



CONCEALED CARRY HANDGUN PERMITS

by Jennifer Moe

The General Assembly enacted Senate Bill 03-024 to create uniform state standards for issuing concealed carry handgun permits. Effective May 17, the new law requires county sheriffs to issue permits to individuals who meet certain requirements. In addition, the law voids local concealed carry ordinances that conflict with state law. This *Issue Brief* answers basic questions about concealed carry handgun permits available under the new law.

Who qualifies for a permit? The sheriff must issue a permit to any legal resident of the state of Colorado who requests one and is at least 21 years old. However, a sheriff is *not* required to issue a permit to someone who:

- is ineligible to possess a firearm under state or federal law (e.g., a felon);
- has been convicted of perjury under state law in relation to information provided on an application for a concealed carry permit;
- is addicted to or abuses alcohol;¹
- is addicted to or uses a controlled substance; or
- is subject to a permanent or mandatory restraining order.

How do I apply for a permit? People may obtain a permit application from any sheriff or sheriff's designee. This may include an official with duties equivalent to a sheriff in a city and county, or his or her designee. The completed application must be returned *in person* with all required documentation to: (1) the sheriff who previously issued a permit; or (2) the sheriff of the county or city and county in which the applicant resides, maintains a

secondary residence, or owns or leases business property.

Can a permit be denied or revoked? A permit may be denied if the sheriff believes that, based on the applicant's documented previous behavior, the person is potentially dangerous to himself or others with a permit. Once a permit has been issued, the sheriff may suspend, revoke, or refuse to renew a permit if he or she believes the holder no longer meets the permit qualifications or is potentially dangerous to herself or others. If a permit is revoked or suspended, the sheriff must notify the permit holder in writing. The law allows the applicant or permit holder to seek judicial review of the sheriff's decision.

What training or experience is required for a permit? To obtain a permit, an individual must demonstrate competence with a handgun by submitting proof that he or she:

- has firearm experience through participation in organized shooting competitions or current military service;
- is a certified instructor;
- was honorably discharged from the U.S. armed forces within 3 years preceding application or with pistol qualifications within 10 years preceding application submittal;
- retired from a Colorado law enforcement agency with pistol qualifications within 10 years preceding application submittal; or
- received a certificate from a handgun training class within 10 years preceding application submittal.

How much will a permit cost? Fees can vary among counties but cannot exceed \$100 to process a standard permit application or \$25 for a temporary

1. An applicant who is a recovering alcoholic may provide a statement signed by a licensed professional counselor stating that the applicant has refrained from alcohol use for at least three years.

permit application. In addition, applicants must pay the fees listed below for a background and fingerprint check through the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI). If the sheriff denies or later revokes or suspends a permit, these fees are non-refundable.

Fee	Standard Permit	Temporary Permit	Permit Renewal
\$13.00 background check	✓	✓	✓
\$17.50 CBI fingerprint check	✓	✓	
\$22.50 FBI fingerprint check	✓		
TOTAL	\$53.00	\$30.50	\$13.00

How will information provided on a permit application be used?

The law requires sheriffs to maintain a list of permit holders' names, and authorizes sheriffs to share this information with other law enforcement agencies for the purpose of determining the validity of a permit. The law prohibits the use of permit holders' information for the creation of a statewide database on permittees effective July 1, 2007.

Under what conditions is a temporary permit issued?

The sheriff is authorized to issue a temporary permit to anyone at least 18 years old who requests one and whom the sheriff believes may be in immediate danger. There are several differences between standard and temporary permits, as shown in the following table.

Requirement	Standard Permit	Temporary Permit
Minimum age required of applicant	21 years old	18 years old
Documents required with application	proof of competence with a handgun	none
Length of time permit is valid	5 years	90 days
Maximum cost	\$153	\$55

How long will it take to receive a permit once I apply?

The sheriff must issue or deny a permit within 90 days following receipt of the application, required documentation, fees, photograph of the applicant, and two sets of the applicant's fingerprints.

What about permits issued under the old law?

All permits issued under the old law expire on the earlier of these dates: (1) the permit's specified expiration date; or (2) June 30, 2007. Upon expiration, permit holders will have to renew the permit or apply for a new permit, depending on whether they submitted fingerprints to obtain the original permit prior to May 17, 2003. A permit holder who did not submit fingerprints must apply for a new permit, while permit holders who submitted fingerprints may renew the permit under the provisions of the new law.

Does Colorado honor a concealed carry permit issued by another state?

Colorado validates a permit issued by another state to someone who is at least 21 years old if that state recognizes concealed carry permits issued according to the new Colorado law. Once CBI and the county sheriffs determine which states recognize Colorado permits, they will post this information on their websites.

Where is the carrying of concealed handguns prohibited in Colorado?

The law allows permit holders to carry a concealed weapon anywhere in Colorado except where prohibited. No one, including standard or temporary permit holders, may carry a concealed handgun in the following areas of the state:

- the buildings or property of any public elementary or secondary school;²
- any public building in which people entering are screened by security personnel or an electronic system and required to leave all weapons at the entrance;
- any private property or business in which the individual or owner prohibits weapons; and
- any place in which federal law prohibits the carrying of firearms, such as a federally-owned building or property or federally-leased space.

When am I required to carry my permit?

A permit holder is required to carry the permit whenever he or she is carrying a concealed handgun. Failure to carry and produce a permit and valid photo identification is a class 1 petty offense. Unlawfully carrying a concealed weapon is a class 2 misdemeanor offense.

2. A permit holder may keep a concealed handgun in the glove compartment of his or her locked vehicle while on the property of any public school.