

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-1088.01 Jennifer Berman x3286

**HOUSE BILL 17-1321**

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**HOUSE SPONSORSHIP**

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

**SENATE SPONSORSHIP**

**Coram and Fenberg**,

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**House Committees**

Agriculture, Livestock, & Natural Resources  
Finance  
Appropriations

**Senate Committees**

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**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.**

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**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.*

*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.

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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:

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5	(a) to (p) Repealed.	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7	(r) to (u) Repealed.	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14	(x) Repealed.	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

	<b>Fees</b>	
	<b>Resident</b>	<b>Nonresident</b>
24		
25		
26	(a) Extra rod stamp	<del>\$5.00</del> <del>\$5.00</del>
27		\$7.50      \$7.50



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

1	(m) Bear, fall	<del>40.00</del>	<del>450.00</del>
2		60.00	640.00
3	(n) Repealed.		
4	(o) Deer	<del>30.00</del>	<del>270.00</del>
5		45.00	385.00
6	(p) Elk	<del>45.00</del>	<del>450.00</del>
7		67.50	640.00
8	(q) Mountain goat	<del>250.00</del>	<del>1,500.00</del>
9		375.00	2,145.00
10	(r) Moose	<del>250.00</del>	<del>1,500.00</del>
11		375.00	2,145.00
12	(s) Mountain lion	<del>40.00</del>	<del>450.00</del>
13		60.00	640.00
14	(t) Rocky mountain bighorn sheep	<del>250.00</del>	<del>1,500.00</del>
15		375.00	2,145.00
16	(u) Desert bighorn sheep	<del>250.00</del>	<del>1,000.00</del>
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)	<del>10.00 each</del>	100.00 each
24		15.00 each	
25	(x) Youth small game hunting	<del>1.00</del>	<del>1.00</del>
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	<del>10.00</del>	<del>10.00</del>
6		15.00	15.00
7	(aa) "Lifetime" Colorado		
8	wildlife habitat stamp	<del>300.00</del>	<del>300.00</del>
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	<b>TYPE OF VESSEL</b>	<b>FEE</b>
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.