

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws. 2003



HOUSE BILL 03-1290

BY REPRESENTATIVE(S) Lee, Frangas, Lundberg, Paccione, Rose, Schultheis, Brophy, Crane, and Fritz;
also SENATOR(S) Cairns.

CONCERNING DECLARATIONS OF A STATE OF EMERGENCY.

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

SECTION 1. 24-32-2103 (1.5), Colorado Revised Statutes, is amended to read:

24-32-2103. Definitions. As used in this part 21, unless the context otherwise requires:

(1.5) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire, flood, earthquake, wind, storm, wave action, hazardous substance incident, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, ~~or~~ hostile military or

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

paramilitary action, OR A CONDITION OF RIOT, INSURRECTION, OR INVASION EXISTING IN THE STATE OR IN ANY COUNTY, CITY, TOWN, OR DISTRICT IN THE STATE.

SECTION 2. Repeal. 24-20-201, Colorado Revised Statutes, is repealed as follows:

24-20-201. Insurrection - firearms prohibited. ~~When, in the opinion of the governor, a condition of riot, insurrection, or invasion exists in this state or in any county, city, town, or district in this state, he shall have the right to declare the state or any such county, city, town, or district to be in a state of riot, or insurrection, or invasion, by proclamation, and to prohibit the purchase, manufacture for sale or use, receiving, carrying, or use, or the selling, giving away, transportation, or otherwise disposing, or the permitting of others to obtain possession of any firearms or ammunition in the places covered by said proclamation or in any other portion of the state designated by him during the time that said proclamation remains in force.~~

SECTION 3. Repeal. 24-20-202, Colorado Revised Statutes, is repealed as follows:

24-20-202. Permit to bear arms. ~~If the governor at any time issues his proclamation as provided in section 24-20-201 declaring the state or any county, city, town, or district within the state to be in a state of riot, or insurrection, or invasion, it is unlawful while said proclamation is in force for any person, firm, or corporation within the territory covered by said proclamation to purchase, manufacture for sale or use, receive, transport, carry, or use any firearm or ammunition or to sell, give away, or otherwise dispose of or permit others to obtain possession of any firearm or ammunition without a written permit from the governor or his regularly authorized representative. No permit shall be issued by the governor or his representative unless and until the person so desiring such permit satisfies the governor or his representative that the same is to be used in defense of his home, person, or property. This section shall not apply to legally authorized peace officers, or sheriffs, designated by the governor or his representative, or members of the national guard of Colorado. No permit shall be issued to allow the purchase, manufacture for sale or use, receipt, use, transportation, or disposing of firearms or ammunition by anyone not a citizen of the United States or to anyone who has not been a resident of~~

~~the state of Colorado for more than one year prior to the issuance of the proclamation mentioned in section 24-20-201.~~

SECTION 4. Repeal. 24-20-204, Colorado Revised Statutes, is repealed as follows:

24-20-204. Violation - penalty. ~~Any person, firm, or corporation violating the provisions of section 24-20-202 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.~~

SECTION 5. 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.

Lola Spradley
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John Andrews
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Mona Heustis
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO