

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

**PREAMENDED**

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

LLS NO. 23-0283.01 Jery Payne x2157

**SENATE BILL 23-059**

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**SENATE SPONSORSHIP**

**Baisley and Roberts, Rich**

**HOUSE SPONSORSHIP**

**Catlin and McLachlan, Bradley, Holtorf, Joseph, Taggart, Velasco, Weinberg, Wilson**

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**Senate Committees**

Agriculture & Natural Resources  
Finance

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PROVIDING FUNDING TO LOCAL GOVERNMENTS TO**  
102 **SUPPORT ACCESS TO STATE-OWNED OUTDOOR RECREATIONAL**  
103 **AREAS.**

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**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 creates the state park and wildlife area access grant program (program), which reimburses local governments for access route maintenance, construction, service, and operational work resulting from people visiting state parks and wildlife areas. The program is administered by the division of parks and wildlife (division) and the parks

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

and wildlife commission (commission). In connection with the program, the bill:

- Using overflow money from the keep Colorado wild pass, helps finance local governments' maintenance and operation of access routes. A local government must use the grant money to support direct access to state parks and wildlife areas. Supporting direct access may include maintaining and constructing local roads, bicycle lanes, or other recreational access routes or providing or facilitating shuttle operations.
- Requires the commission to promulgate rules, in collaboration with and after consultation with affected local governments, to establish the process for local governments to apply for grants, the criteria for awarding grants, and the criteria for determining the amount of grant money to be awarded;
- Creates a grant review committee (committee) to make recommendations to the division; and
- Authorizes a local government to request that the state park or wildlife area charge an additional per vehicle fee, not to exceed \$2, to visit. Upon the request, the commission may establish the fee, which will be transferred to the local government to maintain and operate access routes. The fee will be adjusted every 5 years for inflation or deflation.

The grant review committee consists of the following 5 members:

- 3 representatives of local governments from different geographic areas of Colorado, one of whom must be a county commissioner;
- One representative of the commission; and
- One representative of the division.

The members of the committee serve without additional compensation from the state. The committee will review grant applications and make recommendations to the division. The committee is repealed on September 1, 2032, but before the repeal, the department of regulatory agencies will review the committee in accordance with the sunset process.

On or before November 1, 2025, and on or before November 1 of each subsequent year, the division will report about the implementation of the bill to a joint session of the house of representatives agriculture, water, and natural resources committee and the senate agriculture and natural resources committee. The report must include a list of local governments and access projects that received grants and the amount of grant money that each local government and access project received.

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

3           (a) Colorado's great outdoors and wildlife are among the state's  
4 most treasured resources, enhancing Coloradans' quality of life, bringing  
5 prosperity to the state and its residents, and representing the fabric of the  
6 state;

7           (b) Rapid increase in demand for outdoor recreation is challenging  
8 local governments' ability to maintain access;

9           (c) Despite tremendous growth in outdoor recreation, existing  
10 funding to support the variety of ways Colorado families access our state  
11 parks      is insufficient;

12           (d) This leads to increased barriers for families and can deter  
13 visitors from accessing state parks;

14           (e) Local governments share the access goals of the state and rely  
15 on a financial partnership with the state and other partners to help meet  
16 the demand and ensure Colorado's outdoors are accessible to all;

17                 
18           (f) Establishing a new fee on daily vehicle passes may provide  
19 local governments with the tools to manage the access demands that  
20 continue to increase with the growing enjoyment of Colorado's outdoor  
21 spaces.

22           **SECTION 2.** In Colorado Revised Statutes, **add** 33-10-117 and  
23 33-10-118 as follows:

24                 
25           **33-10-117. State park access - fees - definitions - rules.**  
26 (1) (a) UPON REQUEST OF ONE OR MORE LOCAL GOVERNMENTS THAT ARE  
27 RESPONSIBLE FOR LOCAL ACCESS ROUTES TO A STATE PARK THAT ARE

1 LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE LOCAL  
2 GOVERNMENTS, THE COMMISSION MAY ESTABLISH, BY RULE, AN  
3 ADDITIONAL FEE, CHARGED ON A DAILY VEHICLE PASS, TO USE THE STATE  
4 PARK. THE DIVISION SHALL NOT COLLECT THE FEE FROM A STATE PARK  
5 VISITOR WHO HOLDS AN ANNUAL OR LIFETIME PASS TO VISIT STATE PARKS.  
6 THE COMMISSION SHALL NOT UNREASONABLY WITHHOLD APPROVAL OF A  
7 REQUEST TO CREATE THE FEE.

