



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 9, 2024)

Drafting Number:	LLS 24-0047	Date:	March 6, 2024
Prime Sponsors:	Rep. Duran; Snyder Sen. Mullica	Bill Status:	House Second Reading
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Bill Topic: **CONCEALED CARRY PERMITS & TRAINING**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill requires county sheriffs to verify concealed handgun training instructors and sets criteria for concealed handgun classes and permits. The bill minimally increases state revenue and expenditures starting in FY 2025-26, and increases local expenditures starting in FY 2024-25 and local revenue starting in FY 2025-26.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This revised fiscal note reflects the introduced bill, as amended by the House Judiciary and Finance Committees.

Summary of Legislation

Under current law, permits to carry concealed handguns are issued to individuals who make an application to a sheriff, meet certain eligibility criteria, pass a background check, and demonstrate competence with a handgun. Competency may be demonstrated in several ways, including through submitting a training certificate from a handgun training class with the original signature of the class instructor. Permits must be renewed every five years.

The bill makes several changes to this process, including:

- specifying requirements for initial and refresher concealed handgun training classes;
- requiring county sheriffs to verify instructors of concealed handgun training classes within their jurisdiction and to maintain and post a list of verified instructors online;
- allowing sheriffs to establish a fee on instructors for verification;
- requiring sheriffs who deny an instructor verification to notify the person in writing of the grounds for the decision, and allows the person to seek judicial review of the decision;
- excluding individuals convicted of certain misdemeanors from permit eligibility; and
- adding criteria for renewal permits.

Additionally, the bill makes it a deceptive trade practice to claim to be a firearms safety instructor without verification from a sheriff.

State Revenue

The bill may increase state revenue to the extent additional deceptive trade practice actions are filed, and civil cases are filed challenging adverse actions taken by sheriffs, as described below.

Civil penalties. Under the Colorado Consumer Protection Act, a person committing a deceptive trade practice may be subject to a civil penalty of up to \$20,000 for each violation. Additional penalties may be imposed for subsequent violations of a court order or injunction. This revenue is classified as a damage award and not subject to TABOR. Given the uncertainty about the number of cases that may be pursued by the Attorney General and district attorneys, as well as the wide range in potential penalty amounts, the fiscal note cannot estimate the potential impact of these civil penalties.

Filing fees. The bill may increase revenue to the Judicial Department from an increase in civil case filings. Revenue from filing fees is subject to TABOR.

State Expenditures

Similar to state revenue impacts, the bill may increase state expenditures in the Department of Law and the Judicial Department to the extent civil cases are filed, as described below.

Department of Law. Workload in the Department of Law will minimally increase to the extent that deceptive trade practice complaints are filed. The department will review complaints under the bill and prioritize investigations as necessary within the overall number of deceptive trade practice complaints and available resources.

Judicial Department. Trial courts in the Judicial Department may have an increase in cases filed under the Colorado Consumer Protection Act from the addition of a new deceptive trade practice, as well as from any cases filed challenging adverse actions of sheriffs regarding instructor verifications. It is assumed that firearms instructors will abide by the law and that any violation of the legislation will result in a minimal number of new cases. The fiscal note assumes that this can be accomplished within existing resources and that no change in appropriations is required.

Local Government

The bill impacts county sheriff and district attorney offices as described below.

Sheriffs. Changes to the concealed handgun permit process and verifying instructors will increase expenditures for county sheriffs. The bill allows sheriffs to charge a fee for processing applications for instructor verification, which will increase revenue and is expected to partially offset expenditure increases. Exact impacts will vary by jurisdiction.

District attorneys. Similar to the state, to the extent district attorneys receive deceptive trade practice complaints related to the new deceptive trade practice under the bill, workload will increase to investigate complaints and seek relief when appropriate. It is assumed most such cases will be handled at the state level by the Attorney General.

Effective Date

Sections 1, 4, 6, and 7 of the bill, which concern the requirements to get a concealed handgun permit, take effect July 1, 2025, and the remaining sections take effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Information Technology

Judicial

Public Safety

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).