



Board Summary Report

File #: 24-657

Agenda Date: 12/10/2024

Agenda #: 5.b.

To: Board of County Commissioners

Through: Ron Carl, County Attorney

Prepared By:

John Christofferson, Deputy County Attorney

Subject:

Weapons Ban for Arapahoe County Buildings

Purpose and Request:

Adoption of a resolution approving revised regulations and policies regarding a ban on deadly weapons within Arapahoe County Buildings.

Background and Discussion: On May 25, 2021, the Board of County Commissioners (BOCC) adopted Resolution No. 21-182 which established regulations prohibiting the carrying of deadly weapons in County buildings, subject to certain exceptions including an exception for the carrying of firearms pursuant to a valid concealed carry permit. Subsequent to the adoption of Resolution No. 21-182, Senate Bill 24-131 was passed by the Colorado General Assembly, creating C.R.S. § 18-12-105.3 which bans both the open and concealed carry of firearms, whether loaded or not loaded, in certain sensitive spaces, including the chambers, galleries, meeting locations, or official offices of the members of the BOCC, courthouses and any other building or portion of a building used for court proceedings, and in adjacent parking lots, unless a local government opts out of such restrictions.

Pursuant to Colorado Revised Statutes (C.R.S.) § 18-9-117, the BOCC has the power to adopt regulations that are reasonably necessary for the administration, protection, and maintenance of public buildings and property. Pursuant to C.R.S. § 29-11.7-104, the BOCC has the power to enact regulations that prohibit the open carrying of a firearm in a building or specific area within the County's jurisdiction. Pursuant to C.R.S. § 18-12-214(1) (c), the BOCC has the power to enact regulations that prohibit the carrying of a concealed handgun in a building or specific area within the County's jurisdiction.

In order to conform the County's regulations regarding weapons in County buildings with Senate Bill 24-131 and to conform with other changes in the law, staff has prepared a resolution that revises the County's regulations regarding its ban on the carrying of deadly weapons within Arapahoe County public buildings when the public entrance to said public building is posted with notification of such restrictions. Persons who are employed as law enforcement officers or deputies by any governmental entity within the state of Colorado carrying a firearm pursuant to the authority granted by C.R.S. § 16-2.5-101(2), a member of the United States Armed Forces or Colorado National Guard when engaged in the lawful discharge of the member's official duties, and persons who are authorized via contract with Arapahoe County to provide security for a public building or specific area, will continue to be exempt from the restrictions contained in the regulations.

Additionally, persons authorized by a lawfully issued permit to carry a concealed firearm pursuant to C.R.S. § 18-12-214 and who are carrying or storing such firearm in compliance with the requirements of § 18-12-214 are exempt from the restrictions contained in the regulations, but only if the notification posted at the public entrance to a building specifically allows concealed carry of a firearm within said building or specific area.

Further, the proposed resolution also approves conforming revisions to the Threat Assessment Policy - Threat & Violence Assessment Team, Violence Policy - Weapons, and Public Works & Development; Community Compliance Officer policy that are located in the Safety and Risk Management Manual and the Concealed Carry Policy, Violence Policy - Weapons with the Violence Policy - Weapons in the Arapahoe County Guidelines. All other policies contained in the Safety and Risk Management Manual and the Arapahoe County Guidelines will not be amended.

Alternatives: The BOCC could decide to leave the current policy in place.

Fiscal Impact: The fiscal impact will be the cost to create and post new signage based on the revised weapons policy and BOCC direction.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Concurrence: The Clerk and Recorder, the Arapahoe County Sheriff's Office, and E-Team concur with the request.

Resolution: Attached is a copy of the draft resolution.

