

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 17-1088.01 Jennifer Berman x3286

HOUSE BILL 17-1321

HOUSE SPONSORSHIP

Arndt and Wilson, Catlin, McLachlan, Mitsch Bush, Rankin

SENATE SPONSORSHIP

Coram and Fenberg,

House Committees

Agriculture, Livestock, & Natural Resources
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PARKS AND WILDLIFE COMMISSION'S AUTHORITY TO**
102 **SET CERTAIN CHARGES ASSESSED ON PEOPLE ENGAGING IN**
103 **ACTIVITIES REGULATED BY THE DIVISION OF PARKS AND**
104 **WILDLIFE, AND, IN CONNECTION THEREWITH, SETTING CERTAIN**
105 **HUNTING, FISHING, PARKS, AND RECREATION FEES AND FINES,**
106 **CREATING AN AQUATIC NUISANCE SPECIES STICKER AND**
107 **ASSOCIATED FEE STRUCTURE, AND REQUIRING REPORTING BY**
108 **THE DIVISION OF PARKS AND WILDLIFE ON FEE AMOUNTS AND**
109 **THE USE OF DIVISION-MANAGED LANDS BY NONCONSUMPTIVE**
110 **USERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
April 27, 2017

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>.)

Section 1 of the bill provides a nonstatutory legislative declaration.

Section 2 adds "voucher" and "preference point" to the documents listed under the definition of "license".

Sections 3 and 17 add "sponsorships" and "donations" to the list of money transfers that the parks and wildlife commission (commission) is authorized to receive and expend.

Section 4 prohibits the commission from using revenue generated from increased license fee amounts authorized by the bill for the purchase of any fee title interest in real property or any interest in water.

Section 6 clarifies that the Colorado outdoor recreation search and rescue card fee is nonrefundable.

Sections 7, 14, 15, and 18 raise the maximum fee amounts that the commission may assess by rule for certain licenses, permits, and passes. Sections 7, 14, 15, and 18 also authorize the commission to apply a consumer price index adjustment to a fee that has been set at the maximum fee amount allowed, which fee adjustment does not count toward the maximum fee amounts set.

Section 8 allows the division of parks and wildlife (division) to grant up to 25% of the money derived from sales of the state migratory waterfowl stamp to nonprofit organizations implementing the North American waterfowl management plan.

Section 9 removes references to the fee assessed for the youth small game hunting license since the maximum fee amount for the license is listed in another part of statute. Section 9 also authorizes the commission to establish by rule a special licensing program for young adult hunters and anglers and requires that, if the commission establishes such a licensing program by rule, the commission must define "young adult" in a manner that does not include adults 26 years of age or older.

Section 10 changes the name of the wildlife management public education advisory council to the wildlife council.

Section 11 requires the division to prepare reports on the status of certain license fee increases that the commission is authorized to promulgate pursuant to the bill and nonconsumptive users' use of division-managed land, and to present the reports to the agriculture committees in the house of representatives and the senate.

Section 12 increases the fine imposed against a person who violates a wildlife statute or rule that does not have a specific penalty listed for the violation from \$50 to \$100.

Section 13 raises the penalty for a number of wildlife-license-related offenses to an amount equal to twice the cost of

the most expensive license for the species. Section 13 also clarifies that engaging in conduct that requires a license without a license is a violation subject to an assessment of 10 license suspension points and a fine amount equal to twice the cost of the most expensive license issued for the activity that the person unlawfully engaged in without the requisite license; except that a violation based on fishing without a license is subject to a \$125 fine and an assessment of 10 license suspension points.

Section 23 requires a person to purchase an aquatic nuisance species sticker to operate or use a vessel on the waters of the state or possess a vessel at a vessel staging area. The fees collected on the sale of aquatic nuisance species stickers are credited to the division of parks and wildlife aquatic nuisance species fund to help fund inspections of vessels and associated conveyances for the presence of aquatic nuisance species, decontamination of vessels or conveyances with the presence of aquatic nuisance species, lake monitoring for the presence of aquatic nuisance species, and outreach efforts.

Under current law, "pass" or "registration" is defined as a document issued by the division authorizing the use of land or water under the division's control. **Section 16** adds "sticker" to the definition to encompass the aquatic nuisance species sticker created in section 23.

Section 19 establishes that a violation of the requirement to obtain an aquatic nuisance species sticker is a class 2 petty offense, punishable by a fine equal to twice the cost of a nonresident motorboat or sailboat aquatic nuisance species sticker.

Section 20 repeals the division of wildlife aquatic nuisance species fund and renames the division of parks and outdoor recreation aquatic nuisance species fund as the division of parks and wildlife aquatic nuisance species fund, combining the 2 existing funds into one fund. **Sections 5 and 26** make conforming amendments regarding the combining of the 2 funds into one renamed fund.

Section 21 removes the \$5 cap on the fee that the division may charge a person for replacement of a lost or destroyed pass or registration. The fee is set at 50% of the cost of the original pass or registration.

Section 22 defines "nonmotorboat".

Section 24 changes the penalty for a violation of statutes and rules concerning parks and recreation for which a specific penalty is not listed from a class 2 petty offense to a misdemeanor and raises the fine from \$50 to \$100.

Section 25 establishes that engaging in conduct that requires a permit, pass, or sticker issued by the division without a permit, pass, or sticker is a violation subject to a fine amount equal to twice the cost of the most expensive permit, pass, or sticker issued for the activity that the person unlawfully engaged in without the requisite permit, pass, or sticker.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and determines that:

4 (a) The people of Colorado value and seek to preserve the state's
5 unique wildlife, park, recreational, and water resources;

6 (b) Outdoor recreation significantly impacts Colorado's economy,
7 including the following total economic benefits: \$919 million from
8 hunting; \$1.9 billion from fishing; \$2.3 billion from wildlife viewing; and
9 \$1 billion from state park visitors;

10 (c) The division of parks and wildlife and the parks and wildlife
11 commission require additional funding from user fees to ensure the
12 agency's financial sustainability and to maintain its current operations and
13 services; and

14 (d) As an enterprise agency, the division and commission have
15 identified goals and objectives that can only be achieved with increased
16 funding from user fees, including:

17 (I) Enhancing access and services on public and private lands for
18 sportsmen and women and for nonconsumptive users;

19 (II) Increasing youth and adult hunter and angler recruitment
20 through education and outreach programs;

21 (III) Increasing and improving big game populations through
22 habitat improvement programs;

23 (IV) Preventing the listing of state trust species under the federal
24 "Endangered Species Act of 1973", 16 U.S.C. sec. 1531 et seq., as
25 amended, through species distribution and abundance monitoring, disease
26 prevention, and partnerships with private landowners;

1 (V) Reducing renovation and maintenance backlogs for fish
2 hatcheries and the more than one hundred dams owned and operated by
3 the division;

4 (VI) Implementing law enforcement program upgrades, including
5 upgrades to equipment and to new communications technologies, to
6 maintain compatibility with other law enforcement agencies;

7 (VII) Recruiting and retaining qualified employees to manage
8 wildlife, park, recreational, and aquatic resources;


9 (VIII) Maintaining park infrastructure under the pressure of
10 increasing visitation; and

11 (IX) Ensuring that Colorado's lakes and reservoirs remain free of
12 aquatic nuisance species and open to recreation by providing a stable,
13 annual funding source for boat inspection stations.

14 (2) The general assembly therefore determines and declares that
15 statutes affecting the division's and commission's financial sustainability
16 should be updated to afford them additional financial resources to reach
17 and maintain their identified goals and objectives.

18 **SECTION 2.** In Colorado Revised Statutes, 33-1-102, **amend** the
19 introductory portion and (27) as follows:

20 **33-1-102. Definitions.** As used in this ~~title~~ TITLE 33, unless the
21 context otherwise requires:

22 (27) "License" means a permit, stamp, card, certificate, tag, seal,
23  PREFERENCE POINT, or other document provided for by statute or
24 commission rule ~~or regulation~~ and issued or required by the division
25 authorizing the hunting, fishing, trapping, taking, transportation, or
26 possession of wildlife or other activity for which express authorization is
27 required by articles 1 to 6 of this ~~title~~ TITLE 33.

