

**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. 17-0825.02 Kate Meyer x4348

**HOUSE BILL 17-1250**

---

**HOUSE SPONSORSHIP**

**Lebsock,**

**SENATE SPONSORSHIP**

**(None),**

---

**House Committees**

Finance  
Appropriations

**Senate Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION THAT**  
102            **BENEFITS WILDLIFE, AND, IN CONNECTION THEREWITH,**  
103            **CHANGING THE NONGAME AND ENDANGERED WILDLIFE TAX**  
104            **CHECK-OFF TO THE COLORADO NONGAME CONSERVATION AND**  
105            **WILDLIFE RESTORATION TAX CHECK-OFF, PROVIDING FOR THE**  
106            **ALLOCATION OF MONEYS RECEIVED THROUGH THE CHECK-OFF,**  
107            **CREATING A GRANT PROGRAM THAT USES MONEYS**  
108            **CONTRIBUTED THROUGH THE CHECK-OFF TO FINANCE WILDLIFE**  
109            **REHABILITATION EFFORTS, AND MAKING AN APPROPRIATION.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that*

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 4, 2017

*applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

With respect to the nongame and endangered wildlife tax check-off, which is scheduled to sunset in 2018, the bill:

- ! Expands and renames the check-off as the Colorado wildlife conservation and restoration voluntary contribution program (check-off) for the purpose of benefiting all wildlife in Colorado;
- ! Extends the future repeal date of the check-off by 5 years;
- ! Specifies that the voluntary contribution moneys allocated to the division of parks and wildlife in the department of natural resources will continue to be used for the protection and perpetuation of nongame and endangered wildlife;
- ! For the remainder of the moneys received through the check-off, creates the Colorado wildlife conservation and restoration cash fund authority that is overseen by a board of directors (board); and
- ! Creates a grant program, to be overseen and administrated by the board, for wildlife rehabilitation in the state.

---

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

**SECTION 1.** In Colorado Revised Statutes, **amend** part 7 of article 22 of title 39 as follows:

PART 7

COLORADO **NONGAME CONSERVATION AND WILDLIFE RESTORATION VOLUNTARY CONTRIBUTION**

**39-22-701. Legislative declaration.** (1)(a) The general assembly hereby declares that wildlife species ~~which~~ THAT are endangered, threatened with extinction, or not commonly pursued, killed, or consumed either for sport or profit, referred to in this part 7 as "nongame AND ENDANGERED wildlife", have need of special protection and that it is in the public interest to preserve, protect, perpetuate, and enhance nongame AND ENDANGERED wildlife resources of this state through preservation of a satisfactory environment and an ecological balance. The general

1 assembly specifically recognizes that such nongame AND ENDANGERED  
2 wildlife includes protected wildlife, endangered and threatened wildlife,  
3 aquatic wildlife, specialized habitat wildlife, both terrestrial and aquatic  
4 types, and mollusks, crustaceans, and other invertebrates under the  
5 jurisdiction of the division of parks and wildlife.

6 (b) THE GENERAL ASSEMBLY FURTHER DECLARES THAT WILDLIFE  
7 REHABILITATION HELPS COLORADO'S GAME AND NONGAME AND  
8 ENDANGERED WILDLIFE SPECIES SURVIVE AND REPRESENTS RESPONSIBLE  
9 STEWARDSHIP FOR THE ANIMALS IN NEED OF ASSISTANCE. THE GENERAL  
10 ASSEMBLY RECOGNIZES THAT LITTLE PUBLIC OR PRIVATE FUNDING OR  
11 FORMAL SUPPORT EXISTS TO FINANCE WILDLIFE REHABILITATION, AND  
12 THEREFORE WILDLIFE REHABILITATORS PROVIDE THEIR SERVICES FREE  
13 OF CHARGE. BECAUSE THEY PERFORM A VITAL PUBLIC SERVICE, PROVIDING  
14 A METHOD BY WHICH SOME REHABILITATORS' ACTIVITIES MAY BE FUNDED  
15 OR EXPENSES DEFRAIDED IS IN THE PUBLIC INTEREST.

