

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0179.02 Conrad Imel x2313

HOUSE BILL 24-1310

HOUSE SPONSORSHIP

Parenti and Hamrick,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES TO IMPROVE SCHOOL SAFETY, AND, IN
102 CONNECTION THEREWITH, ESTABLISHING QUALIFICATIONS FOR
103 SCHOOL SECURITY OFFICERS AND REGULATING FIREARM
104 STORAGE ON SCHOOL GROUNDS.

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 permits a school district, charter school, or board of cooperative services (local education provider) to employ or retain by contract a person as a school security officer only if:

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.

- The local education provider has a policy that governs security officers' engagement with students;
- The person completes school security officer or school resource officer training; and
- The person undergoes a background check and a psychological evaluation.

The bill permits a school security officer to carry a handgun on school property if the school security officer holds a valid permit to carry a concealed handgun; completes firearms training, including ongoing in-service training; and passed the peace officer standards and training board's firearms skills test or an equivalent firearms skills test.

Existing law prohibits carrying, bringing, or possessing a deadly weapon on school property and includes exceptions to the prohibition, including for the purpose of a school employee carrying out necessary duties and functions that require the use of a deadly weapon. The bill repeals the exception for a school employee carrying out the employee's duties and expressly permits a school security officer to carry a handgun on school grounds, as described above.

The bill prohibits a school or law enforcement agency from storing firearms on the grounds of a public or private elementary, middle, junior high, or high school.

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) Acts of school and workplace violence, whether accidental or
5 intentional, threaten life, safety, and security;

6 (b) The safety and security of students and staff in our schools is
7 of utmost importance to the entire state; and

8 (c) Education and training for school security personnel can
9 reduce the risk of injury or death by firearms in our schools.

10 (2) Therefore, the general assembly finds it necessary to establish
11 minimum qualifications for school security officers and requirements for
12 school security officers to carry firearms on school grounds.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 22-1-144 as

1 follows:

2 **22-1-144. School security officers - qualifications - authority**
3 **to possess a handgun on school grounds - definitions.** (1) AS USED IN
4 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

5 (a) "LICENSED OR AUTHORIZED PERSON" MEANS A PERSON WHO
6 HOLDS A VALID TEACHER LICENSE, SPECIAL SERVICES LICENSE, PRINCIPAL
7 LICENSE, ADMINISTRATOR LICENSE, OR AUTHORIZATION ISSUED PURSUANT
8 TO ARTICLE 60.5 OF THIS TITLE 22.

9 (b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
10 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
11 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
12 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
13 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
14 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT
15 OPERATES ONE OR MORE PUBLIC SCHOOLS.

16 (c) "P.O.S.T. BOARD" MEANS THE PEACE OFFICERS STANDARDS
17 AND TRAINING BOARD CREATED IN SECTION 24-31-302.

18 (d) (I) "SCHOOL SECURITY OFFICER" MEANS A PERSON WHO IS
19 EMPLOYED OR RETAINED BY CONTRACT BY A LOCAL EDUCATION PROVIDER
20 PURSUANT TO SUBSECTION (2) OF THIS SECTION AND WHOSE PRIMARY
21 DUTIES DIRECTLY INVOLVE THE PROTECTION OF STUDENTS, OTHER
22 PERSONS, AND SCHOOL BUILDINGS AND GROUNDS.

23 (II) "SCHOOL SECURITY OFFICER" DOES NOT INCLUDE:

24 (A) A LICENSED OR AUTHORIZED PERSON WHO, AS PART OF THE
25 PERSON'S EMPLOYMENT OR CONTRACT WITH A LOCAL EDUCATION
26 PROVIDER, PERFORMS DUTIES WITHIN THE SCOPE OF THE PERSON'S LICENSE
27 OR AUTHORIZATION;

1 (B) A PERSON WHO IS NOT A LICENSED OR AUTHORIZED PERSON,
2 WHO IS EMPLOYED OR RETAINED BY CONTRACT BY A DISTRICT CHARTER
3 SCHOOL OR INSTITUTE CHARTER SCHOOL TO PERFORM DUTIES FOR WHICH
4 THE REQUIREMENT FOR THE SCHOOL TO HIRE OR RETAIN LICENSED OR
5 AUTHORIZED PERSONS IS WAIVED PURSUANT TO SECTION 22-30.5-104 (6)
6 OR 22-30.5-507 (7); OR

7 (C) A SCHOOL RESOURCE OFFICER, AS DEFINED IN SECTION
8 22-32-109.1.