1 **SECTION 3.** In Colorado Revised Statutes, 33-1-105, **amend**
2 (1)(f)(I)(A) and (2) as follows:

3 **33-1-105. Powers of commission.** (1) The commission has
4 power to:

5 (f) (I) Receive and expend:

6 (A) Grants, gifts, SPONSORSHIPS, CONTRIBUTIONS, DONATIONS,
7 and bequests, including federal ~~moneys~~ MONEY, made available for the
8 purposes for which the commission is authorized; and

9 (2) Nothing in articles 1 to 6 of this ~~title shall be construed as~~
10 ~~authorizing~~ TITLE 33 AUTHORIZES the commission to change any penalty
11 prescribed by law for ~~the~~ A violation of ~~the provisions~~ ANY PROVISION of
12 articles 1 to 6 of this ~~title or to change the amount of any license fee~~
13 ~~established by statute~~ TITLE 33.

14 **SECTION 4.** In Colorado Revised Statutes, 33-1-105.5, **add** (11)
15 as follows:

16 **33-1-105.5. Acquisition of property - procedure.** (11) ~~TO~~
17 ~~ENSURE THAT HIGH PRIORITY NEEDS ARE BEING ADDRESSED, THE~~
18 ~~COMMISSION, IN MAKING ANY REAL PROPERTY INTEREST ACQUISITION~~
19 ~~BEFORE JANUARY 1, 2020, THROUGH THE USE OF REVENUE GENERATED~~
20 ~~FROM ANY INCREASED LICENSE FEE AMOUNTS AUTHORIZED BY HOUSE~~
21 ~~BILL 17-1321, ENACTED IN 2017, SHALL EMPHASIZE THE ACQUISITION OF~~
22 ~~EASEMENTS AND ENSURE THAT ALL OTHER AVENUES HAVE BEEN PURSUED~~
23 ~~BEFORE FEE SIMPLE ACQUISITION. HIGH PRIORITY NEEDS INCLUDE DAM~~
24 ~~REPAIRS, FISH HATCHERY RENOVATION, AND PUBLIC ACCESS EASEMENT~~
25 ~~DEVELOPMENT FOR RECREATION.~~

26 **SECTION 5.** In Colorado Revised Statutes, 33-1-112, **amend**
27 (3.5)(a) and (3.5)(b); and **repeal** (1)(b) as follows:

1 **33-1-112. Funds - cost accounting - definition - repeal.**

2 (1) (b) ~~For the fiscal year commencing July 1, 2008, there shall be~~
3 ~~transferred one million two hundred fifty thousand dollars from the~~
4 ~~wildlife cash fund to the division of wildlife aquatic nuisance species~~
5 ~~fund, created in section 33-10.5-108.~~

6 (3.5) (a) There is hereby created the wildlife management public
7 education fund. ~~Moneys~~ MONEY in ~~such~~ THE fund ~~shall consist~~ CONSISTS
8 of the surcharge authorized by section 33-4-102 (8.5), ~~such moneys as~~
9 ANY MONEY the general assembly allocates to the fund, and ~~moneys~~
10 MONEY collected from gifts, donations, contributions, bequests, grants,
11 and funds or reimbursements made from other sources to the wildlife
12 ~~management public education advisory~~ council created in section
13 33-4-120.

14 (b) ~~Moneys~~ MONEY in the wildlife management public education
15 fund ~~shall be~~ IS subject to annual appropriation and shall be used by the
16 wildlife ~~management public education advisory~~ council for carrying out
17 its duties as set forth in section 33-4-120, including ~~but not limited to,~~ the
18 reasonable and necessary expenses incurred by council members in
19 fulfilling their duties, as approved by the director.

20 ■ ■
21 **SECTION 6.** In Colorado Revised Statutes, 33-4-102, **amend** (1),
22 (1.4), (1.6), (2), (3), (8), (8.5)(a), and (11); **repeal** (1.8) and (14)(c); **add**
23 (2.5); and **recreate and reenact, with amendments,** (1.5) as follows:

24 **33-4-102. Types of licenses and fees - rules.** (1) Except as
25 otherwise provided in subsection (1.6) of this section, the division ~~is~~
26 ~~authorized to~~ MAY issue the following resident and nonresident licenses
27 and shall collect ~~the following~~ fees, ~~therefor~~ AS ESTABLISHED BY RULE BY

1 THE COMMISSION, FOR THE ISSUED LICENSES IN AMOUNTS NOT TO EXCEED
 2 THE FOLLOWING AMOUNTS:

	Fees	
	Resident	Nonresident
3		
4		
5	(a) to (p) Repealed.	
6	(q) Bonus trout stamps	\$11.00 \$11.00
7	(r) to (u) Repealed.	
8	(v) 3-year possession/hunting	
9	raptor license	\$100.00 Not available
10		\$150.00
11	(w) Annual possession/hunting	
12	raptor license	Not available \$55.00
13		\$82.50
14	(x) Repealed.	
15	(y) Peregrine falcon	
16	capture license	\$200.00 Not available
17		\$300.00

18 (1.4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.6) OF
 19 THIS SECTION, the division is ~~authorized to~~ MAY issue the following
 20 resident and nonresident licenses and shall collect ~~the following~~ fees,
 21 ~~therefor, except as otherwise provided pursuant to subsection (1.6) of this~~
 22 ~~section~~ AS ESTABLISHED BY RULE BY THE COMMISSION, FOR THE ISSUED
 23 LICENSES IN AMOUNTS NOT TO EXCEED THE FOLLOWING AMOUNTS:

	Fees	
	Resident	Nonresident
24		
25		
26	(a) Extra rod stamp	\$5.00 \$5.00
27		\$7.50 \$7.50

1	(b) Fishing - 1 day	8.00	8.00
2		12.00	15.00
3	(c) Fishing - 5 days	Not available	20.00
4			32.00
5	(d) Fishing - annual	25.00	55.00
6		37.50	100.00
7	(e) Senior annual fishing	Free	Not available
8		18.75	
9	(f) Small game hunting	20.00	55.00
10		30.00	82.50
11	(g) Small game - 1 day	10.00	10.00
12		15.00	15.00
13	(h) Furbearer license	25.00	200.00
14		37.50	300.00
15	(i) (Deleted by amendment, L. 94, p. 1220, § 3, effective May 22,		
16	1994.)		
17	(j) Turkey, fall	15.00	100.00
18		22.50	150.00
19	(j.3) Turkey, spring	20.00	100.00
20		30.00	150.00
21	(j.6) Turkey (youth)	10.00	75.00
22		15.00	112.50
23	(k) Combination fishing and		
24	small game hunting	40.00	Not available
25		60.00	
26	(l) Pronghorn	30.00	270.00
27		45.00	385.00

1	(m) Bear, fall	40.00	450.00
2		60.00	640.00
3	(n) Repealed.		
4	(o) Deer	30.00	270.00
5		45.00	385.00
6	(p) Elk	45.00	450.00
7		67.50	640.00
8	(q) Mountain goat	250.00	1,500.00
9		375.00	2,145.00
10	(r) Moose	250.00	1,500.00
11		375.00	2,145.00
12	(s) Mountain lion	40.00	450.00
13		60.00	640.00
14	(t) Rocky mountain bighorn sheep	250.00	1,500.00
15		375.00	2,145.00
16	(u) Desert bighorn sheep	250.00	1,000.00
17		375.00	2,145.00
18	(v) (I) Resident low-income		
19	senior lifetime fishing	Free	Not available
20	(II) (Deleted by amendment, L. 97, p. 766, § 1, effective May 1,		
21	1997.)		
22	(w) Youth big game		
23	(deer, elk, pronghorn)	10.00 each	100.00 each
24		15.00 each	
25	(x) Youth small game hunting	1.00	1.00
26		1.50	1.50
27	(y) Repealed.		