16 (2) This part 7 is enacted to provide a means by which ~~such~~  
17 ~~protection~~ THE CONSERVATION AND RESTORATION OF WILDLIFE IN THE  
18 STATE may be financed through a voluntary contribution designation on  
19 state income tax return forms. The intent of the general assembly is that  
20 this program is supplemental to any funding and in no way is intended to  
21 ~~take the place of the~~ SUPPLANT funding that would otherwise be  
22 appropriated for this purpose.

23 **39-22-702. Voluntary contribution designation - procedure.**  
24 For income tax years commencing on or after ~~January 1, 2012~~ JANUARY  
25 1, 2017, but prior to ~~January 1, 2017~~ JANUARY 1, 2022, THE EXECUTIVE  
26 DIRECTOR SHALL ENSURE THAT each Colorado state individual income tax  
27 return form ~~shall contain~~ CONTAINS a line whereby each individual

1 taxpayer may designate the amount of the contribution, if any, ~~such~~ THE  
2 individual wishes to make to the ~~nongame and endangered wildlife~~  
3 ~~COLORADO NONGAME CONSERVATION AND WILDLIFE RESTORATION~~ cash  
4 fund created in ~~section 39-22-703~~ SECTION 33-1-125.

5 **39-22-703. Contributions credited to Colorado nongame**  
6 **conservation and wildlife restoration cash fund - administration -**  
7 **transfer - repeal.** (1) The department of revenue shall determine  
8 annually the total amount OF VOLUNTARY CONTRIBUTIONS designated  
9 pursuant to section 39-22-702 and shall report ~~such~~ THE amount to the  
10 state treasurer, who shall credit ~~such~~ THAT amount to the ~~nongame and~~  
11 ~~endangered wildlife~~ ~~COLORADO NONGAME CONSERVATION AND WILDLIFE~~  
12 ~~RESTORATION~~ cash fund which is hereby established in the state treasury.  
13 The controller, upon presentation of vouchers properly drawn and signed  
14 by the director of the division of parks and wildlife or an authorized  
15 employee of the division of administration, shall issue warrants drawn on  
16 the appropriate fund. All moneys so deposited in the nongame and  
17 endangered wildlife cash fund shall remain in such fund to be used for the  
18 purposes set forth in subsection (2) of this section and shall not be  
19 deposited in or transferred to the general fund of the state of Colorado or  
20 any other fund CREATED IN SECTION 33-1-125.

21 (2) The general assembly shall appropriate annually from the  
22 ~~nongame and endangered wildlife~~ ~~COLORADO NONGAME CONSERVATION~~  
23 ~~AND WILDLIFE RESTORATION~~ cash fund

24 (a) ~~To the division of parks and wildlife of the department of~~  
25 ~~natural resources, such amount as is necessary for preserving, protecting,~~  
26 ~~perpetuating, and enhancing nongame and endangered wildlife in this~~  
27 ~~state, including the department's administrative expenses in connection~~

1     ~~therewith;~~

2             (b) to the department of revenue its costs of administering the  
3     ~~income tax refunds~~ MONEYS designated as contributions to the fund.  
4     AFTER SUBTRACTING THE APPROPRIATION TO THE DEPARTMENT, ALL  
5     DESIGNATED MONEYS IN THE FUND ARE HEREBY CONTINUOUSLY  
6     APPROPRIATED FOR THE PURPOSES OF THIS PART 7 AND SECTION 33-1-125.  
7     AT THE END OF EACH FISCAL YEAR, THE STATE TREASURER SHALL  
8     TRANSFER ALL DESIGNATED MONEYS IN THE FUND AND ALL INTEREST  
9     EARNED THROUGH THE INVESTMENT OF FUND MONEYS, AFTER  
10    SUBTRACTING THE APPROPRIATION TO THE DEPARTMENT OF REVENUE, AS  
11    SPECIFIED IN SECTION 33-1-125.

