

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0352.01 Conrad Imel x2313

SENATE BILL 24-131

SENATE SPONSORSHIP

Jaquez Lewis and Kolker, Cutter, Fields, Sullivan

HOUSE SPONSORSHIP

Brown and Lindsay, Froelich

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING PROHIBITING CARRYING A FIREARM IN SENSITIVE
102 SPACES.

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://leg.colorado.gov>.)

The bill prohibits a person from carrying a firearm, both openly and concealed, in public locations specified in the bill. A violation is an unclassified misdemeanor, punishable by a maximum \$250 fine; except that a second or subsequent offense is punishable by a maximum \$1,000 fine. The bill includes exceptions for law enforcement officers, members of the United States armed forces or Colorado National Guard, security

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

personnel, firearms stored in locked containers in vehicles, and possession for instruction in conjunction with an organized class, extracurricular activity, or athletic team authorized by a college or university.

Existing law prohibits openly carrying a firearm within any polling location or central count facility, or within 100 feet of a ballot drop box or any building in which a polling location or central count facility is located, while an election or any related ongoing election administration activity is in progress. The bill prohibits carrying a firearm in any manner at those locations.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) The second amendment to the United States constitution protects the right of persons to keep and bear arms, and the supreme court of the United States has held that states may, consistent with the second amendment, regulate carrying firearms in sensitive places;

(b) Colorado currently regulates carrying firearms in specified sensitive places, including certain government buildings, schools, and public transportation facilities;

(c) The sensitive spaces described in this act are places where children and other members of the public congregate; and

(d) The sensitive spaces described in this act are sensitive places at which the state can regulate carrying firearms consistent with the second amendment.

SECTION 2. In Colorado Revised Statutes, **add** 18-12-105.2 as follows:

18-12-105.2. Unlawful carrying of a firearm - prohibited in certain locations - penalty - definition. (1) A PERSON SHALL NOT KNOWINGLY CARRY OR POSSESS ANY FIREARM, WHETHER OPENLY OR

1 CONCEALED AND WHETHER LOADED OR NOT LOADED, IN ANY OF THE
2 FOLLOWING LOCATIONS, INCLUDING THEIR ADJACENT PARKING AREAS:

3 (a) A PUBLIC PARK OR PLAYGROUND; EXCEPT THAT A PERSON MAY
4 CARRY A FIREARM IN A PUBLICLY OWNED PARK IF THE PERSON IS ENGAGED
5 IN LAWFUL HUNTING;

6 (b) A RECREATION FACILITY OR A COMMUNITY CENTER THAT
7 PROVIDES SERVICES TO THE COMMUNITY AND IS OPEN TO THE GENERAL
8 PUBLIC, THAT IS OWNED, OPERATED, OR MANAGED BY A LOCAL
9 GOVERNMENT;

10 (c) ON PROPERTY OPEN TO THE PUBLIC WHILE A PUBLIC
11 GATHERING, PUBLIC ASSEMBLY, OR SPECIAL EVENT IS CONDUCTED,
12 INCLUDING A DEMONSTRATION, MARCH, RALLY, VIGIL, PROTEST, PICKET
13 LINE, OR OTHER PUBLIC ASSEMBLY FOR WHICH A PERMIT IS OBTAINED
14 FROM THE FEDERAL GOVERNMENT, THE STATE GOVERNMENT, OR A LOCAL
15 GOVERNMENT, AND THE SIDEWALK OR STREET IMMEDIATELY ADJACENT TO
16 THE PUBLIC GATHERING, PUBLIC ASSEMBLY, OR SPECIAL EVENT. THE
17 PERSON WHO OBTAINS A PERMIT FOR THE PUBLIC GATHERING, PUBLIC
18 ASSEMBLY, OR SPECIAL EVENT SHALL CLEARLY AND CONSPICUOUSLY POST
19 SIGNS AT VISIBLE PLACES ALONG THE PERIMETER OF THE PUBLIC
20 GATHERING, PUBLIC ASSEMBLY, OR SPECIAL EVENT INFORMING PERSONS
21 THAT CARRYING FIREARMS IS PROHIBITED ON THE PROPERTY DURING THE
22 GATHERING, ASSEMBLY, OR EVENT.

