

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 12-0603.01 Richard Sweetman x4333

HOUSE BILL 12-1092

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A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF A LAW-ABIDING PERSON TO CARRY**
102 **A CONCEALED HANDGUN WITHOUT A PERMIT.**

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 creates exceptions to the offenses of carrying a concealed weapon and unlawful possession of a weapon on school, college, or university grounds if the person is at least twenty-one years of age and may legally possess a handgun under the laws of Colorado and of the United States. A person who carries a concealed handgun under 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
Amended 2nd Reading
February 14, 2012

exception has the same carrying rights and is subject to the same limitations as apply to a person who holds a permit to carry a concealed handgun, including but not limited to the existing limitations concerning the carrying of a concealed handgun on the real property, or in any improvements erected thereon, of a public elementary, middle, junior high, or high school.

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

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

4 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**
5 **possession of weapons.** (2) It shall not be an offense if the defendant
6 was:

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

11 (g) A PERSON WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND
12 MAY LEGALLY POSSESS A HANDGUN UNDER THE LAWS OF THIS STATE AND
13 OF THE UNITED STATES AND THE WEAPON INVOLVED IN THE INCIDENT WAS
14 A HANDGUN. THE AUTHORITY TO CARRY A CONCEALED HANDGUN
15 PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (g) IS EQUAL IN ALL
16 RESPECTS TO THE AUTHORITY GRANTED BY A PERMIT TO CARRY A
17 CONCEALED HANDGUN AS SPECIFIED IN SECTION 18-12-214. A PERSON
18 WHO CARRIES A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF
19 THIS PARAGRAPH (g) HAS THE SAME RIGHTS AND IS SUBJECT TO THE SAME
20 LIMITATIONS SPECIFIED IN SECTION 18-12-214 AS APPLY TO A PERSON WHO
21 HOLDS A PERMIT TO CARRY A CONCEALED HANDGUN, INCLUDING BUT NOT
22 LIMITED TO THE LIMITATIONS IN SECTION 18-12-214 (3) CONCERNING THE

1 CARRYING OF A CONCEALED HANDGUN ON THE REAL PROPERTY, OR IN ANY
2 IMPROVEMENTS ERECTED THEREON, OF A PUBLIC ELEMENTARY, MIDDLE,
3 JUNIOR HIGH, OR HIGH SCHOOL.

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

6 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
7 **possession of weapons - school, college, or university grounds.** (3) It
8 shall not be an offense under this section if:

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

13 (i) THE PERSON IS AT LEAST TWENTY-ONE YEARS OF AGE AND MAY
14 LEGALLY POSSESS A HANDGUN UNDER THE LAWS OF THIS STATE AND OF
15 THE UNITED STATES AND THE WEAPON INVOLVED IN THE INCIDENT WAS
16 A HANDGUN. THE AUTHORITY TO CARRY A CONCEALED HANDGUN
17 PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (i) IS EQUAL IN ALL
18 RESPECTS TO THE AUTHORITY GRANTED BY A PERMIT TO CARRY A
19 CONCEALED HANDGUN AS SPECIFIED IN SECTION 18-12-214. A PERSON
20 WHO CARRIES A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF
21 THIS PARAGRAPH (i) HAS THE SAME RIGHTS AND IS SUBJECT TO THE SAME
22 LIMITATIONS SPECIFIED IN SECTION 18-12-214 AS APPLY TO A PERSON WHO
23 HOLDS A PERMIT TO CARRY A CONCEALED HANDGUN, INCLUDING BUT NOT
24 LIMITED TO THE LIMITATIONS IN SECTION 18-12-214 (3) CONCERNING THE
25 CARRYING OF A CONCEALED HANDGUN ON THE REAL PROPERTY, OR IN ANY
26 IMPROVEMENTS ERECTED THEREON, OF A PUBLIC ELEMENTARY, MIDDLE,
27 JUNIOR HIGH, OR HIGH SCHOOL. A PERSON WHO CARRIES A CONCEALED

1 HANDGUN PURSUANT TO THE PROVISIONS OF THIS SUBPARAGRAPH (i) IS
2 NOT ENTITLED TO CARRY A CONCEALED HANDGUN ON THE REAL PROPERTY
3 OF ANY PUBLIC SCHOOL DISTRICT.

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

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