

CHAPTER 149

NATURAL RESOURCES

SENATE BILL 16-137

BY SENATOR(S) Johnston and Sonnenberg, Baumgardner, Carroll, Crowder, Donovan, Heath, Holbert, Kefalas, Merrifield, Roberts, Scott, Todd, Woods;
also REPRESENTATIVE(S) Dore, Arndt, Becker K., Brown, Ginal, Kagan, Lontine, Pettersen, Priola, Vigil.

AN ACT

CONCERNING A CLARIFICATION OF THE AUTHORITY OF THE PARKS AND WILDLIFE COMMISSION TO ENTER INTO AN AGREEMENT WITH A PRIVATE LANDOWNER.

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

SECTION 1. In Colorado Revised Statutes, 33-1-105, **amend** (1) (g) as follows:

33-1-105. Powers of commission. (1) The commission has power to:

(g) Enter into agreements with landowners for public hunting and fishing areas. Such agreements shall be negotiated by the commission or its authorized agent and shall provide that, if the landowner opens the land under his control to public hunting and fishing, the commission shall compensate him in an amount to be determined by the parties to the agreement. Under the agreement, the commission shall control public access to the land to prevent undue damage and to properly manage attendant wildlife populations. ~~In no event shall~~ The commission SHALL NOT be liable for damages caused by the public other than those specified in the agreement. NOTHING IN SECTION 33-4-103 LIMITS THE AUTHORITY OF THE COMMISSION BOTH TO ENTER INTO AN AGREEMENT AND TO INCLUDE THE ISSUANCE OF A HUNTING LICENSE IN THE AGREEMENT. NOTHING IN SECTION 33-3-103.5 LIMITS THE AUTHORITY OF THE COMMISSION TO NEGOTIATE THE WAIVER OF GAME DAMAGE ELIGIBILITY IN AN AGREEMENT.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 4, 2016