



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1212: CONSTITUTIONAL CARRY OF HANDGUN

**Prime Sponsors:**

Rep. Flanell; Barron

**Fiscal Analyst:**

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**Fiscal note status:** The fiscal note reflects the introduced bill.

### Summary Information

**Overview.** The bill grants a person who is at least 18 years old and otherwise legally allowed to possess a firearm the same privileges as a person with a concealed handgun permit, and makes other changes to laws regarding carrying a concealed handgun.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis starting in FY 2026-27:

- State Revenue
- State Expenditures
- TABOR Refunds
- Local Government

**Appropriations.** For FY 2026-27, the bill requires an appropriation reduction of \$677,127 from the Department of Public Safety; see State Appropriations section.

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	-\$765,000	-\$925,900
State Expenditures	-\$914,487	-\$1,112,121
Transferred Funds	\$0	\$0
Change in TABOR Refunds	-\$675,000	-\$815,900
Change in State FTE	-6.6 FTE	-8.0 FTE

Fund sources for these impacts are shown in the tables below.

**Table 1A**  
**State Revenue**

<b>Fund Source</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$0	\$0
Cash Funds	-\$765,000	-\$925,900
<b>Total Revenue</b>	<b>-\$765,000</b>	<b>-\$925,900</b>

**Table 1B**  
**State Expenditures**

<b>Fund Source</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$0	\$0
Cash Funds	-\$677,127	-\$823,895
Federal Funds	\$0	\$0
Centrally Appropriated	-\$237,360	-\$288,226
<b>Total Expenditures</b>	<b>-\$914,487</b>	<b>-\$1,112,121</b>
<b>Total FTE</b>	<b>-6.6 FTE</b>	<b>-8.0 FTE</b>

## Summary of Legislation

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The bill grants a person who is at least 18 years old and otherwise allowed to possess a handgun under federal or state law the same privileges as a person with a concealed handgun permit (CHP). CHPs are made valid for the life of the permit holder, including those issued prior to the bill taking effect, unless suspended or revoked. Processes for renewal of permits and issuance of temporary emergency permits are repealed.

Additionally, the bill allows reciprocal recognition of CHPs issued in other states to persons who are at least 18 years old. The authority of local governments, special districts, and governing boards of institutions of higher education to regulate carrying a concealed handgun is repealed. Local governments can regulate the open carrying of firearms other than handguns.

Finally, the bill makes conforming amendments to various parts of statute to reflect concealed handgun permit changes, including to the offenses of:

- unlawfully carrying a concealed weapon;
- unlawful carrying of a firearm in government buildings;
- unlawfully carrying a weapon on school or university grounds; and
- prohibited use of weapons.

## **Comparable Crime Analysis**

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Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes. Assumptions on future conviction rates resulting from the bill are in the next section.

### **Prior Conviction Data**

The sections below identify prior conviction data for the offenses in the bill.

#### **Unlawfully Carrying a Concealed Weapon**

This bill creates a new factual basis for the existing offense of unlawfully carrying a concealed weapon, a class 1 misdemeanor, by no longer requiring a CHP to carry a concealed handgun. From FY 2022-23 to FY 2024-25, 918 individuals have been convicted and sentenced for this offense. Of the persons convicted, 826 were male, 88 were female, and 4 did not have a gender identified. Demographically, 625 were White, 215 were Black/African American, 53 were Hispanic, 9 were Asian, 3 were American Indian, 8 were classified as "Other," and 5 did not have a race identified.

#### **Unlawful Carrying of a Firearm in Government Buildings**

This bill creates a new factual basis for the existing offense of unlawful carrying of a firearm in government buildings, a class 1 misdemeanor, by no longer requiring a CHP to carry a concealed handgun. From FY 2022-23 to FY 2024-25, one White female has been convicted and sentenced for this offense.

#### **Unlawfully Carrying a Weapon—Educational Institutions**

This bill creates a new factual basis for the existing offense of unlawfully carrying a weapon at an educational institution, a class 1 misdemeanor for firearms and a class 6 felony for all other deadly weapons, by no longer requiring a CHP to carry a concealed handgun and removing the ability of a governing board to prohibit carrying a concealed handgun. From FY 2022-23 to FY 2024-25, 33 individuals have been convicted and sentenced for this offense. Of the persons convicted, 29 were male and 4 were female. Demographically, 24 were White, 6 were Black/African American, 2 were Hispanic, and 1 was American Indian.

#### **Prohibited Use of a Weapon**

The bill makes only conforming changes to the existing offense of prohibited use of weapons, a class 1 misdemeanor, where having a CHP is not a defense to a violation of this prohibition.

## Assumptions

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Below are assumptions on changes to rates of criminal filings and CHP applications from the bill.

