LLS NO. 16-0006.01 Richard Sweetman x4333

SENATE BILL 16-017

SENATE SPONSORSHIP
Neville T.,

HOUSE SPONSORSHIP
Neville P.,

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

CONCERNING ALLOWING A LAW-ABIDING PERSON TO CARRY A CONCEALED HANDGUN WITHOUT A PERMIT, AND, IN CONNECTION THEREWITH, PRESERVING CURRENT LAWS RESTRICTING THE CARRYING OF CONCEALED HANDGUNS ON CERTAIN PROPERTY INCLUDING SCHOOL GROUNDS.

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/billsummaries.)

The bill allows a person who legally possesses a handgun under state and federal law to carry a concealed handgun in Colorado. A person
who carries a concealed handgun under the authority created in the bill
has the same carrying rights and is subject to the same limitations that
apply to a person who holds a permit to carry a concealed handgun under
current law, including the prohibition on the carrying of a concealed
handgun on the grounds of a public elementary, middle, junior high, or
high school.

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

SECTION 1. In Colorado Revised Statutes, 18-12-105, amend
(2) (f); and add (2) (g) as follows:

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

(f) A United States probation officer or a United States pretrial
services officer while on duty and serving in the state of Colorado under
the authority of rules and regulations promulgated by the judicial
conference of the United States; OR

(g) A PERSON WHO WAS AT LEAST TWENTY-ONE YEARS OF AGE
AND LEGALLY POSSESSED A HANDGUN UNDER THE LAWS OF THIS STATE
AND OF THE UNITED STATES AND THE WEAPON INVOLVED IN THE INCIDENT
WAS A CONCEALED HANDGUN. THE AUTHORITY TO CARRY A CONCEALED
HANDGUN PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (g) IS
EQUAL IN ALL RESPECTS TO THE AUTHORITY GRANTED BY A PERMIT TO
CARRY A CONCEALED HANDGUN AS SPECIFIED IN SECTION 18-12-214. A
PERSON WHO CARRIES A CONCEALED HANDGUN PURSUANT TO THE
PROVISIONS OF THIS PARAGRAPH (g) HAS THE SAME RIGHTS AND IS
SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 18-12-214 AS APPLY
TO A PERSON WHO HOLDS A PERMIT TO CARRY A CONCEALED HANDGUN.

SECTION 2. In Colorado Revised Statutes, 18-12-105.5, amend
(3) (h); and **add** (3) (i) as follows:

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

(h) The person has possession of the weapon for use in an educational program approved by a school which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons; OR

(i) **THE PERSON IS AT LEAST TWENTY-ONE YEARS OF AGE AND MAY LEGALLY POSSESS A HANDGUN UNDER THE LAWS OF THIS STATE AND OF THE UNITED STATES AND THE WEAPON INVOLVED IN THE INCIDENT WAS A CONCEALED HANDGUN. THE AUTHORITY TO CARRY A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (i) IS EQUAL IN ALL RESPECTS TO THE AUTHORITY GRANTED BY A PERMIT TO CARRY A CONCEALED HANDGUN AS SPECIFIED IN SECTION 18-12-214. A PERSON WHO CARRIES A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (i) HAS THE SAME RIGHTS AND IS SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 18-12-214 AS APPLY TO A PERSON WHO HOLDS A PERMIT TO CARRY A CONCEALED HANDGUN.**

**SECTION 3. Effective date - applicability.** This act takes effect upon passage and applies to offenses committed on or after said date.

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