

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB24-131 be amended as follows:

1 Amend printed bill, page 2, strike lines 16 through 20.

2 Strike pages 3 through 8.

3 Page 9, strike line 1 and substitute:

4 "SECTION 2. In Colorado Revised Statutes, **add** 18-12-105.3 as  
5 follows:

6 **18-12-105.3. Unlawful carrying of a firearm in government**  
7 **buildings - penalty - definitions.** (1) A PERSON SHALL NOT KNOWINGLY  
8 CARRY A FIREARM, WHETHER LOADED OR NOT LOADED, IN ANY OF THE  
9 FOLLOWING LOCATIONS, INCLUDING THEIR ADJACENT PARKING AREAS:

10 (a) ON THE PROPERTY OF OR WITHIN ANY BUILDING IN WHICH:

11 (I) THE CHAMBERS, GALLERIES, OR OFFICES OF THE GENERAL  
12 ASSEMBLY, OR EITHER HOUSE THEREOF, ARE LOCATED;

13 (II) A LEGISLATIVE HEARING OR MEETING OF THE GENERAL  
14 ASSEMBLY IS BEING CONDUCTED; OR

15 (III) THE OFFICIAL OFFICE OF ANY MEMBER, OFFICER, OR  
16 EMPLOYEE OF THE GENERAL ASSEMBLY IS LOCATED;

17 (b) UNLESS PERMITTED BY A LOCAL GOVERNMENT, AS DESCRIBED  
18 IN SUBSECTION (4)(b) OF THIS SECTION, ON THE PROPERTY OR WITHIN ANY  
19 BUILDING IN WHICH:

20 (I) THE CHAMBERS OR GALLERIES OF A LOCAL GOVERNMENT'S  
21 GOVERNING BODY ARE LOCATED;

22 (II) A MEETING OF A LOCAL GOVERNMENT'S GOVERNING BODY IS  
23 BEING CONDUCTED; OR

24 (III) THE OFFICIAL OFFICE OF ANY ELECTED MEMBER OF A LOCAL  
25 GOVERNMENT'S GOVERNING BODY OR OF THE CHIEF EXECUTIVE OFFICER  
26 OF A LOCAL GOVERNMENT IS LOCATED; OR

27 (c) A COURTHOUSE OR ANY OTHER BUILDING OR PORTION OF A  
28 BUILDING USED FOR COURT PROCEEDINGS.

29 (2) THIS SECTION DOES NOT APPLY TO:

30 (a) A PEACE OFFICER CARRYING A FIREARM PURSUANT TO THE  
31 AUTHORITY GRANTED IN SECTION 16-2.5-101 (2);

32 (b) A MEMBER OF THE UNITED STATES ARMED FORCES OR  
33 COLORADO NATIONAL GUARD WHEN ENGAGED IN THE LAWFUL  
34 DISCHARGE OF THE MEMBER'S OFFICIAL DUTIES;

35 (c) SECURITY PERSONNEL EMPLOYED OR RETAINED BY AN ENTITY  
36 THAT CONTROLS OR OPERATES A PLACE DESCRIBED IN THIS SECTION WHILE  
37 ENGAGED IN THE SECURITY PERSONNEL'S OFFICIAL DUTIES; AND

38 (d) A PERSON WHO HOLDS A VALID PERMIT TO CARRY A

1 CONCEALED HANDGUN OR A TEMPORARY EMERGENCY PERMIT ISSUED  
2 PURSUANT TO PART 2 OF THIS ARTICLE 12 WHO IS CARRYING A CONCEALED  
3 HANDGUN IN THE ADJACENT PARKING AREA OF A LOCATION LISTED IN  
4 SUBSECTION (1) OF THIS SECTION.

5 (3) A PERSON COMMITS UNLAWFUL CARRYING OF A FIREARM IN A  
6 GOVERNMENT BUILDING IF THE PERSON VIOLATES SUBSECTION (1) OF THIS  
7 SECTION. UNLAWFUL CARRYING OF A FIREARM IN A GOVERNMENT  
8 BUILDING IS A CLASS 1 MISDEMEANOR.

9 (4) (a) THIS SECTION DOES NOT PROHIBIT A LOCAL GOVERNMENT  
10 FROM ENACTING AN ORDINANCE, REGULATION, OR OTHER LAW PURSUANT  
11 TO SECTION 18-12-214 OR 29-11.7-104 THAT PROHIBITS A PERSON FROM  
12 CARRYING A FIREARM IN A SPECIFIED PLACE.

13 (b) A LOCAL GOVERNMENT MAY ENACT AN ORDINANCE,  
14 REGULATION, OR OTHER LAW THAT PERMITS A PERSON TO CARRY A  
15 FIREARM AT PLACE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION.

16 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
17 REQUIRES:

18 (a) "GOVERNING BODY" HAS THE SAME MEANING SET FORTH IN  
19 SECTION 29-1-102.

