

## RESOLUTION 60-2024

### A WASHINGTON COUNTY ORDINANCE TO PROTECT THE RIGHT TO CARRY IN SENSITIVE SPACES IN ACCORDANCE WITH SB 24-131.

**WHEREAS**, Pursuant to C.R.S 30-11-103, the Board of County Commissioners of Washington County, Colorado (hereinafter the "Board"), has the authority to exercise all County powers for the Unincorporated Areas of Washington County; and

**WHEREAS**, on May 9, 2024, the Colorado legislature approved the adoption of SB 24-131, Prohibiting Carrying a Firearm in Sensitive Spaces Recognized by the United States Supreme Court as Place at Which Longstanding Laws Prohibited Carrying Firearms; and

**WHEREAS**, SB 24-131 and C.R.S 18-12-105.3 prohibits persons from "knowingly carry[ing] a firearm, whether loaded or not loaded, in their "adjacent parking area...the chambers or galleries of a local government's governing body are located"; while also prohibiting persons from carrying a firearm to "a meeting of a local government's governing body is being conducted" or "the official office of any elected member of [the County]...", unless permitted by a local government, as described in section (4) (b) of C.R.S 18-12-105.3; and

**WHEREAS**, Washington County, a local government, and political subdivision of the State of Colorado pursuant to C.R.S 29-1-502; hereby permits persons not otherwise prohibited from owning or carrying firearms to carry such firearms on the property or within any building which, pursuant to C.R.S 18-12-105.3 (b) – C.R.S 18-12-105.3 (b) (III).

**WHEREAS**, Washington County, Colorado has the authority pursuant to C.R.S 30-11-101 (2) to adopt and enforce ordinances and resolutions regarding health, safety, and welfare issues; and

**WHEREAS**, provisions prohibiting the carrying of a firearm in "a courthouse or any other building or portion of a building used for court proceedings" and other specified "sensitive areas" as enumerated by SB 24-131 provides for Washington County to enumerate exceptions to the prohibition of carrying a firearm in "Sensitive Spaces" as enumerated by 18-12-105.3 (2-(a) through section (e).

**WHEREAS**, carrying a firearm in an Washington County "courthouse or any other building or portion of a building used for court proceedings" remains prohibited, except for law enforcement or security personnel for a courthouse or other building used for court proceedings, pursuant to 18-12-105.3 (2-(a)- (e).

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of the County of Washington, State of Colorado, as follows;

**Section 1. Purpose.**

- 1.1 The purpose of this Ordinance is to protect and promote the public health, safety and general welfare of the citizens and residents of Washington County, Colorado, and to maintain fundamental constitutional rights and liberty, and maintain the Second Amendment rights of Washington County citizens after passage by the Colorado legislature of SB 24-131.

**Section 2. Definitions.** Unless otherwise specified or the context otherwise requires, any terms used herein shall have the same meanings and definition as provided in C.R.S 18-1-901:

- 1.1 "Firearm" means any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, cartridges, or other explosive charges.

**Section 3. Applicability**

- 3.1 This Ordinance shall apply throughout the unincorporated area of Washington County, including County buildings which may be deemed "sensitive spaces" as defined by SB24-131. This Ordinance shall in no way limit application and enforcement of any statutes of the State of Colorado but shall be in addition thereto.

**Section 4. Severability.**

- 4.1 If any section, subsection, clause, sentence, phrase or part of this Ordinance is declared invalid by a court of competent jurisdiction, such invalidity shall not affect, impair or invalidate any remaining provisions of this Ordinance.

**Section 5. Conflicting Provisions.**

- 5.1 Where any provision of this Ordinance conflicts with any other provision of this Ordinance, or any other law or Ordinance, the more stringent shall apply.

**Section 6. Interpretation.**

- 6.1 This Ordinance shall be so interpreted and construed as to maintain as status quo the ability to carry firearms which existed prior to the passage and adoption of SB 24-131 in within the unincorporated areas of Washington County, Colorado.

**Section 7. Effective date.**

7.1 This Ordinance shall take effect immediately upon adoption of the second and final reading and shall remain in effect until such time as this Ordinance is amended, temporarily suspended or repealed.

**Section 8. Emergency**

8.1 The Board hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation and protection of the health, safety and welfare of the citizens of Washington County, Colorado. This Ordinance shall take effect immediately upon adoption on second and final reading.

**Section 9. Certification.**

9.1 The Washington County Clerk shall certify to the passage of this Ordinance and shall have on file copies of this Ordinance available for inspection by the public during normal working hours.

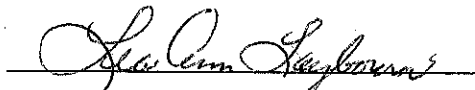
The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 21st day of May 2024, by Commissioner Jefferson who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted.

  
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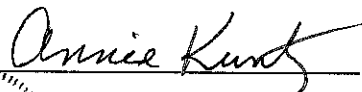
Chairman

  
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Commissioner

  
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Commissioner

Attest:   
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Annie Kuntz, Clerk