### Criminal Filings

The bill reduces the potential for case filings and convictions for the offenses in the bill by providing an exception to criminal liability. This exception would apply in cases where a person carried a concealed firearm in a manner that, under current law, would require a permit. Under the bill, such a person would not need a permit and thus would not face criminal liability. The fiscal note assumes that most convictions in the above data are connected to additional criminal conduct unrelated to whether a person had a permit. Based on this, the fiscal note assumes that there will be a minimal reduction in case filings or convictions for the offenses under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

### CHP Application Reduction

The Department of Public Safety (CDPS) processed a total of 58,161 background checks for CHPs in 2025, with 31,343 new CHP applications and 26,818 renewals. The fiscal note assumes that people will still wish to acquire a CHP for reciprocity benefits and other reasons, and estimates a reduction of about 35 percent in the amount of new CHP applications per year. Additionally, since CHPs under the bill are valid for life, a total reduction of renewal CHP applications is estimated.

## State Revenue

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The bill decreases state revenue by about \$770,000 in FY 2026-27, and by about \$930,000 in FY 2027-28 and future years. Revenue will decrease from fewer fees collected from new and renewal CHP applications as shown in Table 2 and discussed below.

**Table 2**  
**State Revenue**

<b>Fiscal Year</b>	<b>Type of Fee</b>	<b>Total Fee Impact</b>
FY 2026-27	CHP Fees	-\$765,000
FY 2027-28	CHP Fees	-\$925,900

The current fee for a new CHP application is \$52.50; this includes \$39.50 for a fingerprint-based background check, of which \$10.00 is passed on to the Federal Bureau of Investigation (FBI), and a \$13.00 InstaCheck fee. CHP renewal applications only require a \$13.00 InstaCheck fee. The tables below show the impacts by fiscal year; the impact for FY 2026-27 is prorated to correspond with an assumed September 1, 2026, effective date based on the petition clause in the bill.

**Table 2A**  
**Fee Revenue Reduction**  
**FY 2026-27**

Type of Fee	Fee Amount	Number Affected	Total Fee Impact
Fingerprint Background Check—New CHPs	\$39.50	-9,000	-\$355,500
InstaCheck—New and Renewal CHPS	\$13.00	-31,500	-\$409,500
<b>Total Fee Revenue – FY 2026-27</b>			<b>-\$765,000</b>

**Table 2B**  
**Fee Revenue Reduction**  
**Starting FY 2027-28**

Type of Fee	Fee Amount	Number Affected	Total Fee Impact
Fingerprint Background Check—New CHPs	\$39.50	-11,000	-\$434,500
InstaCheck—New and Renewal CHPS	\$13.00	-37,800	-\$491,400
<b>Total Fee Revenue – Starting FY 2027-28</b>			<b>-\$925,900</b>

## State Expenditures

The bill decreases state expenditures in the CDPS by about \$915,000 FY 2026-27 and by \$1.1 million in FY 2027-28 and future years. These costs, paid from the Colorado Bureau of Investigation (CBI) Identification Unit Cash Fund and the Instant Criminal Background Check Cash Fund, are summarized in Table 3 and discussed below.

**Table 3**  
**State Expenditures**  
**Department of Public Safety**

Cost Component	Budget Year FY 2026-27	Out Year FY 2027-28
Personal Services	-\$387,339	-\$469,795
Operating Expenses	-\$8,448	-\$10,240
FBI Pass-through	-\$198,000	-\$242,000
Processing Costs	-\$83,340	-\$101,860

Centrally Appropriated Costs	-\$237,360	-\$288,226
<b>Total Costs</b>	<b>-\$914,487</b>	<b>-\$1,112,121</b>
<b>Total FTE</b>	<b>-6.6 FTE</b>	<b>-8.0 FTE</b>

## Department of Public Safety

Based on the estimated reduction in new and renewal CHP applications, the CDPS will require 8.0 FTE fewer staff and associated funding for personal services and operating expenses. Amounts are prorated to reflect an assumed September 1, 2026, effective date for the bill. Additionally, less funding is required for finger-print based background check processing and FBI pass-through costs.

## Centrally Appropriated Costs

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which may include employee insurance, supplemental employee retirement payments, indirect cost assessments, and other costs, are shown in Table 3 above.

## TABOR Refunds

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The bill is expected to decrease the amount of state revenue required to be refunded to taxpayers by the amounts shown in Table 1. This estimate assumes the December 2025 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2027-28. Because TABOR refunds are paid from the General Fund, decreased cash fund revenue will increase the amount of General Fund available to spend or save in FY 2026-27, FY 2027-28, and any future years when the state is over its revenue limit.

## Local Government

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The bill will decrease workload in sheriffs' offices from processing fewer new CHP applications, and from no longer processing CHP renewals. Correspondingly, it will decrease local government revenue from allowable fees collected by sheriffs to process these applications.

## Effective Date

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.



## State Appropriations

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For FY 2026-27, the bill requires reductions in appropriations to the Department of Public Safety of:

- \$146,995 from the Instant Criminal Background Check Cash Fund, and 2.5 FTE; and
- \$530,132 from the CBI Identification Unit Cash Fund, and 4.1 FTE.

## State and Local Government Contacts

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District Attorneys

Public Defender

Judicial

State Law Enforcement

Law

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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](#).