20 (b) "LOCAL GOVERNMENT" MEANS ANY CITY, COUNTY, CITY AND  
21 COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THIS  
22 STATE, OR ANY DEPARTMENT, AGENCY, OR INSTRUMENTALITY THEREOF.

23 **SECTION 3.** In Colorado Revised Statutes, 18-12-105.5, **amend**  
24 (1)(a), (1)(b)(II), (3) introductory portion, (3)(d.5), and (3)(h); **repeal**  
25 (3)(d); and **add** (1)(a.5), (3)(i), and (3)(j) as follows:

26 **18-12-105.5. Unlawfully carrying a weapon - unlawful**  
27 **possession of weapons - school, college, or university grounds.**

28 (1) (a) A person shall not knowingly and unlawfully and without legal  
29 authority carry, bring, or have in the person's possession a deadly weapon  
30 as defined in section 18-1-901 (3)(e) THAT IS NOT A FIREARM in or on the  
31 real estate and all improvements erected thereon of any public or private  
32 elementary, middle, junior high, high, or vocational school or any public  
33 or private college, university, or seminary; except for the purpose of  
34 presenting an authorized public demonstration or exhibition pursuant to  
35 instruction in conjunction with an organized school or class, for the  
36 purpose of carrying out the necessary duties and functions of an employee  
37 of an educational institution that require the use of a deadly weapon THAT  
38 IS NOT A FIREARM, or for the purpose of participation in an authorized  
39 extracurricular activity or on an athletic team.

40 (a.5) A PERSON SHALL NOT KNOWINGLY CARRY A FIREARM, EITHER  
41 OPENLY OR CONCEALED, IN OR ON THE REAL ESTATE AND ALL  
42 IMPROVEMENTS ERECTED THEREON OF ANY PUBLIC OR PRIVATE  
43 PRESCHOOL; PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH,

1 HIGH, OR VOCATIONAL SCHOOL; OR ANY PUBLIC OR PRIVATE COLLEGE,  
2 UNIVERSITY, OR SEMINARY; EXCEPT FOR THE PURPOSE OF PRESENTING AN  
3 AUTHORIZED PUBLIC DEMONSTRATION OR EXHIBITION PURSUANT TO  
4 INSTRUCTION IN CONJUNCTION WITH AN ORGANIZED SCHOOL OR CLASS,  
5 FOR THE PURPOSE OF CARRYING OUT THE NECESSARY DUTIES AND  
6 FUNCTIONS OF AN EMPLOYEE OF AN EDUCATIONAL INSTITUTION THAT  
7 REQUIRE THE USE OF A FIREARM, OR FOR THE PURPOSE OF PARTICIPATION  
8 IN AN AUTHORIZED EXTRACURRICULAR ACTIVITY OR ON AN ATHLETIC  
9 TEAM.

10 (b) (II) A person who violates ~~subsection (1)(a)~~ SUBSECTION  
11 (1)(a.5) of this section commits a ~~class 5 felony if the weapon involved~~  
12 ~~is a firearm, as defined in section 18-1-901~~ CLASS 1 MISDEMEANOR.

13 (3) It ~~shall not be~~ IS NOT an offense under this section if:

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

20 (d.5) The weapon involved was a handgun, and the person held a  
21 valid permit to carry a concealed handgun or a temporary emergency  
22 permit issued pursuant to part 2 of this article, ~~except that it shall be an~~  
23 ~~offense under this section if the person was carrying a concealed handgun~~  
24 ~~in violation of the provisions of~~ ARTICLE 12, AND THE PERSON IS  
25 CARRYING THE HANDGUN:

26 (I) ON THE REAL PROPERTY, OR INTO ANY IMPROVEMENTS  
27 ERECTED THEREON, OF A PUBLIC ELEMENTARY, MIDDLE, JUNIOR HIGH, OR  
28 HIGH SCHOOL IN ACCORDANCE WITH THE AUTHORITY GRANTED PURSUANT  
29 TO section 18-12-214 (3); or

30 (II) IN A PARKING AREA OF A PRESCHOOL OR A PUBLIC OR PRIVATE  
31 COLLEGE, UNIVERSITY, OR SEMINARY; OR

32 (h) The person has possession of the weapon for use in an  
33 educational program approved by a school, which program includes, but  
34 ~~shall not be~~ IS NOT limited to, any course designed for the repair or  
35 maintenance of weapons; OR

36 (i) THE WEAPON INVOLVED IS A FIREARM; THE PERSON CARRYING  
37 THE FIREARM IS EMPLOYED OR RETAINED AS SECURITY PERSONNEL BY A  
38 PRESCHOOL OR A PUBLIC OR PRIVATE COLLEGE, UNIVERSITY, OR  
39 SEMINARY; AND THE PERSON IS CARRYING THE FIREARM WHILE ENGAGED  
40 IN THE PERSON'S OFFICIAL DUTIES AS SECURITY PERSONNEL; OR

41 (j) A PRESCHOOL IS ON THE SAME REAL ESTATE AS ANOTHER  
42 BUILDING OR IMPROVEMENT THAT IS NOT A SCHOOL AND THAT IS OPEN TO  
43 THE PUBLIC AND THE PERSON IS CARRYING A FIREARM ON AN AREA OF