8 (b) THE RULES PROMULGATED BY THE COMMISSION MUST SET THE  
9 FEE SO THAT THE FEE:

10 (I) DOES NOT EXCEED TWO DOLLARS, BUT THE COMMISSION SHALL  
11 ADJUST THE FEE EVERY FIVE YEARS TO ACCOUNT FOR INFLATION OR  
12 DEFLATION AS PROVIDED IN SUBSECTION (1)(c) OF THIS SECTION, AND THE  
13 ADJUSTMENT MAY ALLOW THE FEE TO EXCEED TWO DOLLARS; AND

14 (II) IS ROUNDED TO THE NEAREST DOLLAR.

15 (c) IN CALCULATING INFLATION OR DEFLATION, THE COMMISSION  
16 SHALL USE THE STATISTICS PUBLISHED BY THE COLORADO DEPARTMENT  
17 OF TRANSPORTATION AS THE CONSTRUCTION COST INDEX.

18 (d) (I) (A) THE LOCAL ACCESS ROUTE CASH FUND IS CREATED IN  
19 THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE  
20 FUND IN ACCORDANCE WITH THIS SUBSECTION (1)( AND ANY OTHER  
21 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER  
22 TO THE FUND.

23 (B) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
24 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
25 FUND TO THE FUND.

26 (C) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
27 DIVISION TO IMPLEMENT THIS SECTION.

1           (II) THE DIVISION SHALL PERFORM, ON AN ANNUAL BASIS, AN  
2           ANALYSIS TO DETERMINE THE NET INCREMENTAL COST OF THE  
3           COLLECTION AND ADMINISTRATION OF THE FEE. THE DIVISION MAY RETAIN  
4           A PORTION OF THE FEE TO COVER THE COST OF COLLECTING AND  
5           ADMINISTERING THE FEE, BUT MAY RETAIN ONLY THE AMOUNT OF THE FEE  
6           THAT IS DETERMINED TO BE NECESSARY BY THE COST ANALYSIS. THE  
7           DIVISION SHALL NOT RETAIN MORE THAN THREE AND ONE-THIRD PERCENT  
8           OF THE FEE. THE DIVISION SHALL TRANSMIT THE RETAINED PORTION OF  
9           THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE  
10           PARKS AND OUTDOOR RECREATION CASH FUND CREATED IN SECTION  
11           33-10-111.

12           (2) (a) BEGINNING JANUARY 1, 2024, THE DIVISION SHALL  
13           COLLECT ANY FEE ESTABLISHED UNDER SUBSECTION (1) OF THIS SECTION  
14           FROM EACH PERSON USING A DAILY VEHICLE PASS THAT VISITS A STATE  
15           PARK FOR WHICH AN ADDITIONAL FEE HAS BEEN ESTABLISHED AND SHALL  
16           TRANSFER THE FEE, MINUS THE AMOUNT RETAINED UNDER SUBSECTION  
17           (1)(d) OF THIS SECTION, TO THE STATE TREASURER, WHO SHALL CREDIT  
18           THE FEE TO THE FUND. THE DIVISION SHALL TRANSFER THE REMAINDER OF  
19           FEE FROM THE FUND TO THE LOCAL GOVERNMENT THAT REQUESTED THE  
20           FEE AND IS RESPONSIBLE FOR THE LOCAL ACCESS ROUTE. IF A STATE PARK  
21           HAS MULTIPLE LOCAL ACCESS ROUTES THAT ARE MAINTAINED BY  
22           MULTIPLE LOCAL GOVERNMENTS, ALL OF WHICH REQUESTED THE  
23           ADDITIONAL FEE PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION, THE  
24           LOCAL GOVERNMENTS SHALL DETERMINE BY AGREEMENT HOW THE FEE  
25           REVENUE IS TO BE APPORTIONED, AND THE DIVISION SHALL NOT  
26           DISTRIBUTE THE FEE REVENUE TO THE LOCAL GOVERNMENTS UNTIL THE  
27           LOCAL GOVERNMENTS HAVE PROVIDED THE DIVISION WITH THE

1 AGREEMENT.

2 (b) A LOCAL GOVERNMENT SHALL USE ANY FEE RECEIVED UNDER  
3 THIS SUBSECTION (2) TO SUPPORT ACCESS TO STATE PARKS. SUPPORTING  
4 ACCESS MAY INCLUDE MAINTAINING AND CONSTRUCTING LOCAL ROADS,  
5 BICYCLE LANES, SHUTTLE OPERATIONS, AND MULTIMODAL ACCESS  
6 ROUTES.

7 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
8 REQUIRES:

9 (a) "DAILY VEHICLE PASS" MEANS ANY FEE PAID BY A VISITOR TO  
10 A STATE PARK ASSESSED ON A DAILY BASIS AND BASED ON A MOTOR  
11 VEHICLE ENTERING THE STATE PARK.

