

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0292.01 Richard Sweetman x4333

HOUSE BILL 13-1226

HOUSE SPONSORSHIP

Levy, Fields, Fischer, Hullinghorst, McCann, Schafer

SENATE SPONSORSHIP

Heath,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ELIMINATING THE AUTHORITY OF A CONCEALED**
102 **HANDGUN PERMIT HOLDER TO POSSESS A CONCEALED HANDGUN**
103 **ON THE CAMPUS OF AN INSTITUTION OF HIGHER EDUCATION.**

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>.)

Under current law, a person who possesses a valid permit to carry a concealed handgun (permit) may do so in all areas of the state, with certain exceptions. The bill creates a new exception stating that a permit does not authorize a permit holder to possess a concealed handgun:

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.

- ! In any building or structure, or any portion thereof, that is used by a public institution of higher education for any purpose;
- ! In any stadium or arena that is used by a public institution of higher education to host events, including but not limited to athletic and extracurricular events and graduation ceremonies; or
- ! At an outdoor, institution-sponsored event on the campus of the institution at which the chief administrator of the institution's campus, in consultation with the chief officer of the institution's campus safety agency, has elected to prohibit the carrying of firearms.

A permit holder who is employed or retained by contract by a public institution of higher education as a security officer may carry a concealed handgun onto the real property, or into any improvement erected thereon, of the public institution of higher education while the permittee is on duty.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-214, **add** (3.5)
 3 as follows:

4 **18-12-214. Authority granted by permit - carrying**
 5 **restrictions.** (3.5) (a) A PERMIT ISSUED PURSUANT TO THIS PART 2 DOES
 6 NOT AUTHORIZE A PERMIT HOLDER TO POSSESS A CONCEALED HANDGUN :

7 (I) IN ANY BUILDING OR STRUCTURE, OR ANY PORTION THEREOF,
 8 THAT IS USED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR ANY
 9 PURPOSE;

10 (II) IN ANY STADIUM OR ARENA THAT IS USED BY A PUBLIC
 11 INSTITUTION OF HIGHER EDUCATION TO HOST EVENTS, INCLUDING BUT NOT
 12 LIMITED TO ATHLETIC AND EXTRACURRICULAR EVENTS AND GRADUATION
 13 CEREMONIES; OR

14 (III) AT AN OUTDOOR, INSTITUTION-SPONSORED EVENT ON THE
 15 CAMPUS OF THE INSTITUTION AT WHICH THE CHIEF ADMINISTRATOR OF THE
 16 INSTITUTION'S CAMPUS, IN CONSULTATION WITH THE CHIEF OFFICER OF THE

1 INSTITUTION'S CAMPUS SAFETY AGENCY, HAS ELECTED TO PROHIBIT THE
2 CARRYING OF FIREARMS.

3 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
4 THIS SUBSECTION (3.5), A PERMITTEE WHO IS EMPLOYED OR RETAINED BY
5 CONTRACT BY A PUBLIC INSTITUTION OF HIGHER EDUCATION AS A
6 SECURITY OFFICER MAY BE PERMITTED BY THE INSTITUTION TO CARRY A
7 CONCEALED HANDGUN INSIDE BUILDINGS AND STRUCTURES USED BY THE
8 INSTITUTION.

9 (c) AS USED IN THIS SUBSECTION (3.5), UNLESS THE CONTEXT
10 OTHERWISE REQUIRES, "PUBLIC INSTITUTION OF HIGHER EDUCATION"
11 MEANS ANY COLLEGE, UNIVERSITY, COMMUNITY COLLEGE, TECHNICAL
12 COLLEGE, JUNIOR COLLEGE, OR AREA VOCATIONAL SCHOOL DESCRIBED IN
13 TITLE 23, C.R.S., INCLUDING BUT NOT LIMITED TO THE AURARIA HIGHER
14 EDUCATION CENTER DESCRIBED IN ARTICLE 70 OF SAID TITLE 23.

15 **SECTION 2.** In Colorado Revised Statutes, 18-12-105.5, **amend**
16 (3) (d.5); and **repeal** (3) (d) as follows:

17 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
18 **possession of weapons - school, college, or university grounds.** (3) It
19 shall not be an offense under this section if:

20 ~~(d) The person, at the time of carrying a concealed weapon, held~~
21 ~~a valid written permit to carry a concealed weapon issued pursuant to~~
22 ~~section 18-12-105.1, as said section existed prior to its repeal; except that~~
23 ~~it shall be an offense under this section if the person was carrying a~~
24 ~~concealed handgun in violation of the provisions of section 18-12-214~~
25 ~~(3); or~~

26 (d.5) The weapon involved was a handgun and the person held a
27 valid permit to carry a concealed handgun or a temporary emergency

1 permit issued pursuant to part 2 of this article; except that it shall be an
2 offense under this section if the person was carrying a concealed handgun
3 in violation of the provisions of section 18-12-214 (3) OR (3.5); or

4 **SECTION 3.** In Colorado Revised Statutes, 18-12-105, **amend**
5 (2) (c) as follows:

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

9 (c) A person who, at the time of carrying a concealed ~~weapon,~~
10 ~~held a valid written permit to carry a concealed weapon issued pursuant~~
11 ~~to section 18-12-105.1, as it existed prior to its repeal, or, if the weapon~~
12 ~~involved was a handgun, held a valid permit to carry a concealed handgun~~
13 or a temporary emergency permit issued pursuant to part 2 of this article;
14 except that it shall be an offense under this section if the person was
15 carrying a concealed handgun in violation of the provisions of section
16 18-12-214; or

17 **SECTION 4. Exception to the requirements of section 2-2-703,**
18 **Colorado Revised Statutes.** The general assembly hereby finds that the
19 amendments to sections 18-12-214, 18-12-105.5, and 18-12-105, Colorado
20 Revised Statutes, enacted in sections 1, 2, and 3 of this act will result in
21 the minor fiscal impact of one additional offender being convicted and
22 sentenced to the department of corrections during the five years following
23 passage of this act. Because of the relative insignificance of this degree
24 of fiscal impact, these amendments are an exception to the five-year
25 appropriation requirements specified in section 2-2-703, Colorado
26 Revised Statutes.

27 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.