

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 13, 2003
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB03-1290 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute the following:

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

5 **24-32-2103. Definitions.** As used in this part 21, unless the
6 context otherwise requires:

7 (1.5) "Disaster" means the occurrence or imminent threat of
8 widespread or severe damage, injury, or loss of life or property resulting
9 from any natural cause or cause of human origin, including but not
10 limited to fire, flood, earthquake, wind, storm, wave action, hazardous
11 substance incident, oil spill or other water contamination requiring
12 emergency action to avert danger or damage, volcanic activity, epidemic,
13 air pollution, blight, drought, infestation, explosion, civil disturbance, or
14 hostile military or paramilitary action, OR A CONDITION OF RIOT,
15 INSURRECTION, OR INVASION EXISTING IN THE STATE OR IN ANY COUNTY,
16 CITY, TOWN, OR DISTRICT IN THE STATE.

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2 repealed as follows:

3 **24-20-201. Insurrection - firearms prohibited.** ~~When, in the~~
4 ~~opinion of the governor, a condition of riot, insurrection, or invasion~~
5 ~~exists in this state or in any county, city, town, or district in this state, he~~
6 ~~shall have the right to declare the state or any such county, city, town, or~~
7 ~~district to be in a state of riot, or insurrection, or invasion, by~~
8 ~~proclamation, and to prohibit the purchase, manufacture for sale or use,~~
9 ~~receiving, carrying, or use, or the selling, giving away, transportation, or~~
10 ~~otherwise disposing, or the permitting of others to obtain possession of~~
11 ~~any firearms or ammunition in the places covered by said proclamation~~
12 ~~or in any other portion of the state designated by him during the time that~~
13 ~~said proclamation remains in force.~~

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15 repealed as follows:

16 **24-20-202. Permit to bear arms.** ~~If the governor at any time~~
17 ~~issues his proclamation as provided in section 24-20-201 declaring the~~
18 ~~state or any county, city, town, or district within the state to be in a state~~
19 ~~of riot, or insurrection, or invasion, it is unlawful while said proclamation~~
20 ~~is in force for any person, firm, or corporation within the territory~~
21 ~~covered by said proclamation to purchase, manufacture for sale or use,~~
22 ~~receive, transport, carry, or use any firearm or ammunition or to sell, give~~
23 ~~away, or otherwise dispose of or permit others to obtain possession of~~
24 ~~any firearm or ammunition without a written permit from the governor or~~
25 ~~his regularly authorized representative. No permit shall be issued by the~~
26 ~~governor or his representative unless and until the person so desiring such~~
27 ~~permit satisfies the governor or his representative that the same is to be~~
28 ~~used in defense of his home, person, or property. This section shall not~~
29 ~~apply to legally authorized peace officers, or sheriffs, designated by the~~
30 ~~governor or his representative, or members of the national guard of~~
31 ~~Colorado. No permit shall be issued to allow the purchase, manufacture~~
32 ~~for sale or use, receipt, use, transportation, or disposing of firearms or~~
33 ~~ammunition by anyone not a citizen of the United States or to anyone~~
34 ~~who has not been a resident of the state of Colorado for more than one~~
35 ~~year prior to the issuance of the proclamation mentioned in section~~

1 ~~24-20-201.~~

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

4 **24-20-204. Violation - penalty.** ~~Any person, firm, or corporation~~
5 ~~violating the provisions of section 24-20-202 is guilty of a misdemeanor~~
6 ~~and, upon conviction thereof, shall be punished by a fine of not less than~~
7 ~~one hundred dollars nor more than one thousand dollars, or by~~
8 ~~imprisonment in the county jail for not more than one year, or by both~~
9 ~~such fine and imprisonment.~~

10 **SECTION 5. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety."

13 Page 1, line 101, strike "EMERGENCY, AND, IN" and substitute
14 "EMERGENCY.";

15 strike lines 102 through 105.

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