12            (c) ~~Repealed.~~

13            (2) (a) THE DIVISION OF PARKS AND WILDLIFE IN THE DEPARTMENT  
14    OF NATURAL RESOURCES SHALL EXPEND ANY MONEYS TRANSFERRED TO  
15    IT UNDER THIS PART 7 FOR TAX YEARS COMMENCING ON OR BEFORE  
16    JANUARY 1, 2016, IN ACCORDANCE WITH THIS PART 7, AS THIS PART 7  
17    EXISTED PRIOR TO THE ENACTMENT OF HOUSE BILL 17-1250, ENACTED IN  
18    2017.

19            (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1,  
20    2019.

21            **39-22-704. Repeal of part.** This part 7 is repealed, effective  
22    ~~January 1, 2018~~ JANUARY 1, 2023, unless the voluntary contribution to the  
23    ~~nongame and endangered wildlife~~ COLORADO NONGAME CONSERVATION  
24    AND WILDLIFE RESTORATION cash fund ~~established~~ CREATED in ~~section~~  
25    ~~39-22-703~~ SECTION 33-1-125 is continued or reestablished by the general  
26    assembly acting by bill prior to said date.

27            **SECTION 2.** In Colorado Revised Statutes, **add** 33-1-125 as

1 follows:

2 **33-1-125. Colorado nongame conservation and wildlife**  
3 **restoration cash fund - creation - disbursement of moneys - wildlife**  
4 **rehabilitation grant program - authority and board created - process**  
5 **- report - definition - repeal.** (1) (a) THERE IS HEREBY CREATED IN THE  
6 STATE TREASURY THE COLORADO NONGAME CONSERVATION AND  
7 WILDLIFE RESTORATION CASH FUND, REFERRED TO IN THIS SECTION AS THE  
8 "FUND". THE FUND CONSISTS OF VOLUNTARY CONTRIBUTIONS MADE  
9 THROUGH PART 7 OF ARTICLE 22 OF TITLE 39, LESS ANY APPROPRIATION TO  
10 THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 39-22-703, ANY  
11 MONEYS CREDITED PURSUANT TO SECTION 33-6-105 (1)(a), AND ALL  
12 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN  
13 THE FUND AND CREDITED TO THE FUND BY THE STATE TREASURER. ALL  
14 UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT  
15 THE END OF ANY FISCAL YEAR MUST REMAIN IN THE FUND AND SHALL NOT  
16 REVERT BACK TO THE GENERAL FUND OR ANY OTHER FUND OR BE USED  
17 FOR ANY PURPOSE OTHER THAN THE PURPOSES SET FORTH IN THIS SECTION.  
18 THE DIVISION SHALL EXPEND MONEYS FROM THE FUND AS SPECIFIED IN,  
19 AND FOR THE IMPLEMENTATION OF, THIS SECTION.

20 (b) THE MONEYS IN THE FUND MUST BE APPORTIONED AND USED AS  
21 FOLLOWS:

22 (I) FOR UP TO THE FIRST TWO HUNDRED FIFTY THOUSAND DOLLARS  
23 CREDITED TO THE FUND IN ANY FISCAL YEAR:

24 (A) NINETY PERCENT OF THE MONEYS CREDITED TO THE FUND IN  
25 ANY FISCAL YEAR SHALL BE USED BY THE DIVISION IN PRESERVING,  
26 PROTECTING, PERPETUATING, AND ENHANCING NONGAME AND  
27 ENDANGERED WILDLIFE IN THE STATE, INCLUDING THE DIVISION'S

1 ADMINISTRATIVE EXPENSES IN CONNECTION THEREWITH, AND FOR THE  
2 DIVISION'S COSTS IN PROVIDING STAFF SUPPORT TO THE BOARD CREATED  
3 IN SUBSECTION (3) OF THIS SECTION; AND

4 (B) TEN PERCENT OF THE MONEYS CREDITED TO THE FUND IN ANY  
5 FISCAL YEAR SHALL BE USED █████ █████ FOR GRANTS TO WILDLIFE  
6 REHABILITATORS IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION.