23 (d) A PUBLIC OR PRIVATE HOSPITAL, NURSING HOME, CLINIC,
24 MEDICAL OFFICE, URGENT CARE FACILITY, OR OTHER PLACE AT WHICH
25 MEDICAL OR HEALTH-CARE SERVICES ARE CUSTOMARILY PROVIDED;

26 (e) A FACILITY OR OFFICE THAT HAS MEDICAL, MENTAL HEALTH,
27 OR SUBSTANCE ABUSE PROFESSIONALS WHO PROVIDE SCREENING,

1 EVALUATION, OR TREATMENT FOR BEHAVIORAL, MENTAL HEALTH, OR
2 SUBSTANCE USE DISORDERS;

3 (f) A DEPOSITORY INSTITUTION, AS DEFINED IN SECTION 11-51-201,
4 OR A SUBSIDIARY OR AFFILIATE OF A DEPOSITORY INSTITUTION;

5 (g) A PROPERTY OR FACILITY OWNED OR OPERATED BY A CHURCH,
6 SYNAGOGUE, MOSQUE, TEMPLE, OR OTHER PLACE OF WORSHIP WITHOUT
7 EXPRESS PERMISSION FROM THE OPERATING AUTHORITY;

8 (h) A STADIUM OR ANY PLACE AT WHICH A PROFESSIONAL,
9 COLLEGIATE, HIGH SCHOOL, AMATEUR, OR STUDENT SPORTING EVENT IS
10 BEING HELD; EXCEPT AS PERMITTED PURSUANT TO SUBSECTION (2)(e) OF
11 THIS SECTION;

12 (i) AN AMUSEMENT PARK, AQUARIUM, CARNIVAL, CIRCUS, FAIR,
13 MUSEUM, WATER PARK, OR ZOO;

14 (j) AN ESTABLISHMENT LICENSED PURSUANT TO ARTICLE 3 OF
15 TITLE 44 TO SELL ALCOHOL BEVERAGES TO CUSTOMERS FOR CONSUMPTION
16 ON THE PREMISES AND THAT IS NOT REQUIRED HAVE MEALS AVAILABLE
17 FOR CONSUMPTION;

18 (k) A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO
19 SECTION 44-10-609;

20 (l) A COURTHOUSE OR ANY OTHER BUILDING OR PORTION OF A
21 BUILDING USED FOR COURT PROCEEDINGS;

22 (m) IN A BUILDING OR ON REAL PROPERTY, OR IN A PORTION OF
23 ANY BUILDING, OWNED, LEASED, OR OPERATED BY THE STATE OR A LOCAL
24 GOVERNMENT OR ON THE ADJACENT GROUNDS, UNLESS PERMITTED BY A
25 LOCAL GOVERNMENT, AS DESCRIBED IN SUBSECTION (4)(b) OF THIS
26 SECTION;

27 (n) AT THE LOCATION WHERE A STATE GOVERNMENT OR A LOCAL

1 GOVERNMENT MEETING OCCURS, UNLESS PERMITTED BY A LOCAL
2 GOVERNMENT, AS DESCRIBED IN SUBSECTION (4)(b) OF THIS SECTION;
3 EXCEPT THAT IT IS NOT AN OFFENSE PURSUANT TO THIS SUBSECTION (1)(n)
4 IF THE FIREARM IS CARRIED ON THE PROPERTY OF OR WITHIN A
5 LEGISLATIVE BUILDING OR BUILDING IN WHICH A LEGISLATIVE MEETING IS
6 CONDUCTED, IN VIOLATION OF SECTION 18-12-105 (1)(c);

7 (o) A CORRECTIONAL FACILITY, JAIL, OR JUVENILE DETENTION
8 FACILITY;

9 (p) A PUBLIC LIBRARY, AS DEFINED IN SECTION 24-90-103,
10 INCLUDING ALL PROPERTY, BUILDINGS, FACILITIES, MEETING ROOMS,
11 SPACES USED FOR COMMUNITY PROGRAMMING, AND ADJACENT GROUNDS;

12 (q) A SHELTER, RESIDENTIAL, OR PROGRAMMATIC FACILITY
13 OPERATED BY THE STATE, A LOCAL GOVERNMENT, OR CHARITABLE
14 ORGANIZATION SERVING UNHOUSED PERSONS, VICTIMS OF DOMESTIC
15 VIOLENCE, OR CHILDREN, INCLUDING CHILDREN INVOLVED IN THE
16 JUVENILE JUSTICE SYSTEM;

17 (r) A DAY CARE CENTER OR PRESCHOOL; AND

18 (s) THE CAMPUS OR PREMISES OF ANY PUBLIC OR PRIVATE
19 COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY, INCLUDING BUILDINGS,
20 CLASSROOMS, LABORATORIES, RESEARCH FACILITIES, ARTISTIC VENUES,
21 OR ATHLETIC FIELDS OR VENUES; EXCEPT AS PERMITTED PURSUANT TO
22 SUBSECTION (2)(e) OF THIS SECTION.

