



Legislation Text

File #: 22-0401, Version: 1

Other/Miscellaneous Request Template (Appointments; ROW; Code Changes; Zoning Action, etc.)

Date Submitted: 4/4/22

Requesting Agency: City Attorney
Division:

Subject Matter Expert Name: Erica Rogers

Email Address: erica.rogers@denvergov.org <<mailto:erica.rogers@denvergov.org>>

Phone Number:

Item Title & Description:

(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

A bill for an ordinance amending the weapons and missiles division of the offenses chapter of the Denver Revised Municipal Code and the parks and recreation chapter of the Denver Revised Municipal Code to prohibit firearms in city-owned or leased buildings and city parks.

Amends Chapters 38 & 39 of the Denver Revised Municipal Code to prohibit concealed carry within city parks and buildings owned by, leased by, or leased to the city. The Committee approved filing this item at its meeting on 4-27-22.

Affected Council District(s) or citywide? Citywide

Executive Summary with Rationale and Impact:

Detailed description of the item and why we are doing it. This can be a separate attachment.

In 2021, the Colorado General Assembly passed SB21-256, entitled "Local Regulation of Firearms." The act declares that the regulation of firearms is a matter of state and local concern and permits local governments to enact laws that prohibit the carrying of concealed handguns in designated buildings or areas (even without metal detectors).

The proposed legislation implements the provisions of SB21-256 within the City and prohibits the carrying of firearms in any building or portion of a building that is owned by the city, leased by the city, or leased to the city. It would also prohibit the carrying of firearms within Denver parks and park facilities. These restrictions would also apply to concealed carrying of firearms by individuals who may have a concealed-carry permit.

The Denver Revised Municipal Code (the "D.R.M.C") section 38-118 currently prohibits the concealed and open carry of

weapons in the City and County of Denver. That section also provides for exceptions and affirmative defenses to those prohibitions. One exception to the prohibition on concealed carry is for individuals with a valid permit to carry a concealed handgun whenever the person is carrying the handgun in conformance with all applicable laws. Other exceptions are available for law enforcement officers, persons acting with valid authorization from the city (such as licensed security guards who are on duty and have a firearms endorsement on their security guard license), individuals who are on their own dwelling, place of business, or on property owned or under their control, and individuals who are transporting a weapon in accordance with the law.

This bill does not substantially change that section - it only further restricts the circumstances that an individual may carry a concealed firearm by prohibiting most individuals from carrying a concealed weapon whenever the person is within any park, building, or portion of building that is owned by, leased by, or leased to the City and County of Denver.

The proposed legislation would exempt law enforcement, military personnel, and licensed security guards acting within the scope of their duties, meaning that those individuals would still be able to carry a concealed weapon in city parks and buildings. It would also allow for concealed carry as it pertains to authorized activities at Denver Police and Sherriff shooting ranges and at legitimate sporting activities.

Address/Location (if applicable): Various parks & city facilities

Legal Description (if applicable):

Denver Revised Municipal Code (D.R.M.C.) Citation (if applicable): Chapters 38 & 39

Draft Bill Attached? Yes