1	(z) Colorado wildlife habitat		
2	stamp, purchased in		
3	conjunction with the		
4	purchase of a hunting		
5	or fishing license	10.00	10.00
6		15.00	15.00
7	(aa) "Lifetime" Colorado		
8	wildlife habitat stamp	300.00	300.00
9		450.00	450.00
10	(bb) MIGRATORY WATERFOWL		
11	STAMP	10.00	10.00

12 (1.5) WITH RESPECT TO LICENSES AUTHORIZED UNDER SUBSECTION
13 (1.4) OF THIS SECTION, THE COMMISSION SHALL CONSIDER OFFERING
14 DISCOUNTED LICENSES OR LICENSE COMBINATIONS FOR WILDLIFE
15 MANAGEMENT OR HUNTING AND FISHING RECRUITMENT PURPOSES,
16 INCLUDING CONSIDERATION OF THE CREATION OF A RESIDENT
17 LOW-INCOME LICENSE.

18 (1.6) (a) By promulgation of appropriate rule, the commission
19 may, from time to time, ~~authorize the issuance of any of the licenses~~
20 ~~provided for in this section for~~ REDUCE a fee ~~less than that~~ specified in
21 this section and may, by promulgation of appropriate rule, later raise ~~such~~
22 THE license fee up to AN AMOUNT NOT TO EXCEED the statutory limit,
23 when, in the judgment of the commission, one of the following conditions
24 applies:

25 (I) When the commission determines that it would be beneficial
26 to issue ~~such~~ THE license in conjunction with another type of license and
27 creates a combination license;

1 (II) When the commission determines it is proper for management
2 of the division or otherwise beneficial to the management of state wildlife
3 resources. Licenses so discounted may be limited to certain geographic
4 areas, by sex, or as otherwise deemed appropriate by the commission.

5 (III) When the commission determines that an activity is regulated
6 at both the state and federal levels and that issuance of a multi-year state
7 license or collection of a reduced state annual license fee, or both, would
8 help to coordinate ~~such~~ state and federal regulation and reflect the
9 administrative cost savings realized through ~~such~~ coordination.

10 (IV) ~~When the commission determines pursuant to section~~
11 ~~24-75-402 (3), C.R.S., that a reduction in the amount of the fee is~~
12 ~~necessary to reduce the uncommitted reserves of the fund to which all or~~
13 ~~any portion of the fee is credited. After the uncommitted reserves of the~~
14 ~~cash fund are sufficiently reduced, the commission by rule or as otherwise~~
15 ~~provided by law may increase the amount of the fee as provided in section~~
16 ~~24-75-402 (4), C.R.S.~~

17 (b) ~~The nonresident big game fees~~ IF A FEE described in subsection
18 ~~(1.4) of this section shall annually be adjusted in accordance with~~
19 ARTICLES 1 TO 6 OF THIS TITLE 33 IS SET AT THE MAXIMUM FEE AMOUNT
20 AUTHORIZED IN ARTICLES 1 TO 6 OF THIS TITLE 33, THEN THE COMMISSION
21 MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE TOTAL AMOUNT
22 REFLECTED BY THE changes MADE in the United States bureau of labor
23 statistics consumer price index for the Denver-Boulder-Greeley
24 consolidated metropolitan statistical area for all urban consumers and all
25 goods or its successor index ~~Such~~ AFTER THE EFFECTIVE DATE OF THIS
26 SUBSECTION (1.6)(b), AS AMENDED. THE adjustment ~~shall~~ IS not be
27 effective until the commission notifies the joint budget committee of ~~such~~

1 THE adjustment. THE ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE
2 MAXIMUM FEE AMOUNTS ALLOWED FOR FEES SET IN ACCORDANCE WITH
3 ARTICLES 1 TO 6 OF THIS TITLE 33.

4 (c) Repealed.

5 (1.8) ~~Any moneys realized as a result of the fee increases related~~
6 ~~to fishing specified in subsection (1.4) of this section shall be allocated~~
7 ~~for use in the fisheries and hatcheries presently operated by the division.~~

8 (2) Except as otherwise provided in subsection (1.6) of this
9 section, the division ~~is authorized to~~ MAY issue the following special
10 licenses and shall collect ~~the following fees, therefor~~ AS ESTABLISHED BY
11 RULE BY THE COMMISSION, FOR THE ISSUED LICENSES IN AMOUNTS NOT TO
12 EXCEED THE FOLLOWING AMOUNTS:

13 **Fees**

14 (a) Scientific collecting license for the collection of wildlife
15 species outside of established seasons and bag limits . ~~\$ 20.00~~ \$ 30.00

16 (b) Importation license, issued for the purpose of importing
17 wildlife into the state ~~50.00~~ 75.00

18 (c) Field trial license ~~15.00~~ 22.50

19 (d) Commercial lake license, issued for the operation of privately
20 owned lakes for purposes of charging customers to fish; no live fish or
21 viable gametes may be sold or transported from the premises
22 ~~150.00~~ 225.00

23 (e) Private lake license, issued for the operation of privately
24 owned lakes for the purpose of fishing when no fee is charged; no fish or
25 gametes may be sold or live fish or viable gametes transported from the
26 premises ~~10.00~~ 15.00

27 (f) Commercial wildlife park license, issued for the operation of

1 privately owned wildlife parks and for related buying, selling, or trading
2 of lawfully acquired wildlife or for charging customers to hunt ~~on such~~
3 ~~a~~ AT THE park ~~100.00~~ 150.00

4 (g) Noncommercial park license, issued to persons who wish to
5 keep lawfully acquired native birds except raptors as pets ~~20.00~~ 30.00

6 (h) (Deleted by amendment, L. 91, p. 199, § 4, effective June 7,
7 1991.)

8 (i) Wildlife sanctuary license ~~100.00~~ 150.00

9 (2.5) (a) THE COMMISSION, BEFORE JANUARY 1, 2020, MAY ONLY
10 INCREASE A RESIDENT LICENSE FEE BY HALF OF THE DIFFERENCE BETWEEN
11 THE MAXIMUM FEE AMOUNT AUTHORIZED BY HOUSE BILL 17-1321,
12 ENACTED IN 2017, AND THE AMOUNT OF THE FEE ON THE EFFECTIVE DATE
13 OF THIS SUBSECTION (2.5). ON AND AFTER JANUARY 1, 2020, THE
14 COMMISSION MAY INCREASE A RESIDENT LICENSE FEE UP TO THE MAXIMUM
15 FEE AMOUNT AUTHORIZED IN THIS SECTION BY HOUSE BILL 17-1321,
16 ENACTED IN 2017.

17 (b) THE LIMITATION ON LICENSE FEE INCREASES SET FORTH IN
18 SUBSECTION (2.5)(a) OF THIS SECTION DOES NOT APPLY TO THE FOLLOWING
19 LICENSE FEE OR SURCHARGE INCREASES:

20 (I) THE MIGRATORY WATERFOWL STAMP AUTHORIZED IN
21 SUBSECTION (1.4)(bb) OF THIS SECTION;

22 (II) NONRESIDENT LICENSE FEE INCREASES;

23 (III) LICENSES ISSUED FOR WHICH A FEE IS NOT PROVIDED, AS
24 AUTHORIZED IN SUBSECTION (3) OF THIS SECTION;

25 (IV) THE FEE FOR REPLACEMENT LICENSES AUTHORIZED IN
26 SUBSECTION (8) OF THIS SECTION;

27 (V) THE WILDLIFE COUNCIL SURCHARGE AUTHORIZED IN

1 SUBSECTION (8.5)(a) OF THIS SECTION; AND

2 (VI) THE NONREFUNDABLE PROCESSING FEE FOR LICENSE DRAWING
3 APPLICATIONS AUTHORIZED IN SUBSECTION (11) OF THIS SECTION.

4 (3) Any license issued by the division for which a fee is not
5 provided in subsection (1), (1.4), or (2) of this section ~~shall not~~ CANNOT
6 exceed ~~forty~~ ONE HUNDRED dollars.