7 (II) FOR ANY MONEYS OVER THE INITIAL TWO HUNDRED FIFTY  
8 THOUSAND DOLLARS CREDITED TO THE FUND IN ANY FISCAL YEAR:

9 (A) SEVENTY-FIVE PERCENT OF THOSE ADDITIONAL MONEYS SHALL  
10 BE USED BY THE DIVISION IN PRESERVING, PROTECTING, PERPETUATING,  
11 AND ENHANCING NONGAME AND ENDANGERED WILDLIFE IN THE STATE,  
12 INCLUDING THE DIVISION'S ADMINISTRATIVE EXPENSES IN CONNECTION  
13 THEREWITH, AND FOR THE DIVISION'S COSTS IN PROVIDING STAFF SUPPORT  
14 TO THE BOARD CREATED IN SUBSECTION (3) OF THIS SECTION; AND

15 (B) TWENTY-FIVE PERCENT OF THOSE ADDITIONAL MONEYS SHALL  
16 ~~BE USED FOR~~ GRANTS TO WILDLIFE REHABILITATORS IN ACCORDANCE WITH  
17 SUBSECTION (4) OF THIS SECTION.

18 (2) THERE IS HEREBY CREATED THE COLORADO NONGAME  
19 CONSERVATION AND WILDLIFE RESTORATION CASH FUND AUTHORITY,  
20 REFERRED TO IN THIS SECTION AS THE "AUTHORITY". THE AUTHORITY IS  
21 NOT AN AGENCY OF STATE GOVERNMENT AND IS NOT SUBJECT TO  
22 ADMINISTRATIVE DIRECTION BY ANY STATE AGENCY EXCEPT AS PROVIDED  
23 IN THIS SECTION.

24 (3) (a) (I) THE POWERS OF THE AUTHORITY ARE VESTED IN A  
25 BOARD OF DIRECTORS, REFERRED TO IN THIS SECTION AS THE "BOARD".  
26 THE BOARD CONSISTS OF THE FOLLOWING SEVEN MEMBERS, EACH OF  
27 WHOM IS APPOINTED BY THE DIRECTOR PURSUANT TO AN APPLICATION

1 PROCESS:

2 (A) TWO REPRESENTATIVES FROM PRIVATE-SECTOR COLORADO  
3 WILDLIFE REHABILITATION ORGANIZATIONS;

4 (B) ONE REPRESENTATIVE OF THE COLORADO FEDERATION OF  
5 ANIMAL WELFARE AGENCIES OR ITS SUCCESSOR ORGANIZATION;

6 (C) ONE EMPLOYEE OF THE DIVISION;

7 (D) ONE WILDLIFE BIOLOGIST EMPLOYED BY A STATE INSTITUTION  
8 OF HIGHER EDUCATION OR BY A NONSTATE ENTITY;

9 (E) ONE MEMBER OF A RECOGNIZED WILDLIFE CONSERVATION  
10 ORGANIZATION WITH LOCAL AND NATIONAL AFFILIATES WHOSE MISSION  
11 FOCUSES ON CONSERVATION AND RESTORATION OF NATURAL ECOSYSTEMS  
12 AND ON HABITAT PROTECTION FOR BIODIVERSITY, AND WHOSE  
13 MEMBERSHIP ENJOYS SIGNIFICANTLY NONCONSUMPTIVE USES OF WILDLIFE;  
14 AND

15 (F) ONE MEMBER OF THE GENERAL PUBLIC WITH AN INTEREST IN  
16 NONCONSUMPTIVE USES OF WILDLIFE OR WILDLIFE REHABILITATION.

17 (II) THE DIRECTOR SHALL ESTABLISH A PROCESS THROUGH WHICH  
18 APPLICATIONS FOR APPOINTMENTS TO THE BOARD ARE DEVELOPED,  
19 RECEIVED, AND EVALUATED.

