complete the permit application form
6 and return it, in person, to the sheriff of the county or city and county in
7 which the applicant resides OR to the sheriff of the county or city and
8 county in which the applicant maintains a secondary residence or owns
9 or leases real property used by the applicant in a business. ~~or to the sheriff~~
10 ~~that previously issued a permit to the applicant.~~ The applicant shall sign
11 the completed permit application form in person before the sheriff. The
12 applicant shall provide his or her signature voluntarily upon a sworn oath
13 that the applicant knows the contents of the permit application and that
14 the information contained in the permit application is true and correct. An
15 applicant who knowingly and intentionally makes a false or misleading
16 statement on a permit application or deliberately omits any material
17 information requested on the application commits perjury as described in
18 section 18-8-503. Upon conviction, the applicant shall be punished as
19 provided in section 18-1.3-501. In addition, the applicant shall be denied
20 the right to obtain or possess a permit, and the sheriff shall revoke the
21 applicant's permit if issued prior to conviction.

22 **SECTION 2.** In Colorado Revised Statutes, 18-12-209, **amend**

1 (2) as follows:

2 **18-12-209. Issuance by sheriffs of temporary emergency**
3 **permits.** (2) (a) To receive a temporary emergency permit, a person shall
4 submit to the sheriff of the county or city and county in which the person
5 resides or in which the circumstances giving rise to the emergency exist
6 the items specified in section 18-12-205; except that an applicant for a
7 temporary emergency permit need not submit documentary evidence
8 demonstrating competence with a handgun as required under section
9 18-12-205 (3) (a), and the applicant shall submit a temporary permit fee
10 not to exceed twenty-five dollars, as set by the sheriff. Upon receipt of the
11 documents and fee, the sheriff shall request that the bureau conduct a
12 criminal history record check of the bureau files and a search of the
13 national instant criminal background check system. The sheriff may issue
14 a temporary emergency permit to the applicant if the sheriff determines
15 the person may be in immediate danger and the criminal history record
16 check shows that the applicant meets the criteria specified in section
17 18-12-203; except that the applicant need not demonstrate competence
18 with a handgun and the applicant may be eighteen years of age or older.

19 (b) (I) A temporary emergency permit issued pursuant to this
20 section is valid for a period of ninety days after the date of issuance. Prior
21 to or within ten days after expiration of a temporary emergency permit,
22 the permittee may apply to the ~~issuing~~ sheriff OF THE COUNTY OR CITY
23 AND COUNTY IN WHICH THE PERSON RESIDES OR IN WHICH THE
24 CIRCUMSTANCES GIVING RISE TO THE EMERGENCY EXIST for renewal of the
25 permit. The ~~issuing~~ sheriff may renew a temporary emergency permit
26 once for an additional ninety-day period; except that, if the permittee is
27 younger than twenty-one years of age, the sheriff may renew the

1 temporary emergency permit for subsequent ninety-day periods until the
2 permittee reaches twenty-one years of age.

3 (II) IF THE SHERIFF IS NOT THE SAME SHERIFF WHO ISSUED THE
4 TEMPORARY EMERGENCY PERMIT TO THE PERMITTEE:

5 (A) THE PERMITTEE SHALL SUBMIT TO THE RENEWING SHERIFF, IN
6 ADDITION TO THE MATERIALS DESCRIBED IN SECTION 18-12-205, A
7 LEGIBLE PHOTOCOPY OF THE TEMPORARY EMERGENCY PERMIT; AND

8 (B) THE RENEWING SHERIFF SHALL CONTACT THE OFFICE OF THE
9 SHERIFF WHO ISSUED THE TEMPORARY EMERGENCY PERMIT AND CONFIRM
10 THAT THE ISSUING SHERIFF HAS NOT REVOKED OR SUSPENDED THE
11 TEMPORARY EMERGENCY PERMIT.

12 **SECTION 3.** In Colorado Revised Statutes, 18-12-211, **amend**
13 (1) as follows:

14 **18-12-211. Renewal of permits.** (1) (a) Within one hundred
15 twenty days prior to expiration of a permit, the permittee may obtain a
16 renewal form from the ~~issuing~~ sheriff OF THE COUNTY OR CITY AND
17 COUNTY IN WHICH THE PERMITTEE RESIDES OR FROM THE SHERIFF OF THE
18 COUNTY OR CITY AND COUNTY IN WHICH THE PERMITTEE MAINTAINS A
19 SECONDARY RESIDENCE OR OWNS OR LEASES REAL PROPERTY USED BY THE
20 PERMITTEE IN A BUSINESS and renew the permit by submitting to the
21 ~~issuing~~ sheriff a completed renewal form, a notarized affidavit stating that
22 the permittee remains qualified pursuant to the criteria specified in section
23 18-12-203 (1) (a) to (1) (g), and the required renewal fee not to exceed
24 fifty dollars, as set by the sheriff pursuant to section 18-12-205 (5). The
25 renewal form ~~shall~~ MUST meet the requirements specified in section
26 18-12-205 (1) for an application.

27 (b) IF THE SHERIFF IS NOT THE SAME SHERIFF WHO ISSUED THE

1 PERMIT TO THE PERMITTEE:

2 (I) THE PERMITTEE SHALL SUBMIT TO THE RENEWING SHERIFF, IN
3 ADDITION TO THE MATERIALS DESCRIBED IN PARAGRAPH (a) OF THIS
4 SUBSECTION (1), A LEGIBLE PHOTOCOPY OF THE PERMIT; AND

5 (II) THE RENEWING SHERIFF SHALL CONTACT THE OFFICE OF THE
6 SHERIFF WHO ISSUED THE PERMIT AND CONFIRM THAT THE ISSUING SHERIFF
7 HAS NOT REVOKED OR SUSPENDED THE PERMIT.

8 (c) The sheriff shall verify pursuant to section 18-12-205 (4) that
9 the permittee meets the criteria specified in section 18-12-203 (1) (a) to
10 (1) (g) and is not a danger as described in section 18-12-203 (2) and shall
11 either renew or deny the renewal of the permit in accordance with the
12 provisions of section 18-12-206 (1). If the sheriff denies renewal of a
13 permit, the permittee may seek a second review of the renewal application
14 by the sheriff and may submit additional information for the record. The
15 permittee may also seek judicial review as provided in section 18-12-207.

16 **SECTION 4. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.