7 (8) ~~■~~ In the event of the loss, theft, or destruction of a small
8 game, fishing, furbearer, or combination small game and fishing license,
9 the person to whom the license was issued may purchase a new license
10 from any license agency or may obtain a duplicate license from the
11 division upon payment of a fee ~~not to exceed five dollars, to be~~
12 ~~established by the commission by rule and regulation~~ OF FIFTY PERCENT
13 OF THE COST OF THE ORIGINAL LICENSE, NOT TO EXCEED TWENTY-FIVE
14 DOLLARS, and completion of an affidavit as set forth below. In the event
15 of the loss, theft, or destruction of any other license issued by the
16 division, the person to whom the license was issued may receive a
17 duplicate license from the division upon payment of a fee of fifty percent
18 of the cost of the original license, not to exceed ~~twenty-five~~ dollars, and
19 completion of an affidavit stating where and by whom ~~said~~ THE license
20 was issued and the circumstances under which ~~said~~ THE license was lost,
21 stolen, or destroyed. In the event the division determines that the original
22 license has been lost or destroyed in the mail, the person to whom the
23 license was issued may obtain a duplicate license from the division
24 without charge by submitting to the division a signed affidavit stating that
25 ~~such~~ THE license was never received.

26 (8.5) (a) (I) Except for the annual Colorado wildlife habitat stamp,
27 ~~and~~ the lifetime Colorado wildlife stamp, AND THE YOUTH SMALL GAME

1 HUNTING LICENSE, THE COMMISSION SHALL, BY RULE, ASSESS a surcharge
2 of ~~seventy-five~~ IN AN AMOUNT NOT TO EXCEED ONE DOLLAR AND FIFTY
3 cents ~~shall be assessed~~ on each license listed in ~~subsection~~ SUBSECTIONS
4 (1) AND (1.4) of this section that is sold by the division or one of its
5 license agents pursuant to section 33-4-101. Revenues derived from the
6 assessment of ~~such~~ THE surcharge, together with any interest earned
7 ~~thereon~~ ON THE REVENUES DERIVED, shall be deposited ~~in~~ INTO the
8 wildlife management public education fund created in section 33-1-112
9 (3.5)(a).

10 (II) IF THE SURCHARGE DESCRIBED IN SUBSECTION (8.5)(a)(I) OF
11 THIS SECTION IS SET AT THE MAXIMUM SURCHARGE AMOUNT AUTHORIZED
12 IN SUBSECTION (8.5)(a)(I) OF THIS SECTION, THEN THE COMMISSION MAY,
13 BY RULE, ADJUST THE SURCHARGE BY AN AMOUNT UP TO THE ~~TOTAL~~
14 AMOUNT REFLECTED BY THE CHANGES ~~MADE~~ IN THE UNITED STATES
15 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE
16 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL
17 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR
18 ~~INDEX AFTER THE EFFECTIVE DATE OF THIS SUBSECTION~~ (8.5)(a)(II). THE
19 ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE
20 JOINT BUDGET COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL
21 NOT BE COUNTED TOWARD THE MAXIMUM SURCHARGE AMOUNT ALLOWED
22 IN THIS SUBSECTION (8.5).

23 (11) With respect to licenses ~~which~~ THAT are issued in limited
24 numbers for the taking of game wildlife, the division ~~is authorized to~~ MAY
25 collect from each license applicant a nonrefundable processing fee not to
26 exceed ~~three~~ TWENTY dollars, WHICH FEE THE COMMISSION SHALL
27 ESTABLISH BY RULE.

1 (14) (c) ~~The annual fee for a license for a wildlife sanctuary shall~~
2 ~~not exceed one hundred dollars.~~

3 **SECTION 7.** In Colorado Revised Statutes, 33-4-102.5, **amend**
4 (3) and (5) as follows:

5 **33-4-102.5. Issuance of migratory waterfowl stamp -**
6 **prohibition against hunting without stamp.** (3) (a) ~~The fee for each~~
7 ~~stamp shall be five dollars, and The stamp shall remain~~ REMAINS valid
8 through the last day of June following its issuance. ~~Each stamp shall be~~
9 ~~validated by the signature of the licensee written across the face of the~~
10 ~~stamp.~~

11 (b) ~~Notwithstanding the amount specified for the fee in paragraph~~
12 ~~(a) of this subsection (3), the commission by rule or as otherwise provided~~
13 ~~by law may reduce the amount of the fee if necessary pursuant to section~~
14 ~~24-75-402 (3), C.R.S., to reduce the uncommitted reserves of the fund to~~
15 ~~which all or any portion of the fee is credited. After the uncommitted~~
16 ~~reserves of the fund are sufficiently reduced, the commission by rule or~~
17 ~~as otherwise provided by law may increase the amount of the fee as~~
18 ~~provided in section 24-75-402 (4), C.R.S.~~ THE DIVISION MAY GRANT UP
19 TO TWENTY-FIVE PERCENT OF THE FUNDS DERIVED FROM THE SALE OF
20 STATE MIGRATORY WATERFOWL STAMPS TO APPROPRIATE NONPROFIT
21 ORGANIZATIONS FOR IMPLEMENTATION OF THE NORTH AMERICAN
22 WATERFOWL MANAGEMENT PLAN. THE NONPROFIT ORGANIZATIONS SHALL
23 USE THE FUNDS FOR THE DEVELOPMENT OF WATERFOWL PROPAGATION
24 AREAS WITHIN THE DOMINION OF CANADA OR THE UNITED STATES THAT
25 SPECIFICALLY PROVIDE WATERFOWL FOR THE CENTRAL FLYWAY, PACIFIC
26 FLYWAY, OR BOTH.

27 (5) All ~~moneys~~ MONEY received pursuant to the issuance of the

1 migratory waterfowl stamp shall be used for the sole benefit of migratory
2 waterfowl ~~habitats~~ HABITAT CONSERVATION AND RELATED CAPITAL
3 IMPROVEMENTS and shall be subject to an annual appropriation.

4 **SECTION 8.** In Colorado Revised Statutes, 33-4-117, **amend** (1);
5 and **add** (7) as follows:

6 **33-4-117. Youth licenses - terminally ill hunters - special**
7 **restrictions and privileges - rules.** (1) A person under the age of
8 eighteen years may obtain a youth small game hunting license, issued
9 pursuant to section 33-4-102 (1.4)(x), ~~for a fee of one dollar~~ upon
10 showing a hunter education certificate as required by section 33-6-107
11 (8). The ~~one-dollar~~ fee FOR THE LICENSE, AS ESTABLISHED IN SECTION
12 33-4-102 (1.4)(x), includes the search and rescue fund surcharge imposed
13 under section 33-1-112.5 (2)(a).

14 (7) THE COMMISSION MAY ESTABLISH BY RULE A SPECIAL
15 LICENSING PROGRAM FOR YOUNG ADULT HUNTERS AND ANGLERS. IF THE
16 COMMISSION ESTABLISHES A SPECIAL LICENSING PROGRAM, THE
17 COMMISSION SHALL DEFINE "YOUNG ADULT" BY RULE, BUT SHALL NOT
18 DEFINE "YOUNG ADULT" IN A MANNER THAT INCLUDES ADULTS
19 TWENTY-SIX YEARS OF AGE OR OLDER.

20 **SECTION 9.** In Colorado Revised Statutes, 33-4-120, **amend**
21 (1)(a) as follows:

22 **33-4-120. Wildlife council - creation.** (1) (a) The director of the
23 division shall appoint nine individuals, at least three of ~~which~~ WHOM are
24 from the western slope, to act as the wildlife ~~management-public~~
25 ~~education advisory~~ council, referred to in this section as the "council".
26 The council ~~shall have~~ HAS statewide responsibility and authority.

