



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1232: LIABILITY WHEN MEANS OF SELF-DEFENSE PROHIBITED

#### Prime Sponsors:

Rep. Luck

#### Fiscal Analyst:

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**Version:** Initial Fiscal Note

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

### Summary Information

**Overview.** The bill makes property owners liable for any harm suffered on their property when the person was not allowed the means to protect themselves.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- Local Government

**Appropriations.** For FY 2025-26, the bill requires an appropriation of \$825,220 to the Department of Personnel and Administration.

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

Type of Impact <sup>1</sup>	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$825,220	\$825,220
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	1.7 FTE	1.7 FTE

<sup>1</sup> Fund sources for these impacts are shown in the tables below.

**Table 1A**  
**State Expenditures**

<b>Fund Source<sup>1</sup></b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
General Fund	\$825,220	\$0
Reappropriated Funds	\$0	\$825,220
Federal Funds	\$0	\$0
Centrally Appropriated	\$0	\$0
<b>Total Expenditures</b>	<b>\$825,220</b>	<b>\$825,220</b>
<b>Total FTE</b>	<b>1.7 FTE</b>	<b>1.7 FTE</b>

<sup>1</sup> Out-year costs will be paid using a mix of General Fund, cash funds, and federal funds reappropriated to the DPA from affected state agencies.

## Summary of Legislation

The bill makes properties that prohibit self-defense weapons, equipment, and armor liable for any damages suffered by a person while on the property, if the harm could have been prevented had they been allowed to bring their self-defense item. The harmed person is not required to prove they could have prevented the harm when establishing a claim against the property owner, only that they were not permitted to carry the self-defense item. The bill waives sovereign immunity for public entities in actions for damages.

## Assumptions

The fiscal note assumes there will be an increase in claims against the state from individuals who suffer harm on state-owned properties where self-defense weapons are prohibited. These claims will be managed by the Department of Personnel and Administration (DPA), which oversees the state's response to liability claims and lawsuits.

Potential claims may include:

- visitors to state property who are injured in shooting events or other incidences of violence where firearms are restricted; and
- students at institutes of higher education if self-defense weapon restrictions are in place at certain school buildings.

The fiscal note assumes four claims will be brought against state agencies each year beginning in FY 2025-26.

## State Revenue

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The bill may increase revenue to the Judicial Department from an increase in civil case filings. Revenue from filing fees is subject to TABOR. Overall, any change in state revenue is expected to be minimal.

## State Expenditures

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The bill increases state expenditures in the DPA by \$825,000 in FY 2025-26 and future years. These costs are summarized in Table 2 and discussed below. First-year costs are paid from the General Fund; future year costs are paid using a mix of General Fund, cash funds, and federal funds. The bill also minimally affects workload in the Judicial Department.

**Table 2**  
State Expenditures  
Department of Personnel and Administration

Cost Component	Budget Year FY 2025-26	Out Year FY 2026-27
Settlements	\$424,000	\$424,000
Legal Services	\$401,220	\$401,220
FTE – Personal Services	0.0 FTE	0.0 FTE
FTE – Legal Services	1.7 FTE	1.7 FTE
<b>Total Costs</b>	<b>\$825,220</b>	<b>\$825,220</b>
<b>Total FTE</b>	<b>1.7 FTE</b>	<b>1.7 FTE</b>

## Department of Personnel and Administration

Expenditures in the DPA will increase by about \$825,000 in FY 2025-26 and future years from litigation and risk management costs. The state's actual costs will depend on a number of factors, including the number and complexity of cases, and the timing of cases and judgements. Potential costs include settlements and legal services, as described below.

## State Litigation and Risk Impacts

Beginning in FY 2025-26, DPA is estimated to have costs of about \$400,000 for liability legal services, provided by the Department of Law, to represent the state in an estimated four lawsuits each year against public entities. Approximately one settlement of \$424,000, which includes attorney's fee awards, from these cases are estimated each year.

Depending on the outcome of any cases, settlement and liability payments from state agencies to the Risk Management Fund in the DPA will be adjusted through the annual budget process. State agencies make payments for legal services and risk management through common policy billings based on costs incurred in prior years.

### **Judicial Department**

Trial courts in the Judicial Department will experience a minimal workload increase to hear additional civil cases. No change in appropriations is required.

### **Local Government**

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Similar to the state, local governments will likely experience an increase in legal and liability related costs. Impacts will vary by jurisdiction and have not been estimated.

### **Effective Date**

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The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

### **State Appropriations**

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For FY 2025-26, the bill requires a General Fund appropriation of \$825,220 to the Department of Personnel and Administration for risk management, of which \$401,220 is reappropriated to the Department of Law with 1.7 FTE.

### **State and Local Government Contacts**

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Counties	Legislative Council Staff
Higher Education	Local Affairs
Judicial	Natural Resources
Law	Personnel

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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](#).