

Document: C.R.S. 18-12-214

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Statutes current through all 2021 Regular Session legislation, as compiled and edited by the Colorado Office of Legislative Legal Services.

Colorado Revised Statutes Annotated Title 18. Criminal Code (Arts. 1 – 26) Article 12. Offenses Relating to Firearms and Weapons (Pts. 1 – 5) Part 2. Permits to Carry Concealed Handguns (§§ 18-12-201 – 18-12-216)

18-12-214. Authority granted by permit - carrying restrictions - local authority.

(1)

(a) A permit to carry a concealed handgun authorizes the permittee to carry a concealed handgun in all areas of the state, except as specifically limited in this section. A permit does not authorize the permittee to use a handgun in a manner that would violate a provision of state law.

(b) A peace officer may temporarily disarm a permittee, incident to a lawful stop of the permittee. The peace officer shall return the handgun to the permittee prior to discharging the permittee from the scene.

(c)

(I) A local government, including a special district, or the governing board of an institution of higher education, including the board of directors of the Auraria higher education center, may enact an ordinance, resolution, rule, or other regulation that prohibits a permittee from carrying a concealed handgun in a building or specific area within the local government's or governing board's jurisdiction, or for a special district, in a building or specific area under the direct control or management of the district, including a building or facility managed pursuant to an agreement between the district and a contractor. An ordinance, resolution, or other regulation prohibiting a permittee from carrying a concealed handgun may only impose a civil penalty for a violation and require the person to leave the premises. For a first offense, the ordinance, resolution, or other regulation may not impose a fine that exceeds fifty dollars and may not impose a sentence of incarceration. A person who does not leave the premises when required may be subject to criminal penalties.

(II) If a local government or governing board prohibits carrying a concealed handgun in a building or specific area, the local government or governing board shall post signs at the public entrances to the

building or specific area informing persons that carrying a concealed handgun is prohibited in the building or specific area. The notice required by this section may be included on a sign describing open carry restrictions posted in accordance with section 29-11.7-104.

(2) A permit issued pursuant to this part 2 does not authorize a person to carry a concealed handgun into a place where the carrying of firearms is prohibited by federal law.

(2.5) A permit issued pursuant to this part 2 does not authorize a person to carry a concealed handgun into a place where the carrying of concealed handguns is prohibited by a local ordinance, resolution, rule, or other regulation.

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

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

(b) A permittee who is employed or retained by contract by a school district or charter school as a school security officer may carry a concealed handgun onto the real property, or into any improvement erected thereon, of a public elementary, middle, junior high, or high school while the permittee is on duty;

(c) A permittee may carry a concealed handgun on undeveloped real property owned by a school district that is used for hunting or other shooting sports.

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

(4) A permit issued pursuant to this part 2 does not authorize a person to carry a concealed handgun into a public building at which:

(a) Security personnel and electronic weapons screening devices are permanently in place at each entrance to the building;

(b) Security personnel electronically screen each person who enters the building to determine whether the person is carrying a weapon of any kind; and

(c) Security personnel require each person who is carrying a weapon of any kind to leave the weapon in possession of security personnel while the person is in the building.

(5) Nothing in this part 2 shall be construed to limit, restrict, or prohibit in any manner the existing rights of a private property owner, private tenant, private employer, or private business entity.

(6) The provisions of this section apply to temporary emergency permits issued pursuant to section 18-12-209.

History

Source: L. 2003:Entire part added, p. 647, § 1, effective May 17. L. 2014:(3)(b) amended,(HB 14-1291), ch. 165, p. 579, § 1, effective May 9. L. 2021:(1)(a) amended and (1)(c), (2.5), and (3.5) added,(SB 21-256), ch. 269, p. 1557, § 5, effective June 19.

▼ Annotations

Research References & Practice Aids

Hierarchy Notes:

C.R.S. Title 18

C.R.S. Title 18, Art. 12

C.R.S. Title 18, Art. 12, Pt. 2

State Notes

ANNOTATION

Law reviews.

For article, "Gun Violence on Campus", see 44 Colo. Law. 37 (Oct. 2015).

Institutions of higher education not exempt from the express authorization of permittees to carry concealed handguns "in all areas of the state".

The concealed carry act, §§ 18-12-201 to 18-12-216, satisfies the "unless otherwise [provided] by law" provision of article VIII, section 5(2), of the state constitution by manifesting a clear and unmistakable intent to subject the entire state to a single statutory scheme regulating concealed handgun carry, subject to specified exceptions. *Students for Con. Carry on Camp. v. Regents*, 280 P.3d 18 (Colo. App. 2010), *aff'd*, 2012 CO 17, 271 P.3d 496.

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