

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 20-0133.01 Pierce Lively x2059

SENATE BILL 20-041

SENATE SPONSORSHIP

Cooke,

HOUSE SPONSORSHIP

Beckman,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING PARKS PASSES FOR ACTIVE MEMBERS OF THE NATIONAL**
102 **GUARD, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **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 applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill grants active members of the National Guard a free eagle annual pass for entrance into state parks. The parks and wildlife commission may elect not to issue this pass if it does not receive funding from the general assembly to implement this pass.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 33-12-103.7 as
3 follows:

4 **33-12-103.7. Eagle annual pass - rules - definition.** (1) (a) A
5 RESIDENT WHO IS AN ACTIVE MEMBER OF THE NATIONAL GUARD MAY
6 OBTAIN FROM A REGIONAL OFFICE OR THE CENTRAL OFFICE OF THE
7 DIVISION, OR AT SUCH OTHER LOCATIONS AS MAY BE DETERMINED BY THE
8 DIVISION, AN EAGLE ANNUAL PASS FREE OF CHARGE. THE PASS IS VALID
9 FROM THE DATE THE RESIDENT OBTAINS IT THROUGH THE LAST DAY OF THE
10 SAME MONTH IN THE FOLLOWING YEAR. AN EAGLE ANNUAL PASS ENTITLES
11 THE RESIDENT ACTIVE MEMBER OF THE NATIONAL GUARD TO ENTER STATE
12 PARK AND RECREATION AREAS DURING THE PERIOD THAT THE PASS IS
13 VALID AND WHEN SUCH AREAS ARE OPEN.

14 (b) THE COMMISSION, BY RULE, SHALL PROVIDE THE MANNER BY
15 WHICH AN EAGLE ANNUAL PASS MUST BE DISPLAYED BY THE PERSON TO
16 WHOM IT WAS ISSUED WHEN THE PERSON ENTERS A STATE PARK OR STATE
17 RECREATION AREA.

18 (2) FOR PURPOSES OF THIS SECTION, "ACTIVE MEMBER OF THE
19 NATIONAL GUARD" MEANS AN INDIVIDUAL WHO IS A RESIDENT, AS
20 DEFINED IN SECTION 33-1-102 (38), AND HAS PRESENTED TO THE DIVISION
21 A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED UNDER ARTICLE 2 OF
22 TITLE 42 AND AN ORIGINAL STATEMENT SIGNED BY, OR BY DIRECTION OF,
23 THE PERSONNEL OFFICER OR COMMANDER OF THE INDIVIDUAL'S UNIT, A
24 SENIOR NONCOMMISSIONED OFFICER WHO IS PART OF THE INDIVIDUAL'S
25 CHAIN OF COMMAND, OR HIGHER HEADQUARTERS THAT IDENTIFIES THE
26 INDIVIDUAL AND ESTABLISHES THAT THE INDIVIDUAL IS AN ACTIVE

1 MEMBER OF THE NATIONAL GUARD.

2 (3) THE CONTINUED USE OF THE EAGLE ANNUAL PASS IS SUBJECT
3 TO THE HOLDER'S OBSERVANCE OF RULES AND REGULATIONS CONCERNING
4 THE STATE PARK OR STATE RECREATION AREA.

5 (4) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
6 MONEY TO THE DIVISION TO IMPLEMENT THIS SECTION. IF THE GENERAL
7 ASSEMBLY DOES NOT MAKE SUCH AN APPROPRIATION, THE COMMISSION
8 NEED NOT OFFER AN EAGLE ANNUAL PASS UNTIL THE GENERAL ASSEMBLY
9 MAKES SUCH AN APPROPRIATION.

10 **SECTION 2. Appropriation.** For the 2020-21 state fiscal year,
11 \$28,799 is appropriated to the department of natural resources for use by
12 the division of parks and wildlife. This appropriation is from the general
13 fund and is based on an assumption that the division will require an
14 additional 0.2 FTE. To implement this act, the division may use this
15 appropriation for state park operations.

16 **SECTION 3. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2020 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.