27 **SECTION 10.** In Colorado Revised Statutes, **add** 33-4-121 as

1 follows:

2 **33-4-121. Reporting by division - license fee increases -**
3 **division-managed lands - definitions - repeal.** (1) (a) (I) COMMENCING
4 ON OR BEFORE SEPTEMBER 1, 2018, AND ON OR BEFORE SEPTEMBER 1 OF
5 EACH YEAR THEREAFTER, THE DIVISION SHALL PREPARE A WRITTEN
6 REPORT ON:

7 (A) THE STATUS OF ANY LICENSE FEE INCREASES PROMULGATED
8 BY THE COMMISSION AFTER THE EFFECTIVE DATE OF THIS SECTION;

9 (B) THE IMPACT THAT THOSE INCREASED FEES HAVE HAD ON THE
10 TOTAL NUMBER OF SALES OF UNLIMITED LICENSES; AND

11 (C) AN ACCOUNTING OF PROGRAM EXPENDITURES MADE WITH THE
12 INCREASED FEES AND THE IMPACT OF THOSE EXPENDITURES.

13 (II) THE DIVISION SHALL MAKE THE WRITTEN REPORTS AVAILABLE
14 TO THE PUBLIC AND SHALL SEND THE REPORTS TO THE AGRICULTURE,
15 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF
16 REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND
17 ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

18 (b) ON OR BEFORE MARCH 1, 2020, THE DIVISION SHALL PRESENT
19 ITS FINDINGS FROM, AND A SUMMARY OF, ITS MOST RECENT REPORT
20 PREPARED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO A JOINT
21 SESSION OF THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES
22 COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE,
23 NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE, OR THEIR
24 SUCCESSOR COMMITTEES.

25 (2) (a) ON OR BEFORE DECEMBER 31, 2018, THE DIVISION SHALL
26 PREPARE A WRITTEN REPORT ON:

27 (I) NONCONSUMPTIVE USERS' USE OF DIVISION-MANAGED LANDS;

1 AND

2 (II) RECOMMENDATIONS ON HOW NONCONSUMPTIVE USERS COULD
3 HELP COVER THE DIVISION'S COSTS FOR MAINTAINING THE LANDS,
4 INCLUDING ANY LEGISLATIVE RECOMMENDATIONS.

5 (b) ON OR BEFORE MARCH 1, 2019, THE DIVISION SHALL PRESENT
6 ITS FINDINGS AND A SUMMARY OF THE REPORT PREPARED PURSUANT TO
7 SECTION (2)(a) OF THIS SECTION TO A JOINT SESSION OF THE AGRICULTURE,
8 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF
9 REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND
10 ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

11 (3) AS USED IN THIS SECTION:

12 (a) "NONCONSUMPTIVE USER" MEANS AN INDIVIDUAL WHO
13 ENGAGES IN RECREATIONAL OR EDUCATIONAL ACTIVITIES THAT DO NOT
14 INVOLVE THE TAKING OF WILDLIFE, AND INCLUDES HIKERS, MOUNTAIN
15 BIKERS, AND WILDLIFE WATCHERS.

16 (b) "UNLIMITED LICENSE" MEANS A CATEGORY OF LICENSE THAT
17 IS NOT SUBJECT TO ANY LIMITATION ON THE NUMBER OF LICENSE SALES
18 THAT MAY BE MADE.

19 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

20 **SECTION 11.** In Colorado Revised Statutes, 33-6-104, **amend**
21 (1) as follows:

22 **33-6-104. Imposition of penalty - procedures.** (1) Any person
23 who violates any of the provisions of articles 1 to 6 of this ~~title~~ TITLE 33
24 or any rule of the commission that does not have a specific penalty listed
25 is guilty of a misdemeanor and, upon conviction thereof, shall be
26 punished by a fine of ~~fifty~~ ONE HUNDRED dollars, a surcharge as described
27 in section 24-33.5-415.6, ~~C.R.S.~~, and an assessment of five license

1 suspension points.

2 **SECTION 12.** In Colorado Revised Statutes, 33-6-105, **amend**
3 (1) as follows:

4 **33-6-105. Disposition of fines and surcharges.** (1) (a) Except
5 as otherwise provided in ~~paragraph (b) of this subsection (1)~~ SUBSECTION
6 (1)(b) OF THIS SECTION, all ~~moneys~~ MONEY collected for fines under
7 articles 1 to 6 of this ~~title~~ TITLE 33, either by payment of a penalty
8 assessment or assessed by a court upon conviction and resulting from
9 issuance of a citation by a wildlife officer of the division of parks and
10 wildlife, shall be transmitted to the state treasurer, who shall credit THE
11 MONEY COLLECTED AS FOLLOWS:

12 (I) UNTIL TWO HUNDRED FOURTEEN THOUSAND ONE HUNDRED
13 SEVENTY-FOUR DOLLARS OF THE MONEY COLLECTED HAVE BEEN CREDITED
14 TO THE GENERAL FUND, one-half to the general fund and one-half to the
15 wildlife cash fund or, for offenses involving nongame wildlife, to the
16 nongame and endangered wildlife cash fund; AND

17 (II) AFTER THE GENERAL FUND HAS BEEN CREDITED TO THE FULL
18 AMOUNT REQUIRED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION,
19 TO THE WILDLIFE CASH FUND OR, FOR OFFENSES INVOLVING NONGAME
20 WILDLIFE, TO THE NONGAME AND ENDANGERED WILDLIFE CASH FUND.

21 (b) When an arrest has been made or the citation for any wildlife
22 offense has been issued by a park officer of the division of parks and
23 wildlife or by any other Colorado peace officer, as defined in this ~~title~~
24 TITLE 33, the state treasurer shall credit one-half of the ~~moneys~~ MONEY
25 collected to the ~~general~~ WILDLIFE CASH fund and one-half to the Colorado
26 town, city, county, city and county, or state agency whose officer issued
27 the citation.

1 **SECTION 13.** In Colorado Revised Statutes, 33-6-107, **amend**
2 (1)(a), (5), and (6); and **add** (11) as follows:

3 **33-6-107. Licensing violations - penalties - rule.** (1) (a) Except
4 as otherwise provided in articles 1 to 6 of this ~~title~~ TITLE 33 or by rule of
5 the commission, a person shall not procure or use more than one license
6 of a certain type in a calendar year. A person who violates this subsection
7 (1) is guilty of a misdemeanor and, upon conviction thereof, shall, with
8 respect to wildlife other than big game, be punished by a fine ~~of fifty~~
9 ~~dollars~~ EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE LICENSE FOR
10 THE SPECIES and an assessment of ten license suspension points or shall,
11 with respect to big game, be punished by a fine ~~of two hundred dollars~~
12 EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE LICENSE FOR THE
13 SPECIES and an assessment of fifteen license suspension points.

14 (5) Any person who possesses live wildlife in this state and who
15 is required by commission rule ~~or regulation~~ to have a license for ~~such~~
16 possession OF LIVE WILDLIFE shall have the required license at the site
17 where the wildlife is kept. Any person who violates this subsection (5) is
18 guilty of a misdemeanor and, upon conviction thereof, shall be punished
19 by a fine ~~of fifty dollars~~ EQUAL TO TWICE THE COST OF THE MOST
20 EXPENSIVE LICENSE FOR SUCH POSSESSION and an assessment of ten
21 license suspension points.

22 (6) A person ~~sixteen~~ EIGHTEEN years of age or ~~over~~ OLDER who
23 fishes for or takes fish, amphibians, mollusks, or crustaceans in this state
24 shall have a proper and valid fishing license on his or her person. Persons
25 under ~~sixteen~~ EIGHTEEN years of age are not required to have a fishing
26 license and shall be entitled to the full bag or possession limit set by the
27 commission. A person who violates this subsection (6) is guilty of a

1 misdemeanor and, upon conviction thereof, shall be punished by a fine of
2 ~~fifty~~ ONE HUNDRED TWENTY-FIVE dollars and an assessment of ten license
3 suspension points.