9 (2) A LOCAL EDUCATION PROVIDER MAY EMPLOY OR RETAIN BY
10 CONTRACT A PERSON AS A SCHOOL SECURITY OFFICER ONLY IF:

11 (a) THE LOCAL EDUCATION PROVIDER HAS A POLICY FOR SCHOOL
12 SECURITY OFFICERS THAT GOVERNS WHEN AND HOW A SCHOOL SECURITY
13 OFFICER ENGAGES WITH STUDENTS;

14 (b) THE PERSON EMPLOYED OR RETAINED AS A SCHOOL SECURITY
15 OFFICER HAS:

16 (I) COMPLETED A SCHOOL SECURITY OFFICER TRAINING COURSE,
17 OR AN EQUIVALENT COURSE, PROVIDED OR CERTIFIED BY A NATIONAL
18 ORGANIZATION OF SCHOOL RESOURCE OFFICERS THAT REQUIRES AT LEAST
19 TWENTY-FOUR HOURS OF INSTRUCTION AND INCLUDES INSTRUCTION ON
20 COMMUNICATING WITH YOUTH, IDENTIFYING AND RESPONDING TO
21 BEHAVIORAL AND MENTAL HEALTH ISSUES, AND DE-ESCALATION
22 STRATEGIES; OR

23 (II) COMPLETED SCHOOL RESOURCE OFFICER TRAINING THAT
24 SATISFIES THE CURRICULUM IDENTIFIED BY THE PEACE OFFICER
25 STANDARDS AND TRAINING BOARD PURSUANT TO SECTION 24-31-312;

26 (c) (I) IF THE PERSON IS AN EMPLOYEE OF THE SCHOOL DISTRICT OR
27 CHARTER SCHOOL; THE PERSON HAS SUBMITTED TO A BACKGROUND

1 INVESTIGATION AS DESCRIBED IN SECTION 22-30.5-110.5, 22-30.5-511.5,
2 OR 22-32-109.8, AS APPLICABLE; AND NOTWITHSTANDING SECTION
3 22-30.5-110.7 (5) OR 22-32-109.8 (5), AS APPLICABLE, THE SCHOOL
4 DISTRICT OR CHARTER SCHOOL HAS RECEIVED FAVORABLE RESULTS OF THE
5 PERSON'S BACKGROUND CHECK; OR

6 (II) IF THE PERSON IS RETAINED BY CONTRACT BY A SCHOOL
7 DISTRICT, THE CONTRACT COMPLIES WITH THE BACKGROUND CHECK
8 REQUIREMENTS IN SECTION 22-32-122 (4); OR IF THE PERSON IS RETAINED
9 BY CONTRACT BY A CHARTER SCHOOL, THE CONTRACT REQUIRES A
10 BACKGROUND CHECK OF THE PERSON THAT SATISFIES THE REQUIREMENTS
11 IN SECTION 22-32-122 (4); AND THE SCHOOL DISTRICT OR CHARTER
12 SCHOOL HAS RECEIVED FAVORABLE RESULTS OF THE PERSON'S
13 BACKGROUND CHECK; AND

14 (d) WITHIN SIX MONTHS BEFORE THE DATE OF EMPLOYMENT OR
15 BEING RETAINED BY CONTRACT AS A SCHOOL SECURITY OFFICER, THE
16 PERSON HAS UNDERGONE A PSYCHOLOGICAL EVALUATION PERFORMED BY
17 EITHER A COLORADO-LICENSED PSYCHOLOGIST OR A COLORADO-LICENSED
18 PSYCHIATRIST.