20 (b) (I) EXCEPT AS PROVIDED IN SUBSECTION (3)(b)(II) OF THIS  
21 SECTION, APPOINTMENTS TO THE BOARD ARE FOR THREE-YEAR TERMS.  
22 EACH MEMBER SERVES AT THE PLEASURE OF THE DIRECTOR AND  
23 CONTINUES IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED AND  
24 QUALIFIED. THE DIRECTOR SHALL MAKE THE INITIAL APPOINTMENTS TO  
25 THE BOARD NO LATER THAN SEPTEMBER 1, 2017.

26 (II) (A) THREE OF THE SEVEN INITIAL APPOINTMENTS UNDER  
27 SUBSECTION (3)(a)(I) OF THIS SECTION ARE FOR A TERM OF TWO YEARS.



1 THE DIRECTOR SHALL SPECIFY WHICH OF THE APPOINTEES SERVE A  
2 TWO-YEAR TERM WHEN HE OR SHE MAKES THE INITIAL APPOINTMENTS.  
3 AFTER THE INITIAL TWO-YEAR TERMS, SUBSEQUENT APPOINTEES TO THOSE  
4 POSITIONS SERVE THREE-YEAR TERMS.

5 (B) THIS SUBSECTION (3)(b)(II) IS REPEALED, EFFECTIVE  
6 SEPTEMBER 1, 2019.

7 (c) ON THE EXPIRATION OF THE TERM OF A MEMBER OF THE BOARD,  
8 THE DIRECTOR SHALL EITHER REAPPOINT THAT MEMBER OR APPOINT THAT  
9 MEMBER'S SUCCESSOR FOR A TERM OF THREE YEARS; EXCEPT THAT, IN THE  
10 CASE OF A VACANCY, THE DIRECTOR'S APPOINTEE SERVES FOR THE  
11 REMAINDER OF THE UNEXPIRED TERM. A PERSON SHALL NOT SERVE MORE  
12 THAN SIX YEARS ON THE BOARD.

13 (d) MEMBERS OF THE BOARD SERVE WITHOUT COMPENSATION FOR  
14 ANY SERVICE PROVIDED TO THE AUTHORITY. MEMBERS DO NOT RECEIVE  
15 ANY REIMBURSEMENT FROM THE BOARD FOR ANY EXPENSES INCURRED  
16 FULFILLING THEIR RESPONSIBILITIES PURSUANT TO THIS SECTION.

17 (e) (I) EXCEPT AS PROVIDED IN SUBSECTION (3)(e)(II) OF THIS  
18 SECTION, THE AUTHORITY, CREATED PURSUANT TO SUBSECTION (2) OF THIS  
19 SECTION, SHALL NOT BE FUNDED BY OR THROUGH ANY STATE AGENCY.

20 (II) THE DIVISION SHALL PROVIDE STAFF SUPPORT TO THE BOARD  
21 FOR THE PURPOSES OF IMPLEMENTING THIS SECTION.

22 (III) THE BOARD SHALL DEVELOP, ADOPT, AND IMPLEMENT  
23 GUIDELINES AND PRACTICES FOR ITS OWN OPERATION AND FOR RECEIVING  
24 AND EVALUATING APPLICATIONS FOR GRANT MONEYS FROM THE FUND IN  
25 ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION, INCLUDING  
26 PRACTICES TO DETECT AND AVOID BOARD MEMBER CONFLICTS OF  
27 INTEREST; THE TIMING OF THE APPLICATION SUBMISSIONS AND GRANT

1 DISBURSEMENT, WHICH TIMING MUST TAKE INTO ACCOUNT THE UNIQUE  
2 SEASONAL DEMANDS PRESENTED BY WILDLIFE REHABILITATION EFFORTS;  
3 AND CRITERIA TO SCORE OR OTHERWISE ASSESS GRANT APPLICATIONS.  
4 NOTHING IN THIS SECTION AUTHORIZES THE BOARD TO PROMULGATE  
5 RULES TO IMPLEMENT THIS SECTION.

