

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

January 22, 2003

Date

Committee on State Veterans & Military Affairs.

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

SB03-063 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 3, strike "HANDGUNS" and substitute
- 2 "WEAPONS";
- 3 line 8, strike "HANDGUNS" and substitute "WEAPONS";
- 4 line 9, strike "HANDGUNS" and substitute "WEAPONS";
- 5 line 12, strike "HANDGUNS" and substitute "WEAPONS";
- 6 line 14, strike "HANDGUNS" and substitute "WEAPONS";
- 7 line 18, strike "HANDGUNS" and substitute "WEAPONS";
- 8 line 22, strike "HANDGUNS" and substitute "WEAPONS";
- 9 line 23, strike "HANDGUNS" and substitute "WEAPONS";
- 10 line 24, strike "HANDGUN" and substitute "WEAPON";
- 11 line 27, strike "HANDGUN" and substitute "WEAPON".

- 1 Page 4, line 6, strike "HANDGUNS" and substitute "WEAPONS";
- 2 line 8, strike "HANDGUNS" and substitute "WEAPONS";
- 3 line 9, strike "HANDGUNS" and substitute "WEAPONS";
- 4 strike lines 14 through 16.
- 5 Renumber succeeding subsections accordingly.
- 6 Page 4, line 17, strike "HANDGUN" and substitute "WEAPON";
- 7 line 24, strike "HANDGUN" and substitute "WEAPON".
- 8 Page 5, line 19, after "THE STATE,", insert "UNLESS THE WEAPON IS
- 9 CARRIED INTO AN ELEMENTARY, MIDDLE, JUNIOR, OR HIGH SCHOOL
- 10 BUILDING WITH CRIMINAL INTENT, OR";
- 11 line 22, strike "HANDGUN" and substitute "WEAPON";
- 12 line 24, strike "HANDGUN" and substitute "WEAPON";
- 13 line 27, strike "HANDGUN" and substitute "WEAPON".
- 14 Page 6, after line 14, insert the following:
- 15 "(3) (a) A PERSON WHO MAY LAWFULLY POSSESS A WEAPON MAY
- 16 CARRY A WEAPON UNDER THE FOLLOWING CIRCUMSTANCES WITHOUT
- 17 OBTAINING A PERMIT AND THE WEAPON SHALL NOT BE CONSIDERED
- 18 CONCEALED:
- 19 (I) THE WEAPON IS IN THE POSSESSION OF A PERSON WHO IS IN A
- 20 PRIVATE AUTOMOBILE OR IN SOME OTHER PRIVATE MEANS OF
- 21 CONVEYANCE AND WHO CARRIES THE WEAPON FOR A LEGAL USE,
- 22 INCLUDING SELF-DEFENSE; OR
- 23 (II) THE WEAPON IS IN THE POSSESSION OF A PERSON WHO IS
- 24 LEGALLY ENGAGED IN HUNTING ACTIVITIES ON UNDEVELOPED REAL

1 PROPERTY WITHIN THE STATE.

2 (b) THE PROVISIONS OF THIS SUBSECTION (3) SHALL NOT BE
3 CONSTRUED TO AUTHORIZE THE CARRYING OF A WEAPON IN VIOLATION OF
4 THE PROVISIONS OF SECTION 18-12-105 OR 18-12-105.5.";

5 line 24, after "APPLICANT.", add "A SHERIFF SHALL PROVIDE INFORMATION
6 CONCERNING WEAPON TRAINING AND LEGAL ISSUES INVOLVING THE USE
7 OF WEAPONS TO ANY PERSON WHO APPLIES FOR A PERMIT TO CARRY A
8 CONCEALED WEAPON.";

9 line 26, strike "FIFTY" and substitute "SIXTY".

10 Page 7, line 1, strike "SIX" and substitute "THIRTEEN";

11 line 3, strike "HANDGUN" and substitute "WEAPON";

12 line 4, strike "LAW." and substitute "LAW, IF THE SHERIFF REQUESTS THE
13 BUREAU PERFORM THE SEARCH PURSUANT TO SUBSECTION (3) OF THIS
14 SECTION.";

15 line 12, strike "18-12-203 (1)." and substitute "18-12-203 (1) OR IF THE
16 SHERIFF IS CAPABLE OF PERFORMING THE SEARCH OF THE NATIONAL
17 INSTANT CRIMINAL BACKGROUND CHECK SYSTEM AND A SEARCH OF THE
18 STATE INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM, THE SHERIFF
19 MAY PERFORM THE SEARCH TO DETERMINE WHETHER THE APPLICANT
20 MEETS THE REQUIREMENTS SPECIFIED IN SECTION 18-12-203 (1).".

21 Page 8, line 20, strike "TWENTY-FIVE" and substitute "THIRTY";

22 line 22, after "APPLICATION.", insert "THE SHERIFF MAY REQUEST THE
23 BUREAU CONDUCT A SEARCH OF THE NATIONAL CRIMINAL BACKGROUND
24 CHECK SYSTEM AND A SEARCH OF THE STATE INTEGRATED CRIMINAL
25 JUSTICE INFORMATION SYSTEM TO DETERMINE WHETHER THE APPLICANT
26 MEETS THE REQUIREMENTS IN SECTION 18-12-203 (1). IF THE SHERIFF
27 DOES MAKE THE REQUEST, THE SHERIFF SHALL TRANSMIT TO THE BUREAU
28 THIRTEEN DOLLARS FROM THE RENEWAL FEE TO OFFSET THE COST
29 INCURRED BY THE BUREAU IN DETERMINING WHETHER THE APPLICANT IS

1 ELIGIBLE TO POSSESS A WEAPON PURSUANT TO STATE AND FEDERAL LAW.".

2 Page 9, line 2, strike "A CONCEALED";

3 line 3, strike "HANDGUN OR";

4 line 19, strike "HANDGUNS" and substitute "WEAPONS";

5 line 21, strike "HANDGUNS" and substitute "WEAPONS".

6 Page 10, line 8, strike "HANDGUN" and substitute "WEAPON";

7 after line 8, insert the following:

8 "SECTION 4. 18-12-105.5 (3) (d), Colorado Revised Statutes,
9 is amended to read:

10 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
11 **possession of weapons - school, college, or university grounds.** (3) It
12 shall not be an offense under this section if:

13 (d) The person, ~~prior to~~ AT the time of carrying a concealed
14 weapon, ~~has been issued a~~ HELD A VALID written permit TO CARRY A
15 CONCEALED WEAPON ISSUED pursuant to section 18-12-105.1, ~~to carry the~~
16 ~~weapon by the chief of police of a city or city and county or the sheriff~~
17 ~~of a county~~ AS SAID SECTION EXISTED PRIOR TO ITS REPEAL; or".

18 Renumber succeeding sections accordingly.

19 Page 11, line 3, strike "**handguns**" and "**weapons**";

20 line 6, strike "~~weapons.~~" and substitute "weapons";

21 line 7, strike "HANDGUNS".

22 Page 1, line 102, strike "**HANDGUNS**" and substitute "**WEAPONS**";

23 line 106, strike "**HANDGUNS**" and substitute "**WEAPONS**".

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