4 (11) A PERSON MUST HAVE A VALID LICENSE TO ENGAGE IN THE
5 ACTIVITIES AUTHORIZED BY A LICENSE ISSUED PURSUANT TO ARTICLES 1
6 TO 6 OF THIS TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT
7 TO ARTICLES 1 TO 6 OF THIS TITLE 33. EXCEPT FOR A PERSON WHOSE
8 VIOLATION IS PUNISHABLE UNDER SUBSECTION (6) OF THIS SECTION AND
9 UNLESS SPECIFIED ELSEWHERE IN ARTICLES 1 TO 6 OF THIS TITLE 33, ANY
10 PERSON WHO VIOLATES THIS SUBSECTION (11) IS GUILTY OF A
11 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY:

12 (a) A FINE EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE
13 LICENSE ISSUED FOR THE ACTIVITY THAT THE PERSON UNLAWFULLY
14 ENGAGED IN WITHOUT A LICENSE; AND

15 (b) AN ASSESSMENT OF FIVE LICENSE SUSPENSION POINTS.

16 **SECTION 14.** In Colorado Revised Statutes, 33-6-114, **amend**
17 (4) as follows:

18 **33-6-114. Transportation, importation, exportation, and**
19 **release of wildlife.** (4) Any person who violates this section is guilty of
20 a misdemeanor and, upon conviction, ~~thereof~~, shall be punished by a fine
21 of ONE HUNDRED fifty dollars for violations involving native wildlife and
22 by a fine of not less than two hundred fifty dollars nor more than one
23 thousand dollars for violations involving nonnative or exotic wildlife. In
24 addition, for violations involving either native wildlife or nonnative or
25 exotic wildlife, five license suspension points per incident may be
26 assessed by the division against an individual's license privileges.

27 **SECTION 15.** In Colorado Revised Statutes, 33-9-102, **amend**

1 (4)(b) as follows:

2 **33-9-102. Powers and duties of commission - rules.**

3 (4) (b) (I) The commission may, BY RULE, raise or lower park fees and
4 charges described in ~~paragraph (a) of this subsection (4) if the~~
5 ~~commission reasonably anticipates that the total annual revenues realized~~
6 ~~from such fees and charges will not increase by more than twenty percent~~
7 ~~over the annual amount earned from fees and charges as they existed on~~
8 ~~July 1, 2011~~ THIS SUBSECTION (4)(b), BUT SHALL NOT RAISE PARK FEES
9 AND CHARGES BY AN AMOUNT GREATER THAN FIFTY PERCENT OF THE FEES
10 AND CHARGES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS
11 SUBSECTION (4)(b), AS AMENDED; EXCEPT THAT, BEFORE JANUARY 1,
12 2020, A PARK FEE OR CHARGE SHALL NOT BE RAISED BY MORE THAN HALF
13 OF THE DIFFERENCE BETWEEN THE MAXIMUM FEE OR CHARGE AMOUNT
14 AUTHORIZED BY HOUSE BILL 17-1321, ENACTED IN 2017, AND THE
15 AMOUNT OF THE FEE OR CHARGE ON THE EFFECTIVE DATE OF THIS
16 SUBSECTION (4)(b)(I), AS AMENDED. ON OR AFTER JANUARY 1, 2020, THE
17 COMMISSION MAY INCREASE A PARK FEE OR CHARGE UP TO THE MAXIMUM
18 FEE OR CHARGE AMOUNT AUTHORIZED IN THIS SUBSECTION (4)(b)(I) BY
19 HOUSE BILL 17-1321, ENACTED IN 2017.

20 (II) IF A PARK FEE OR CHARGE IS SET BY THE COMMISSION AT THE
21 MAXIMUM FEE OR CHARGE AMOUNT AUTHORIZED IN SUBSECTION (4)(b)(I)
22 OF THIS SECTION, THEN THE COMMISSION MAY, BY RULE, ADJUST THE PARK
23 FEE OR CHARGE BY AN AMOUNT UP TO THE TOTAL AMOUNT REFLECTED BY
24 THE CHANGES MADE IN THE UNITED STATES BUREAU OF LABOR STATISTICS
25 CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY
26 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN
27 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX AFTER THE

1 EFFECTIVE DATE OF THIS SUBSECTION (4)(b)(II). THE ADJUSTMENT IS NOT
2 EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET
3 COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE
4 COUNTED TOWARD THE MAXIMUM FEE OR CHARGE AMOUNT ALLOWED
5 PURSUANT TO SUBSECTION (4)(b)(I) OF THIS SECTION.

6 **SECTION 16.** In Colorado Revised Statutes, 33-10-101, **amend**
7 (2)(d) as follows:

8 **33-10-101. Legislative declaration.** (2) In implementing the
9 policy set forth in subsection (1) of this section, the state shall:

10 (d) (I) Charge a fee for required passes or permits for the use of
11 any state park or state recreation area where appropriate supervision and
12 maintenance is required and when certain facilities, as determined by the
13 ~~parks and wildlife~~ commission, are maintained at any such area. THE
14 COMMISSION MAY RAISE OR LOWER FEES FOR PASSES OR PERMITS, BUT
15 SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER THAN FIFTY PERCENT
16 OF THE FEES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS
17 SUBSECTION (2)(d), AS AMENDED.

18 (II) IF A FEE FOR A PASS OR PERMIT IS SET BY THE COMMISSION AT
19 THE MAXIMUM FEE AMOUNT AUTHORIZED IN ARTICLES 10 TO 15 OF THIS
20 TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT TO ARTICLES
21 10 TO 15 OF THIS TITLE 33, THEN THE COMMISSION MAY, BY RULE, ADJUST
22 THE FEE BY AN AMOUNT UP TO THE TOTAL AMOUNT REFLECTED BY THE
23 CHANGES MADE IN THE UNITED STATES BUREAU OF LABOR STATISTICS
24 CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY
25 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN
26 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX AFTER THE
27 EFFECTIVE DATE OF THIS SUBSECTION (2)(d)(II). THE ADJUSTMENT IS NOT

1 EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET
2 COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE
3 COUNTED TOWARD THE MAXIMUM FEE AMOUNTS ALLOWED PURSUANT TO
4 ARTICLES 10 TO 15 OF THIS TITLE 33 OR COMMISSION RULES
5 PROMULGATED PURSUANT TO ARTICLES 10 TO 15 OF THIS TITLE 33.

6 **SECTION 17.** In Colorado Revised Statutes, 33-10-102, **amend**
7 the introductory portion and (16) as follows:

8 **33-10-102. Definitions.** As used in articles 10 to 15 of this ~~title~~
9 TITLE 33, unless the context otherwise requires:

10 (16) "Pass", ~~or~~ "registration", OR "STICKER" means a document
11 issued by the division authorizing the use of land, ~~and~~ water, OR BOTH,
12 under the control of the division or the use of vessels or snowmobiles
13 within this state. The term "pass" ~~shall include~~ INCLUDES a permit or card,
14 and the term "registration" ~~shall include~~ INCLUDES decals issued by the
15 division.

