

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
1/2/24

DRAFT

LLS NO. 24-0352.01 Conrad Imel x2313

SENATE BILL

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SENATE SPONSORSHIP

Jaquez Lewis and Kolker, Sullivan

HOUSE SPONSORSHIP

Brown and Lindsay,

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**BILL TOPIC:** Prohibiting Carrying Firearms in Sensitive Spaces  
**DEADLINES:** Finalize by: 1/2/2024 File by: 1/5/2024

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A BILL FOR AN ACT

101 CONCERNING PROHIBITING CARRYING A FIREARM IN SENSITIVE  
102 SPACES.

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**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 repeals a concealed carry permit holder's (permittee's)

*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words indicate deletions from existing law.*

authority to:

- Have a handgun in the permittee's vehicle on school property; and
- Carry a concealed handgun on school property while on duty as a school security officer.

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.

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

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

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

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

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

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

16           **18-12-105.2. Unlawful carrying of a firearm - prohibited in**  
17 **certain locations - penalty - definition.** (1) A PERSON SHALL NOT  
18 KNOWINGLY CARRY OR POSSESS ANY FIREARM, WHETHER OPENLY OR  
19 CONCEALED AND WHETHER LOADED OR NOT LOADED, IN ANY OF THE

1 FOLLOWING LOCATIONS, INCLUDING THEIR ADJACENT PARKING AREAS:

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

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

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

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

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

1 SUBSTANCE USE DISORDERS;

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

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

7 (h) A STADIUM OR ANY PLACE AT WHICH A PROFESSIONAL,  
8 COLLEGIATE, HIGH SCHOOL, AMATEUR, OR STUDENT SPORTING EVENT IS  
9 BEING HELD;

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

12 (j) A COURTHOUSE OR ANY OTHER BUILDING OR PORTION OF A  
13 BUILDING USED FOR COURT PROCEEDINGS;

14 (k) IN A BUILDING OR ON REAL PROPERTY, OR IN A PORTION OF ANY  
15 BUILDING, OWNED, LEASED, OR OPERATED BY THE STATE OR A LOCAL  
16 GOVERNMENT OR ON THE ADJACENT GROUNDS;

17 (l) AT THE LOCATION WHERE A STATE GOVERNMENT OR A LOCAL  
18 GOVERNMENT MEETING OCCURS; EXCEPT THAT IT IS NOT AN OFFENSE  
19 PURSUANT TO THIS SUBSECTION (1)(l) IF THE FIREARM IS CARRIED ON THE  
20 PROPERTY OF OR WITHIN A LEGISLATIVE BUILDING OR BUILDING IN WHICH  
21 A LEGISLATIVE MEETING IS CONDUCTED, IN VIOLATION OF SECTION  
22 18-12-105 (1)(c);

23 (m) A CORRECTIONAL FACILITY, JAIL, OR JUVENILE DETENTION  
24 FACILITY;

25 (n) A PUBLIC LIBRARY, AS DEFINED IN SECTION 24-90-103,  
26 INCLUDING ALL PROPERTY, BUILDINGS, FACILITIES, MEETING ROOMS,  
27 SPACES USED FOR COMMUNITY PROGRAMMING, AND ADJACENT GROUNDS;

1           (o) A SHELTER, RESIDENTIAL, OR PROGRAMMATIC FACILITY  
2 OPERATED BY THE STATE, A LOCAL GOVERNMENT, OR CHARITABLE  
3 ORGANIZATION SERVING UNHOUSED PERSONS, VICTIMS OF DOMESTIC  
4 VIOLENCE, OR CHILDREN, INCLUDING CHILDREN INVOLVED IN THE  
5 JUVENILE JUSTICE SYSTEM;

6           (p) A DAY CARE CENTER OR PRESCHOOL; AND

7           (q) THE CAMPUS OR PREMISES OF ANY PUBLIC OR PRIVATE  
8 COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY, INCLUDING BUILDINGS,  
9 CLASSROOMS, LABORATORIES, RESEARCH FACILITIES, ARTISTIC VENUES,  
10 OR ATHLETIC FIELDS OR VENUES.

11           (2) THIS SECTION DOES NOT APPLY TO:

12           (a) A FEDERAL LAW ENFORCEMENT OFFICER OR A PEACE OFFICER  
13 WHEN THE OFFICER IS ENGAGED IN THE OFFICER'S OFFICIAL DUTIES;

14           (b) A MEMBER OF THE UNITED STATES ARMED FORCES OR  
15 COLORADO NATIONAL GUARD WHEN ENGAGED IN THE LAWFUL DISCHARGE  
16 OF THE MEMBER'S OFFICIAL DUTIES; AND

17           (c) SECURITY PERSONNEL EMPLOYED OR RETAINED BY AN ENTITY  
18 THAT CONTROLS OR OPERATES A PLACE DESCRIBED IN THIS SECTION WHILE  
19 ENGAGED IN THE SECURITY PERSONNEL'S OFFICIAL DUTIES.

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

25           (4) (a) THIS SECTION DOES NOT PROHIBIT A LOCAL GOVERNMENT  
26 FROM ENACTING AN ORDINANCE, REGULATION, OR OTHER LAW PURSUANT  
27 TO SECTION 18-12-214 OR 29-11.7-104 THAT PROHIBITS A PERSON FROM

1 CARRYING A FIREARM IN A SPECIFIED PLACE.

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

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

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

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

18 (3) A permit issued pursuant to this part 2 does not authorize a  
19 person to carry a concealed handgun onto the real property, or into any  
20 improvements erected thereon, of a public elementary, middle, junior  
21 high, or high school; except that:

22 (a) ~~A permittee may have a handgun on the real property of the~~  
23 ~~public school so long as the handgun remains in his or her vehicle and, if~~  
24 ~~the permittee is not in the vehicle, the handgun is in a compartment within~~  
25 ~~the vehicle and the vehicle is locked;~~

26 (b) ~~A permittee who is employed or retained by contract by a~~  
27 ~~school district or charter school as a school security officer may carry a~~

1 ~~concealed handgun onto the real property, or into any improvement~~  
2 ~~erected thereon, of a public elementary, middle, junior high, or high~~  
3 ~~school while the permittee is on duty;~~

4 (3.5) ~~A permit issued pursuant to this part 2 does not authorize a~~  
5 ~~person to carry a concealed handgun onto the real property, or into any~~  
6 ~~improvements erected thereon, of a public college or university if the~~  
7 ~~carrying of concealed handguns is prohibited by the governing board of~~  
8 ~~the college or university.~~

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

12 **1-13-724. Unlawfully carrying a firearm at a polling location**  
13 **or drop box - exception - legislative declaration.** (1) (a) The general  
14 assembly finds and declares that:

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

18 (b) The general assembly further declares that:

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

23 (3) (a) It is unlawful for any person to ~~openly~~ carry a firearm, as  
24 defined in section 18-1-901 (3)(h), within any polling location, or within  
25 one hundred feet of a drop box or any building in which a polling location  
26 is located, as publicly posted by the designated election official, on the  
27 day of any election or during the time when voting is permitted for any

1 election. The designated election official responsible for any central count  
2 facility, polling location, or drop box involved in that election cycle shall  
3 visibly place a sign notifying persons of the one-hundred-foot no ~~open~~  
4 carry zone for firearms required pursuant to this section.

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

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

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

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

18 **SECTION 6. Safety clause.** The general assembly finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, or safety or for appropriations for  
21 the support and maintenance of the departments of the state and state  
22 institutions.