6 (4) (a) (I) THE DIVISION SHALL EXPEND MONEYS FROM THE FUND,  
7 PURSUANT TO RECOMMENDATIONS MADE BY THE BOARD, FOR THE  
8 PURPOSE OF MAKING GRANTS TO WILDLIFE REHABILITATORS IN ORDER TO  
9 FACILITATE WILDLIFE REHABILITATION IN COLORADO.

10 (II) AS USED IN THIS SECTION:

11 (A) "WILDLIFE REHABILITATION" MEANS THE PROCESS OF  
12 PROVIDING AID TO INJURED, ORPHANED, DISPLACED, OR DISTRESSED  
13 WILDLIFE ANIMALS IN SUCH A WAY THAT THEY MAY SURVIVE WHEN  
14 RELEASED TO THEIR NATIVE HABITATS. THE TERM INCLUDES ACTIVITIES  
15 SUCH AS PROVIDING DIRECT MEDICAL AND OTHER CARE TO WILDLIFE,  
16 ARRANGING SUITABLE RELEASE SITES, ANTICIPATING AND HELPING TO  
17 PREVENT PROBLEMS WITH WILDLIFE, OPERATIONAL OR CAPITAL EXPENSES,  
18 AND HUMANELY RESOLVING HUMAN-WILDLIFE CONFLICTS.

19 (B) "WILDLIFE REHABILITATOR" MEANS A PERSON LICENSED AS A  
20 WILDLIFE REHABILITATOR BY THE DIVISION.

21 (b) NOTHING IN THIS SECTION REQUIRES A WILDLIFE  
22 REHABILITATOR TO PROVIDE MATCHING FUNDS OR TO BE A REGISTERED  
23 NONPROFIT ORGANIZATION PURSUANT TO SECTION 501 (c)(3) OF THE  
24 INTERNAL REVENUE CODE AS A CONDITION TO APPLYING FOR OR  
25 RECEIVING GRANT MONEYS.

26 (c) GRANTS ARE AWARDED FROM THE FUND IN ACCORDANCE WITH  
27 A GRANT APPROVAL PROCESS DEVELOPED BY THE BOARD. A MEMBER OF

1 THE BOARD SHALL NOT VOTE ON ANY GRANT APPLICATION IN WHICH THE  
2 MEMBER IS INTERESTED.

3 (d) GRANTS AWARDED FROM THE FUND MUST BE IN AMOUNTS  
4 FROM ONE THOUSAND DOLLARS TO THIRTY THOUSAND DOLLARS; ■ ■ ■  
5 EXCEPT THAT, FOR ANY FISCAL YEAR IN WHICH AN AMOUNT LESS THAN  
6 FIVE THOUSAND DOLLARS IS TRANSFERRED TO THE FUND FOR THE  
7 PURPOSES OF THE GRANT PROGRAM PURSUANT TO SUBSECTION  
8 (1)(b)(II)(B) OF THIS SECTION, THE BOARD SHALL ENDEAVOR TO AWARD  
9 GRANTS IN AMOUNTS THAT MAXIMIZE WILDLIFE REHABILITATION EFFORTS  
10 TO THE GREATEST EXTENT POSSIBLE.

11 (e) GRANT MONEYS AWARDED UNDER THIS SUBSECTION (4) MAY  
12 BE USED BY WILDLIFE REHABILITATORS FOR THE REHABILITATION OF BOTH  
13 GAME AND NONGAME WILDLIFE SPECIES; EXCEPT THAT GRANT MONEYS  
14 SHALL NOT BE USED TO REHABILITATE EXOTIC WILDLIFE.