16 **SECTION 18.** In Colorado Revised Statutes, 33-10-107, **amend**
17 (1)(e)(I)(A) as follows:

18 **33-10-107. Powers of commission - rules - definitions.** (1) The
19 commission has power to:

20 (e) (I) Receive and expend:

21 (A) Grants, gifts, SPONSORSHIPS, DONATIONS, and bequests,
22 including federal ~~moneys~~ MONEY, made available for the purposes for
23 which the commission is authorized; and

24 **SECTION 19.** In Colorado Revised Statutes, 33-10-111, **amend**
25 (5)(a) introductory portion; and **repeal** (5)(c) as follows:

26 **33-10-111. Parks and outdoor recreation cash fund - parks for**
27 **future generations trust fund - created - fees - accounting**

1 **expenditures for roads and highways - definition.** (5) (a) Subject to
2 this subsection (5), the commission may set fees by rule for the use of
3 facilities and programs of the division, including discounts for marketing
4 purposes. THE COMMISSION MAY RAISE OR LOWER FEES FOR FACILITIES
5 AND PROGRAMS, BUT SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER
6 THAN FIFTY PERCENT OF THE FEES AS THEY EXISTED ON THE EFFECTIVE
7 DATE OF THIS SUBSECTION (5)(a), AS AMENDED. IF A FEE FOR A FACILITY
8 OR PROGRAM IS SET BY THE COMMISSION AT THE MAXIMUM FEE AMOUNT
9 AUTHORIZED PURSUANT TO THIS SUBSECTION (5)(a), THEN THE
10 COMMISSION MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE
11 TOTAL AMOUNT REFLECTED BY THE CHANGES MADE IN THE UNITED
12 STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE
13 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL
14 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR
15 INDEX AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (5)(a), AS
16 AMENDED. THE ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION
17 NOTIFIES THE JOINT BUDGET COMMITTEE OF THE ADJUSTMENT. THE
18 ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE MAXIMUM FEE
19 AMOUNTS ALLOWED UNDER THIS SUBSECTION (5)(a). The commission
20 shall:

21 (c) ~~This subsection (5) is repealed, effective September 1, 2017.~~

22 **SECTION 20.** In Colorado Revised Statutes, 33-10.5-105, **add**
23 (3) as follows:

24 **33-10.5-105. Prohibition of aquatic nuisance species -**
25 **penalties.** (3) A PERSON WHO VIOLATES SECTION 33-13-103 (6) IS GUILTY
26 OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED
27 BY A FINE EQUAL TO TWICE THE COST OF THE FEE FOR A NONRESIDENT

1 MOTORBOAT OR SAILBOAT AQUATIC NUISANCE SPECIES STICKER, WHICH
2 FEE IS SET FORTH IN SECTION 33-13-103 (6)(c).

3 **SECTION 21.** In Colorado Revised Statutes, **amend** 33-10.5-108
4 as follows:

5 **33-10.5-108. Division of parks and wildlife aquatic nuisance**
6 **species fund - creation - repeal.** (1) (a) (I) There is hereby created in the
7 state treasury the division of parks and ~~outdoor recreation~~ WILDLIFE
8 aquatic nuisance species fund, ALSO REFERRED TO IN THIS SECTION AS THE
9 "FUND", which shall be administered by the division. ~~of parks and wildlife~~
10 ~~in the department of natural resources and shall consist~~ THE FUND
11 CONSISTS of all ~~moneys~~ MONEY transferred by the STATE treasurer as
12 specified in ~~section~~ SECTIONS 39-29-109.3 (2)(m) ~~C.R.S.~~ AND 33-13-103
13 (6). All ~~moneys~~ MONEY in the fund ~~are~~ IS continuously appropriated to the
14 division ~~of parks and wildlife~~ for the purpose of implementing ~~the~~
15 ~~provisions of this article~~ THIS ARTICLE 10.5. All ~~moneys~~ MONEY in the
16 fund at the end of each fiscal year ~~shall remain~~ REMAINS in the fund and
17 ~~shall~~ DOES not revert to the general fund or any other fund.

18 (II) ON THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), THE
19 STATE TREASURER SHALL TRANSFER THE UNOBLIGATED BALANCE OF THE
20 DIVISION OF WILDLIFE AQUATIC NUISANCE SPECIES FUND, AS IT EXISTED
21 PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), TO THE
22 FUND. THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE JULY 1, 2018.

23 (b) In the use of ~~such moneys~~ THE MONEY IN THE FUND, priority
24 shall be given to containment and eradication of aquatic nuisance species
25 in the waters of the state in which ~~such~~ AQUATIC NUISANCE species have
26 been detected and prevention of the introduction of AQUATIC nuisance
27 species in areas determined to be most vulnerable to such an introduction.

1 (2) (a) ~~There is hereby created in the state treasury the division of~~
2 ~~wildlife aquatic nuisance species fund, which shall be administered by the~~
3 ~~division of parks and wildlife in the department of natural resources and~~
4 ~~shall consist of all moneys transferred by the treasurer as specified in~~
5 ~~sections 33-1-112 and 39-29-109.3 (2)(m), C.R.S. All moneys in the fund~~
6 ~~are continuously appropriated to the division of parks and wildlife for the~~
7 ~~purpose of implementing the provisions of this article. All moneys in the~~
8 ~~fund at the end of each fiscal year shall remain in the fund and shall not~~
9 ~~revert to the general fund or any other fund.~~

10 (b) ~~In the use of such moneys, priority shall be given to~~
11 ~~containment and eradication of aquatic nuisance species in the waters of~~
12 ~~the state in which such species have been detected and prevention of the~~
13 ~~introduction of nuisance species in areas determined to be most~~
14 ~~vulnerable to such an introduction.~~

15 **SECTION 22.** In Colorado Revised Statutes, 33-12-101, **amend**
16 (3) as follows:

17 **33-12-101. Passes and registrations - rules - definition.** (3) In
18 the event of loss or destruction of a pass or registration, the person to
19 whom the document was issued, upon payment of a fee of fifty percent
20 of the cost of the original document, ~~but not to exceed five dollars,~~ may
21 obtain a replacement pass or registration by signing an affidavit stating
22 where and by whom ~~said~~ THE document was issued and the circumstances
23 under which the document was lost or destroyed. If the division
24 determines that a pass or registration has been lost or destroyed in the
25 mail, the person to whom the document was issued may obtain a
26 replacement pass or registration without charge by signing an affidavit
27 stating that ~~such~~ THE document was never received. The division shall

1 supply agents selling ~~such~~ documents with affidavit forms for obtaining
2 a replacement pass or registration.

3 **SECTION 23.** In Colorado Revised Statutes, **amend** 33-12-105
4 as follows:

5 **33-12-105. Licensing violations.** (1) Except as otherwise
6 provided in section 33-12-104, it is unlawful for any person to transfer,
7 sell, or assign any pass, PERMIT, STICKER, LICENSE, or registration issued
8 under articles 10 to 15 AND 32 of this ~~title~~ TITLE 33 to another person.
9 Any person who violates this subsection (1) is guilty of a ~~class 2 petty~~
10 ~~offense~~ MISDEMEANOR and, upon conviction, shall be punished by a fine
11 of two hundred dollars.

12 (2) Any person who makes any false statement or gives any false
13 information in connection with purchasing or selling a pass, PERMIT,
14 STICKER, LICENSE, or registration or who makes any alteration of a pass,
15 PERMIT, STICKER, LICENSE, or registration is guilty of a ~~class 2 petty~~
16 ~~offense~~ MISDEMEANOR and, upon conviction, shall be punished by a fine
17 of two hundred dollars, and any such statement, information, or alteration
18 ~~shall render such~~ RENDERS THE pass, PERMIT, STICKER, LICENSE, or
19 registration void.

20 (3) Any person who fails to obtain or make readily available for
21 inspection by a parks and recreation officer or other peace officer an
22 appropriate and valid pass, PERMIT, STICKER, LICENSE, OR REGISTRATION
23 is guilty of a ~~class 2 petty offense~~ MISDEMEANOR and, upon conviction,
24 shall be punished by a fine of ~~twenty-five~~ TWO HUNDRED dollars.

25 **SECTION 24.** In Colorado Revised Statutes, 33-13-102, **amend**
26 the introductory portion and (4); and **add** (1.5) and (4.5) as follows:

27 **33-13-102. Definitions.** As used in this ~~article~~ ARTICLE 13, unless

1 the context otherwise requires:

2 (1.5) (a) "NONMOTORBOAT" MEANS A VESSEL THAT IS PROPELLED
3 BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR WIND IN ANY
4 MANNER.

5 (b) "NONMOTORBOAT" DOES NOT INCLUDE:

6 (I) A STAND-UP PADDLEBOARD; OR

7 (II) A VESSEL THAT IS LESS THAN TEN FEET IN LENGTH AND IS
8 PROPELLED BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR
9 WIND IN ANY MANNER.