1 REAL ESTATE OR ANY IMPROVEMENT THEREON THAT IS NOT DESIGNATED  
2 AS A PRESCHOOL.

3 **SECTION 4.** In Colorado Revised Statutes, 1-13-724, **amend**  
4 (1)(a)(III), (1)(b)(I), (3)(a), (3)(b), (3)(c) introductory portion, and  
5 (3)(c)(I) as follows:

6 **1-13-724. Unlawfully carrying a firearm at a polling location**  
7 **or drop box - exception - legislative declaration.** (1) (a) The general  
8 assembly finds and declares that:

9 (III) ~~Openly-carried~~ Firearms in or near a polling location or drop  
10 box may intimidate, threaten, or coerce voters, affecting Coloradans'  
11 exercise of their voting rights; and

12 (b) The general assembly further declares that:

13 (I) Regulating ~~openly-carried~~ firearms at polling locations and  
14 drop boxes is substantially related to the general assembly's interest in  
15 ensuring all Colorado voters have the right to vote in an environment that  
16 is safe FROM GUN VIOLENCE and free from intimidation;

17 (3) (a) It is unlawful for any person to ~~openly~~ carry a firearm, as  
18 defined in section 18-1-901 (3)(h), within any polling location, or within  
19 one hundred feet of a drop box or any building in which a polling location  
20 is located, as publicly posted by the designated election official, on the  
21 day of any election or during the time when voting is permitted for any  
22 election. The designated election official responsible for any central count  
23 facility, polling location, or drop box involved in that election cycle shall  
24 visibly place a sign notifying persons of the one-hundred-foot no ~~open~~  
25 carry zone for firearms required pursuant to this section.

26 (b) It is unlawful for any person to ~~openly~~ carry a firearm, as  
27 defined in section 18-1-901 (3)(h), within a central count facility, or  
28 within one hundred feet of any building in which a central count facility  
29 is located, during any ongoing election administration activity related to  
30 an active election conducted by the designated election official, as  
31 publicly posted by the designated election official.

32 (c) This ~~subsection (1)~~ SUBSECTION (3) does not apply to:

33 (I) A person who ~~openly~~ carries a firearm that the person owns on  
34 the person's private property that is within the one-hundred-foot buffer  
35 zone or while traveling directly between the person's private property and  
36 a place outside the one-hundred-foot buffer zone; or

37 **SECTION 5.** In Colorado Revised Statutes, 18-12-105, **amend**  
38 (1) introductory portion, (1)(c), and (2) introductory portion; and **add**  
39 (2)(b.5) as follows:

40 **18-12-105. Unlawfully carrying a concealed weapon - unlawful**  
41 **possession of weapons.** (1) A person commits a class 1 misdemeanor if  
42 ~~such~~ THE person knowingly and unlawfully:

43 (c) Without legal authority, carries, brings, or has in ~~such~~ THE

1 person's possession ~~a firearm~~ or any explosive, incendiary, or other  
2 dangerous device on the property of or within any building in which the  
3 chambers, galleries, or offices of the general assembly, or either house  
4 thereof, are located, or in which a legislative hearing or meeting is being  
5 or is to be conducted, or in which the official office of any member,  
6 officer, or employee of the general assembly is located.

7 (2) It ~~shall not be~~ IS NOT an offense PURSUANT TO THIS SECTION  
8 if the defendant was:

9 (b.5) CARRYING A CONCEALED FIREARM AT A SPECIFIC LOCATION  
10 IN VIOLATION OF SECTION 1-13-724, 18-12-105.3, OR 18-12-105.5.

11 **SECTION 6.** In Colorado Revised Statutes, 18-12-214, **amend**  
12 (3.5) as follows:

13 **18-12-214. Authority granted by permit - carrying restrictions**  
14 **- local authority.** (3.5) A permit issued pursuant to this part 2 does not  
15 authorize a person to carry a concealed handgun:

16 (a) Onto the real property, or into any improvements erected  
17 thereon, of a PRESCHOOL OR A public OR PRIVATE college, ~~or~~ university,  
18 ~~if the carrying of concealed handguns is prohibited by the governing~~  
19 ~~board of the college or university~~ OR SEMINARY IN VIOLATION OF SECTION  
20 18-12-105.5;

21 (b) IN A GOVERNMENT BUILDING IN VIOLATION OF SECTION  
22 18-12-105.3;

23 (c) AT A POLLING LOCATION, DROP BOX, OR CENTRAL COUNT  
24 FACILITY, IN VIOLATION OF SECTION 1-13-724."

25 Renumber succeeding sections accordingly.

26 Page 1, strike line 102 and substitute "SPACES RECOGNIZED BY THE  
27 UNITED STATES SUPREME COURT AS PLACES AT WHICH LONGSTANDING  
28 LAWS PROHIBITED CARRYING FIREARMS."

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