19 (3) A SCHOOL SECURITY OFFICER MAY ONLY POSSESS A HANDGUN,
20 AS DEFINED IN SECTION 18-12-101, WHILE ON DUTY IN OR ON THE REAL
21 ESTATE AND ALL IMPROVEMENTS ERECTED THEREON OF ANY PUBLIC
22 ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL OPERATED BY THE
23 LOCAL EDUCATION PROVIDER IF THE SCHOOL SECURITY OFFICER:

24 (a) HOLDS A VALID PERMIT TO CARRY A CONCEALED HANDGUN
25 ISSUED PURSUANT TO PART 2 OF ARTICLE 12 OF TITLE 18;

26 (b) HAS COMPLETED A MINIMUM OF TWENTY-FOUR HOURS OF
27 INITIAL FIREARMS TRAINING WITHIN TWELVE MONTHS BEFORE STARTING

1 WORK AS A SCHOOL SECURITY OFFICER THAT INCLUDES:

2 (I) AT LEAST FOUR HOURS OF CLASSROOM INSTRUCTION THAT
3 INCLUDES INSTRUCTION ON FIREARMS SAFETY, USE OF DEADLY FORCE,
4 LEGAL PRINCIPLES RELATED TO FIREARM USE, AND WEAPONS RETENTION
5 IN A SCHOOL ENVIRONMENT;

6 (II) AT LEAST TEN HOURS OF LIVE FIRE RANGE TRAINING EXERCISES
7 THAT INCLUDE ACTIVE SHOOTER TRAINING CONCEPTS; AND

8 (III) AT LEAST SIX HOURS OF SCHOOL ACTIVE SHOOTER TRAINING,
9 WHICH MAY INCLUDE CLASSROOM INSTRUCTION AND SIMULATED
10 TRAINING;

11 (c) ANNUALLY COMPLETES A MINIMUM OF SIXTEEN HOURS OF
12 ANNUAL IN-SERVICE TRAINING THAT INCLUDES:

13 (I) AT LEAST EIGHT HOURS OF LIVE FIRE RANGE TRAINING
14 EXERCISES THAT INCLUDE ACTIVE SHOOTER TRAINING CONCEPTS; AND

15 (II) AT LEAST EIGHT HOURS OF SCHOOL ACTIVE SHOOTER TRAINING
16 THAT INCLUDES CLASSROOM INSTRUCTION AND SIMULATED TRAINING;
17 AND

18 (d) PASSED THE P.O.S.T. BOARD'S FIREARMS SKILLS TEST OR AN
19 EQUIVALENT FIREARMS SKILLS TEST ADMINISTERED BY A P.O.S.T.
20 BOARD-CERTIFIED FIREARMS INSTRUCTOR AT THE COMPLETION OF INITIAL
21 TRAINING DESCRIBED IN SUBSECTION (3)(b) OF THIS SECTION AND AT THE
22 COMPLETION OF IN-SERVICE TRAINING DESCRIBED IN SUBSECTION (3)(c) OF
23 THIS SECTION. THIS SUBSECTION (3)(d) DOES NOT REQUIRE A SCHOOL
24 SECURITY OFFICER TO BE CERTIFIED BY THE P.O.S.T. BOARD.

25 **SECTION 3.** In Colorado Revised Statutes, 22-2-117, **amend**
26 (1.5) as follows:

27 **22-2-117. Additional power - state board - waiver of**

1 **requirements - rules.** (1.5) Notwithstanding any provision of this
2 section or any other provision of law, the state board shall not waive
3 requirements contained in article 11 of this ~~title~~ TITLE 22 or sections
4 **22-1-144**, 22-7-1006.3, 22-32-105, 22-32-109 (1)(bb)(I) and (2),
5 22-32-109.1 (2)(a), 22-32-146, and 22-33-104 (4).

6 **SECTION 4.** In Colorado Revised Statutes, 18-12-101, **add**
7 (1)(g.8) as follows:

8 **18-12-101. Peace officer affirmative defense - definitions.**

9 (1) As used in this article 12, unless the context otherwise requires:

10 (g.8) "SCHOOL SECURITY OFFICER" MEANS A PERSON WHO IS
11 EMPLOYED OR RETAINED BY CONTRACT AS A SCHOOL SECURITY OFFICER
12 BY A LOCAL EDUCATION PROVIDER PURSUANT TO SECTION 22-1-144.

