



**Criteria for Retired Law Enforcement Officers to obtain a CCW permit under the
Law Enforcement Officers Safety Act of 2004.
(HR 218)**

The Manager of Safety shall also issue permits to carry a concealed weapon pursuant to Chapter 44 of Title 18, United States Code, § 92C, the Law Enforcement Officer Safety Act of 2004', to an individual who is a qualified retired law enforcement officer, who is carrying the identification required, and has met the firearms qualification requirements to carry a concealed firearm.

I. Retirees from another Agency

(a) Colorado Concealed Weapons Permit.

(1) Nothing in this rule will prohibit a retired law enforcement officer from seeking and obtaining a concealed weapons permit pursuant to Title 18, Article 12, Section 2, C.R.S. (2005).

(b) Federal Eligibility Requirements for Retired Law Enforcement Officers.

(1) It will be the responsibility of the retired peace officer to determine if he/she meets the criteria of being a "qualified retired law enforcement officer." As used in this rule, the term "qualified retired law enforcement officer" means an individual who:

- (A) Retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;
- (B) Before such retirement, was authorized by law to engage in, or supervise the prevention, detection, investigation, or prosecution

of, or the incarceration of any person for any violation of law and had statutory powers of arrest:

- Before such retirement was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or
 - Retired from service with such agency after completing any applicable probationary period of such service, due to a service-connected disability as determined by such agency; and
- (C) Has a non-forfeitable right to benefits under the retirement plan of the agency; and
- (D) During the most recent 12- month period has met, at the expense of the individual, the State standard for training and qualification to carry firearms;
- (E) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- (F) Is not prohibited by any other State or Federal law from receiving or possessing a firearm.
- (2) The identification required by both Federal law and this rule shall include:
- (A) Photographic identification issued by the agency from which the individual retired from service as a law enforcement officer; and
- (B) A certification card issued by the State (P.O.S.T.) through a Sheriff that indicates that the individual has, within one year of the date the individual is carrying the concealed firearms, has been tested or otherwise found to meet the standards established by P.O.S.T. for retired law enforcement officers to carry a firearm of the same type (manufacture/model/caliber) as the concealed firearm; and
- (C) The identification and certification card listed above shall be carried by the retired officer, along with a valid photographic identification, at all times during which the retired officer is in actual possession of a concealed weapon. The retired officer, upon demand by any law enforcement officer, shall produce these documents.

(c) Training and Qualification for Retired Law Enforcement Officers.

(1) The retired officer, at his/her individual expense, shall not less recently than one year before the date the individual is carrying the concealed firearms, been tested or otherwise found by the State through a Sheriff to meet the standards established by the State for training and qualification for retired officers to carry a firearm of the same type as the concealed firearm.

(2) To obtain a certification card, the retired officer shall submit an application in person on a statewide standardized form developed by the County Sheriffs of Colorado and available from a Sheriff. For this rule, the term Sheriff means the elected Sheriff, the person fulfilling the duties of the office of Sheriff in a city/county (Manager of Safety), or the Sheriff's designee.

(3) The retired officer shall sign the completed application form in person before the Sheriff.

The Sheriff shall verify that the person making the application is the same person who appears in any photograph submitted and the same person who signed the application form. To verify the retired law enforcement officer's identity, the applicant shall present to the Sheriff the applicant's valid Colorado driver's license and the photographic identification issued by the agency from which the individual retired from service as a law enforcement officer.

(d) Actions to Qualify Retired Law Enforcement Officers.

(1) Prior to allowing a retired officer to qualify for concealed carry authorization, the following information must be verified.

- (A) The retired officer's full name, date of birth and address; and
- (B) The validity of the "Retired Law Enforcement Officer Identification" the individual presents; and
- (C) The individual meets the federal legal requirements to possess and/or carry a firearm (not a prohibited person); and
- (D) There are no active wants or warrants associated with the individual.

(2) The verification, at a minimum, shall include requesting the Colorado Bureau of Investigation to conduct a search of the National Instant Criminal Background Check System and a search of the State Integrated Criminal Justice Information System to determine whether the applicant meets the criteria specified.

(3) During renewals, the verification shall not require a search of the National Instant Criminal Background Check System.