10 (4) "Sailboat" means any vessel propelled by the effect of wind on
11 a sail. ~~including sailboards~~ EXCEPT AS PROVIDED IN SECTION 33-13-103
12 (6)(f), "SAILBOAT" INCLUDES A SAILBOARD. For the purposes of this
13 ~~article~~ ARTICLE 13, any vessel propelled by both sail and machinery of any
14 sort shall be deemed a motorboat, when being so propelled.

15 (4.5) "STAND-UP PADDLEBOARD" MEANS A RIGID OR INFLATABLE
16 BOARD THAT HAS A SIMILAR SHAPE TO A SURFBOARD AND ON WHICH THE
17 OPERATOR STANDS UPRIGHT AND PROPELS THE BOARD USING A LONG
18 PADDLE.

19 **SECTION 25.** In Colorado Revised Statutes, 33-13-103, **amend**
20 (4); and **add** (6) as follows:

21 **33-13-103. Numbering of vessels required - rules - definitions.**

22 (4) (a) Any person who violates subsection (1) of this section is guilty of
23 a class 2 petty offense and, upon conviction, shall be punished by a fine
24 ~~of fifty dollars~~ EQUAL TO TWICE THE COST OF THE REGISTRATION FEE
25 DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR THE TYPE OF VESSEL
26 INVOLVED IN THE VIOLATION.

27 (b) ANY PERSON WHO VIOLATES SUBSECTION (6) OF THIS SECTION

1 SHALL BE PUNISHED AS SET FORTH IN SECTION 33-10.5-105 (3).

2 (6) (a) COMMENCING ON JANUARY 1, 2018, IT IS UNLAWFUL FOR
3 ANY PERSON TO OPERATE OR USE A VESSEL TEN FEET OR MORE IN LENGTH
4 ON THE WATERS OF THIS STATE OR TO POSSESS A VESSEL AT A VESSEL
5 STAGING AREA UNLESS AN AQUATIC NUISANCE SPECIES STICKER HAS BEEN
6 ISSUED FOR THE VESSEL AND PLACED ON THE VESSEL.

7 (b) AN AQUATIC NUISANCE SPECIES STICKER ISSUED PURSUANT TO
8 THIS SUBSECTION (6) REMAINS VALID FOR A PERIOD ENDING ON DECEMBER
9 31 OF THE YEAR OF ISSUANCE OF THE STICKER.

10 (c) (I) COMMENCING ON JANUARY 1, 2018, THE DIVISION MAY
11 ISSUE THE FOLLOWING RESIDENT AND NONRESIDENT AQUATIC NUISANCE
12 SPECIES STICKERS FOR VESSELS TEN FEET OR MORE IN LENGTH AND SHALL
13 COLLECT FEES FOR THE STICKERS IN THE FOLLOWING AMOUNTS:

14	TYPE OF VESSEL	FEE
15	(A) RESIDENT, NONMOTORBOAT	\$15.00
16	(B) NONRESIDENT, NONMOTORBOAT	15.00
17	(C) RESIDENT, MOTORBOAT OR SAILBOAT	25.00
18	(D) NONRESIDENT, MOTORBOAT OR SAILBOAT	50.00

19 (II) THE STICKER FEES DESCRIBED IN SUBSECTION (6)(c)(I) OF THIS
20 SECTION MAY, BY RULE, BE ADJUSTED BY AN AMOUNT UP TO THE **TOTAL**
21 AMOUNT REFLECTED BY THE CHANGES **MADE** IN THE UNITED STATES
22 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE
23 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL
24 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR
25 **INDEX AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (6)(c)(II)**. THE
26 ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE
27 JOINT BUDGET COMMITTEE OF THE ADJUSTMENT.

1 (d) ON OR BEFORE JANUARY 1, 2018, THE COMMISSION SHALL
2 ESTABLISH BY RULE THE PRESCRIBED MANNER FOR DISPLAYING AN
3 AQUATIC NUISANCE SPECIES STICKER ON A VESSEL. THE COMMISSION MAY
4 DEVELOP AN APPLICATION FORM AND PROCESS THAT COMBINES THE
5 APPLICATIONS FOR REGISTRATION PURSUANT TO SUBSECTION (1) OF THIS
6 SECTION AND FOR AN AQUATIC NUISANCE SPECIES STICKER PURSUANT TO
7 THIS SUBSECTION (6).

8 (e) ALL FEES COLLECTED PURSUANT TO THIS SUBSECTION (6)
9 SHALL BE TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT
10 THE FEES TO THE DIVISION OF PARKS AND WILDLIFE AQUATIC NUISANCE
11 SPECIES FUND CREATED IN SECTION 33-10.5-108 (1)(a)(I).

12 (f) AS USED IN THIS SUBSECTION (6):

13 (I) "AQUATIC NUISANCE SPECIES" HAS THE SAME MEANING AS SET
14 FORTH IN SECTION 33-10.5-102 (1).

15 (II) "SAILBOAT" DOES NOT INCLUDE A SAILBOARD.

16 **SECTION 26.** In Colorado Revised Statutes, 33-15-102, **amend**
17 (1) as follows:

18 **33-15-102. Imposition of penalty - procedures.** (1) Any person
19 who violates any of the provisions of articles 10 to 15 or 32 of this title
20 TITLE 33 or any rule of the commission that does not have a specific
21 penalty listed is guilty of a ~~class 2 petty offense~~ MISDEMEANOR and, upon
22 conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

23 **SECTION 27.** In Colorado Revised Statutes, 33-15-103, **amend**
24 (1)(a) as follows:

25 **33-15-103. Disposition of fines - notice of court decisions.**
26 (1) (a) All ~~moneys~~ MONEY collected for fines under this ~~article~~ ARTICLE
27 15 and articles 10 to 13 and 32 of this ~~title~~ TITLE 33, either by payment of

1 a penalty assessment or assessed by a court upon conviction, shall be
2 transmitted to the state treasurer, who shall credit ~~such moneys~~ THE
3 MONEY to the parks and outdoor recreation cash fund; except that, when
4 an arrest has been made or the citation for any offense, including those
5 committed under article 14 of this ~~title~~ TITLE 33, has been issued by a
6 wildlife officer of the division of parks and wildlife, all ~~moneys~~ MONEY
7 collected for the fine shall be transmitted to the state treasurer, who shall
8 credit THE MONEY COLLECTED AS FOLLOWS:

9 (I) UNTIL SIX THOUSAND TWO HUNDRED FIFTY DOLLARS OF THE
10 MONEY COLLECTED HAVE BEEN CREDITED TO THE GENERAL FUND, one-half
11 to the wildlife cash fund and one-half to the general fund; AND

12 (II) AFTER THE GENERAL FUND HAS BEEN CREDITED TO THE FULL
13 AMOUNT REQUIRED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION,
14 TO THE WILDLIFE CASH FUND.

15

16 **SECTION 28.** In Colorado Revised Statutes, 39-29-109.3,
17 **amend** (2) introductory portion and (2)(m) as follows:

18 **39-29-109.3. Severance tax operational fund - repeal.**

19 (2) Subject to the requirements of subsections (3) and (4) of this section,
20 if the general assembly chooses not to spend up to one hundred percent
21 of the ~~moneys~~ MONEY in the operational fund as specified in subsection
22 (1) of this section, the state treasurer shall transfer the following:

23 (m) For the mitigation of aquatic nuisance species as specified in
24 article 10.5 of title 33: ~~C.R.S.:~~

25 (I) Repealed.

26 (II) For the state fiscal year commencing July 1, 2009, and every
27 state fiscal year thereafter, four million six thousand five dollars as

1 follows: ~~Two million seven hundred one thousand four hundred sixty-one~~
2 ~~dollars to the division of parks and outdoor recreation WILDLIFE aquatic~~
3 ~~nuisance species fund created in section 33-10.5-108 (1), C.R.S.; and one~~
4 ~~million three hundred four thousand five hundred forty-four dollars to the~~
5 ~~division of wildlife aquatic nuisance species fund created in section~~
6 ~~33-10.5-108 (2), C.R.S.~~

7 **SECTION 29. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2018 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.