

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0615.01 Conrad Imel x2313

HOUSE BILL 25-1232

HOUSE SPONSORSHIP

Luck,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING LIABILITY FOR HARM SUFFERED ON ANOTHER'S
102 PROPERTY WHEN A PERSON IS NOT ALLOWED THE MEANS TO
103 DEFEND THEMSELVES ON THE PROPERTY.

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 makes the owner or person in control of a property who prohibits persons from bringing arms of self-defense onto the property liable for damages for harm suffered by a person while on the property that could have been prevented by the person if the person had the person's arm of self-defense. The bill waives sovereign immunity in an

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.

action for harms under the conditions described in the bill against a public entity that owns or controls property.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 13-21-134 as
3 follows:

4 **13-21-134. Liability for entities that prohibit tools of**
5 **defending one's self from harm - definition.** (1) AS USED IN THIS
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "ARM OF
7 SELF-DEFENSE" MEANS ANY WEAPON FOR OFFENSE; EQUIPMENT AND
8 ARMOR FOR DEFENSE OF A PERSON; AND AMMUNITION, ACCOUTREMENTS,
9 PARTS, AND ACCESSORIES TYPICAL TO MAINTAINING THE FUNCTION AND
10 MOST EFFECTIVE INTENDED USE OF THE WEAPON, EQUIPMENT, OR ARMOR.

11 (2) (a) THE OWNER OR PERSON IN CONTROL OF A PROPERTY WHO
12 PROHIBITS A PERSON FROM BRINGING AN ARM OF SELF-DEFENSE ONTO THE
13 PROPERTY IS LIABLE FOR DAMAGES, INCLUDING NONECONOMIC LOSS OR
14 INJURY, FOR ANY HARM SUFFERED BY A PERSON WHILE ON THE PROPERTY
15 THAT COULD HAVE BEEN PREVENTED BY THE PERSON IF THE PERSON HAD
16 THE PERSON'S ARM OF SELF-DEFENSE.

17 (b) A HARMED PERSON IS NOT REQUIRED TO SHOW THAT THE
18 PERSON ACTUALLY WOULD HAVE PREVENTED THE HARM BUT FOR THE
19 PROHIBITION ON ARMS OF SELF-DEFENSE ON THE PROPERTY IN ORDER TO
20 ESTABLISH A CLAIM FOR DAMAGES PURSUANT TO THIS SECTION.

21 (3) (a) PURSUANT TO SECTION 24-10-106 (1)(I), SOVEREIGN
22 IMMUNITY IN AN ACTION FOR DAMAGES DESCRIBED IN THIS SECTION IS
23 WAIVED BY A PUBLIC ENTITY THAT OWNS OR OPERATES PROPERTY.

24 (b) A LAW, ORDINANCE, REGULATION, OR OTHER LAW ENACTED BY
25 THE PUBLIC ENTITY THAT PROHIBITS A PERSON FROM BRINGING AN ARM OF

1 SELF-DEFENSE ONTO THE PUBLIC ENTITY'S PROPERTY IS SUFFICIENT TO
2 PROVE THAT THE OWNER OR PERSON IN CONTROL OF THE PROPERTY
3 PROHIBITS A PERSON FROM BRINGING AN ARM OF SELF-DEFENSE ONTO THE
4 PROPERTY FOR THE PURPOSES OF THIS SECTION.

5 **SECTION 2.** In Colorado Revised Statutes, 24-10-106, **amend**
6 (1)(j) and (1)(k); and **add** (1)(l) as follows:

7 **24-10-106. Immunity and partial waiver.** (1) A public entity is
8 immune from liability in all claims for injury that lie in tort or could lie
9 in tort regardless of whether that may be the type of action or the form of
10 relief chosen by the claimant except as provided otherwise in this section.
11 Sovereign immunity is waived by a public entity in an action for injuries
12 resulting from:

13 (j) An action brought pursuant to part 12 of article 20 of title 13,
14 whether the conduct alleged occurred before, on, or after January 1, 2022;
15 **or**

16 (k) An action brought pursuant to section 24-34-806 (4); OR

17 (l) HARM UNDER THE CIRCUMSTANCES DESCRIBED IN SECTION
18 13-21-134.

19 **SECTION 3. Safety clause.** The general assembly finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety or for appropriations for
22 the support and maintenance of the departments of the state and state
23 institutions.