13 **SECTION 5.** In Colorado Revised Statutes, 18-12-105.5, **amend**
14 (1)(a) and (3) introductory portion; and **add** (3)(e.5) and (4) as follows:

15 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
16 **possession of weapons - school, college, or university grounds.**

17 (1) (a) A person shall not knowingly and unlawfully and without legal
18 authority carry, bring, or have in the person's possession a deadly weapon
19 as defined in section 18-1-901 (3)(e) in or on the real estate and all
20 improvements erected thereon of any public or private elementary,
21 middle, junior high, high, or vocational school or any public or private
22 college, university, or seminary, except for the purpose of:

23 (I) Presenting an authorized public demonstration or exhibition
24 pursuant to instruction in conjunction with an organized school or class;
25 ~~for the purpose of carrying out the necessary duties and functions of an~~
26 ~~employee of an educational institution that require the use of a deadly~~
27 ~~weapon, or for the purpose of OR~~

1 (II) Participation in an authorized extracurricular activity or on an
2 athletic team.

3 (3) It ~~shall not be~~ IS NOT an offense ~~under~~ PURSUANT TO
4 SUBSECTION (1) OF this section if:

5 (e.5) THE PERSON IS A SCHOOL SECURITY OFFICER AND CARRYING
6 OUT THE DUTIES OF A SCHOOL SECURITY OFFICER; IF THE DEADLY WEAPON
7 IS A HANDGUN; AND THE PERSON SATISFIES THE REQUIREMENTS SET FORTH
8 IN SECTION 22-1-144 (3); OR

9 (4) (a) NOTWITHSTANDING ANY AUTHORITY GRANTED IN THIS
10 SECTION TO THE CONTRARY, A SCHOOL, LAW ENFORCEMENT AGENCY, OR
11 ANY OTHER ENTITY SHALL NOT STORE FIREARMS IN OR ON THE REAL
12 ESTATE AND ALL IMPROVEMENTS ERECTED THEREON OF A PUBLIC OR
13 PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL.

14 (b) THIS SUBSECTION (4) DOES NOT APPLY TO THE STORAGE OF A
15 FIREARM:

16 (I) FOR USE IN AN EDUCATIONAL PROGRAM APPROVED BY A
17 SCHOOL WHICH INCLUDES, BUT IS NOT LIMITED TO, A HUNTER EDUCATION
18 COURSE OFFERED PURSUANT TO SECTION 22-1-134 OR A COURSE DESIGNED
19 FOR THE REPAIR OR MAINTENANCE OF WEAPONS;

20 (II) BY A LAW ENFORCEMENT OFFICER IN THE LAW ENFORCEMENT
21 OFFICER'S VEHICLE THAT IS ON SCHOOL GROUNDS, IN CONFORMANCE WITH
22 THE POLICY OF THE OFFICER'S EMPLOYING AGENCY; AND

23 (III) BY A LAW ENFORCEMENT OFFICER, INCLUDING A SCHOOL
24 RESOURCE OFFICER, WHILE THE OFFICER IS PRESENT ON SCHOOL GROUNDS,
25 IN A LOCKED GUN SAFE THAT IS IN A LOCKED ROOM OR CLOSET, AND THE
26 GUN SAFE AND ROOM OR CLOSET ARE ONLY ACCESSIBLE TO THE OFFICER.

27 **SECTION 6.** In Colorado Revised Statutes, 18-12-214, **amend**

1 (3)(b) as follows:

2 **18-12-214. Authority granted by permit - carrying restrictions**
3 **- local authority.** (3) A permit issued pursuant to this part 2 does not
4 authorize a person to carry a concealed handgun onto the real property,
5 or into any improvements erected thereon, of a public elementary, middle,
6 junior high, or high school; except that:

7 (b) IF THE PERMITTEE SATISFIES THE REQUIREMENTS SET FORTH IN
8 SECTION 22-1-144 (3), a permittee who is ~~employed or retained by~~
9 ~~contract by a school district or charter school~~ as a school security officer
10 may carry a concealed handgun onto the real property, or into any
11 improvement erected thereon, of a public elementary, middle, junior high,
12 or high school while the permittee is on duty;

13 **SECTION 7. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2024 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.