23 (2) THIS SECTION DOES NOT APPLY TO:

24 (a) A PEACE OFFICER WHEN THE OFFICER IS ENGAGED IN THE
25 OFFICER'S OFFICIAL DUTIES;

26 (b) A MEMBER OF THE UNITED STATES ARMED FORCES OR
27 COLORADO NATIONAL GUARD WHEN ENGAGED IN THE LAWFUL

1 DISCHARGE OF THE MEMBER'S OFFICIAL DUTIES;

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

5 (d) A PERSON WHO STORES A FIREARM IN A VEHICLE IN AN
6 ADJACENT PARKING AREA AND THE FIREARM IS STORED IN A LOCKED
7 CONTAINER IN THE VEHICLE; AND

8 (e) A PERSON WHO POSSESSES A FIREARM FOR INSTRUCTION IN
9 CONJUNCTION WITH AN ORGANIZED CLASS, OR FOR THE PURPOSE OF
10 PARTICIPATION IN AN AUTHORIZED EXTRACURRICULAR ACTIVITY OR ON AN
11 ATHLETIC TEAM, AS AUTHORIZED BY A PUBLIC OR PRIVATE COMMUNITY
12 COLLEGE, COLLEGE, OR UNIVERSITY.

13 (3) ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF AN
14 UNCLASSIFIED MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE
15 PUNISHED BY A FINE OF NOT MORE THAN TWO HUNDRED FIFTY DOLLARS;
16 EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE IS PUNISHABLE BY A
17 FINE OF NOT MORE THAN ONE THOUSAND DOLLARS.

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

22 (b) A LOCAL GOVERNMENT MAY ENACT AN ORDINANCE,
23 REGULATION, OR OTHER LAW THAT PERMITS A PERSON TO CARRY A
24 FIREARM IN A BUILDING OR ON REAL PROPERTY, OR IN A PORTION OF ANY
25 BUILDING, OWNED, LEASED, OR OPERATED BY THE LOCAL GOVERNMENT OR
26 ON THE ADJACENT GROUNDS, OR AT THE LOCATION WHERE A MEETING OF
27 THE LOCAL GOVERNMENT OCCURS.

1 (c) THIS SECTION DOES NOT PROHIBIT THE OWNER, MANAGER,
2 LESSEE, OR OCCUPANT OF PRIVATE PROPERTY FROM PROHIBITING
3 CARRYING A FIREARM ON PRIVATE PROPERTY UNDER THE PERSON'S
4 CONTROL.

5 (5) AS USED IN THIS SECTION, "LOCAL GOVERNMENT" MEANS ANY
6 CITY, COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL
7 SUBDIVISION OF THIS STATE, OR ANY DEPARTMENT, AGENCY, OR
8 INSTRUMENTALITY THEREOF.

9 **SECTION 3.** In Colorado Revised Statutes, 18-12-214, **amend**
10 (1)(a); and **repeal** (3.5) as follows:

11 **18-12-214. Authority granted by permit - carrying restrictions**
12 **- local authority.** (1) (a) A permit to carry a concealed handgun
13 authorizes the permittee to carry a concealed handgun in all areas of the
14 state, except as specifically limited in this section AND IN SECTION
15 18-12-105.2. A permit does not authorize the permittee to use a handgun
16 in a manner that would violate a provision of state law.

17 ~~(3.5) A permit issued pursuant to this part 2 does not authorize a~~
18 ~~person to carry a concealed handgun onto the real property, or into any~~
19 ~~improvements erected thereon, of a public college or university if the~~
20 ~~carrying of concealed handguns is prohibited by the governing board of~~
21 ~~the college or university.~~

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

25 **1-13-724. Unlawfully carrying a firearm at a polling location**
26 **or drop box - exception - legislative declaration.** (1) (a) The general
27 assembly finds and declares that:

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

4 (b) The general assembly further declares that:

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

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

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

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

25 (I) A person who ~~openly~~ carries a firearm that the person owns on
26 the person's private property that is within the one-hundred-foot buffer
27 zone or while traveling directly between the person's private property and

1 a place outside the one-hundred-foot buffer zone; or

2 **SECTION 5. Effective date - applicability.** This act takes effect
3 July 1, 2024, and applies to offenses committed on or after said date.

4 **SECTION 6. Safety clause.** The general assembly finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, or safety or for appropriations for
7 the support and maintenance of the departments of the state and state
8 institutions.