15 (f) WILDLIFE REHABILITATORS MUST EXECUTE A CONTRACT WITH  
16 THE DIVISION IN ORDER TO RECEIVE ANY GRANT MONEYS AWARDED. SUCH  
17 CONTRACTS MUST REQUIRE, AT A MINIMUM, THAT REHABILITATION  
18 PROJECTS FUNDED IN WHOLE OR IN PART THROUGH GRANT MONEYS WILL  
19 BE PERFORMED OR MANAGED BY THE GRANTEE.

20 (g) GRANTEES SHALL SUBMIT ANNUAL REPORTS, IN ACCORDANCE  
21 WITH A SCHEDULE DEVELOPED BY THE BOARD, TO THE DIVISION  
22 DESCRIBING HOW GRANT MONEYS THEY RECEIVED HAVE BEEN EXPENDED.  
23 THE DIVISION SHALL MAKE THE GRANT RECIPIENTS AND AMOUNTS AND  
24 THE ANNUAL REPORTS AVAILABLE ON ITS OFFICIAL WEBSITE.

25 (5) THE BOARD IS SUBJECT TO THE "COLORADO OPEN RECORDS  
26 ACT", PART 2 OF ARTICLE 72 OF TITLE 24, AND TO THE OPEN MEETINGS  
27 PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972" CONTAINED IN

1 PART 4 OF ARTICLE 6 OF TITLE 24. FOR PURPOSES OF THE "COLORADO  
2 OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, THE RECORDS  
3 OF THE BOARD AND THE AUTHORITY ARE PUBLIC RECORDS.

4 **SECTION 3.** In Colorado Revised Statutes, 33-1-112, **amend** (6)  
5 as follows:

6 **33-1-112. Funds - cost accounting - definition - repeal.** (6) The  
7 cost of nongame programs established under articles 1 to 6 of this title  
8 TITLE 33 shall be borne by the general fund, the ~~nongame and endangered~~  
9 ~~wildlife~~ COLORADO NONGAME CONSERVATION AND WILDLIFE  
10 RESTORATION cash fund, the wildlife cash fund, and any other sources  
11 deemed appropriate by the general assembly.

12 **SECTION 4.** In Colorado Revised Statutes, 33-6-105, **amend**  
13 (1)(a) as follows:

14 **33-6-105. Disposition of fines and surcharges.** (1) (a) Except  
15 as otherwise provided in ~~paragraph (b) of this subsection (1)~~ SUBSECTION  
16 (1)(b) OF THIS SECTION, all moneys collected for fines under articles 1 to  
17 6 of this title TITLE 33, either by payment of a penalty assessment or  
18 assessed by a court upon conviction and resulting from issuance of a  
19 citation by a wildlife officer of the division of parks and wildlife, shall be  
20 transmitted to the state treasurer, who shall credit one-half to the general  
21 fund and one-half to the wildlife cash fund or, for offenses involving  
22 nongame wildlife, to the ~~nongame and endangered wildlife~~ COLORADO  
23 NONGAME CONSERVATION AND WILDLIFE RESTORATION cash fund.

24 **SECTION 5. Appropriation.** For the 2017-18 state fiscal year,  
25 \$2,200 is appropriated to the department of revenue. This appropriation  
26 is from the Colorado nongame conservation and wildlife restoration cash  
27 fund created in section 33-1-125 (1)(a), C.R.S. To implement this act, the

1 department may use this appropriation for tax administration IT system  
2 (GenTax) support.

3           **SECTION 6. Act subject to petition - effective date -**  
4 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
5 the expiration of the ninety-day period after final adjournment of the  
6 general assembly (August 9, 2017, if adjournment sine die is on May 10,  
7 2017); except that, if a referendum petition is filed pursuant to section 1  
8 (3) of article V of the state constitution against this act or an item, section,  
9 or part of this act within such period, then the act, item, section, or part  
10 will not take effect unless approved by the people at the general election  
11 to be held in November 2018 and, in such case, will take effect on the  
12 date of the official declaration of the vote thereon by the governor.

13           (2) This act applies to voluntary contributions made via state  
14 individual income tax return forms published for tax years commencing  
15 on or after January 1, 2017.