12 (b) "FEE" MEANS THE FEE ESTABLISHED UNDER SUBSECTION (1) OF  
13 THIS SECTION.

14 (c) "FUND" MEANS THE LOCAL ACCESS ROUTE CASH FUND CREATED  
15 IN SUBSECTION (1)(d)(I) OF THIS SECTION.

16 (d) "LOCAL ACCESS ROUTE" MEANS A RIGHT-OF-WAY, INCLUDING  
17 A BIKE OR PEDESTRIAN PATH, THAT IS NORMALLY USED TO TRAVEL TO OR  
18 FROM A STATE PARK.

19 (e) "LOCAL GOVERNMENT" MEANS A CITY, COUNTY, CITY AND  
20 COUNTY, OR SPECIAL DISTRICT OF THIS STATE.

21 **33-10-118. Division to study access to state parks. (1) THE**  
22 **DIVISION SHALL COLLABORATE WITH LOCAL GOVERNMENTS TO IDENTIFY:**

23 **(a) DEFICITS OR PROBABLE DEFICITS WITH LOCAL**  
24 **TRANSPORTATION INFRASTRUCTURE AND SERVICES USED BY VISITORS TO**  
25 **ACCESS STATE PARKS; AND**

26 **(b) SOURCES OF FUNDING AND PARTNERSHIPS TO ADDRESS THE**  
27 **DEFICITS OR POTENTIAL DEFICITS DESCRIBED IN SUBSECTION (1)(a) OF THIS**

1 SECTION.  
2 (2) IN STUDYING THE ISSUES DESCRIBED IN SUBSECTION (1) OF THIS  
3 SECTION, THE DIVISION SHALL CONSIDER:  
4 (a) THE USE OF AND EFFECT ON LOCAL TRANSPORTATION  
5 INFRASTRUCTURE AND SERVICES OF VISITORS TRAVELING TO AND FROM  
6 STATE PARKS;  
7 (b) INFRASTRUCTURE COSTS INCURRED BY LOCAL GOVERNMENT  
8 IN SUPPORTING THE STATE IN MANAGING STATE PARKS AND THE  
9 APPROPRIATENESS OF THE DIVISION OR OTHER PERSONS, INCLUDING USERS,  
10 TO HELP SUPPORT INFRASTRUCTURE FUNDING;  
11 (c) ECONOMIC AND COMMUNITY BENEFITS AND NEGATIVE EFFECTS  
12 OF STATE PARKS ON LOCAL ECONOMIES, AND THE DIFFERENCE IN BENEFITS  
13 AND EFFECTS INCURRED BY COUNTIES AND MUNICIPALITIES;  
14 (d) LOCAL GOVERNMENT REVENUE, INCLUDING FEES,  
15 ASSESSMENTS, AND TAXES, AND PAYMENTS BY THE DIVISION IN LIEU OF  
16 TAXES THAT ARE AVAILABLE TO:  
17 (I) DEVELOP AND MAINTAIN TRANSPORTATION INFRASTRUCTURE;  
18 OR  
19 (II) PROVIDE TRANSPORTATION SERVICES RELATED TO  
20 RECREATION;  
21 (e) METHODS OF PROVIDING GUIDANCE TO DETERMINE WHICH  
22 LOCAL ACCESS ROUTES SHOULD BE ELIGIBLE FOR ANY IDENTIFIED  
23 FUNDING;  
24 (f) PAST EXAMPLES OF ISSUES WITH PROVIDING LOCAL  
25 TRANSPORTATION INFRASTRUCTURE AND SERVICES USED TO ACCESS STATE  
26 MANAGED RECREATIONAL LAND, AND OPPORTUNITIES TO WORK WITH THE  
27 DIVISION IN ADDRESSING THOSE ISSUES BOTH AT THE INCEPTION STAGE

1 AND OVER THE LIFESPAN OF THE STATE PARK;

2 (g) CURRENT RESOURCES AVAILABLE FOR AND DEDICATED TO A  
3 COMMUNITY'S LOCAL TRANSPORTATION INFRASTRUCTURE AND SERVICES  
4 FOR A BASELINE OF EXISTING MAINTENANCE BUDGETS, NEW SOURCES OF  
5 FUNDING OR PARTNERSHIPS TO ASSIST IN THE MAINTENANCE OF LOCAL  
6 ACCESS ROUTES TO AND FROM STATE PARKS, AND THE PREDICTABILITY  
7 AND RELIABILITY OF THE SOURCES;

8 (h) THE LOCAL GOVERNMENT'S FINANCIAL DEMANDS OF  
9 MAINTAINING TRANSPORTATION INFRASTRUCTURE AND SERVICES NEEDED  
10 TO ACCESS STATE PARKS IN RELATIONSHIP TO THE FINANCIAL DEMANDS OF  
11 MAINTAINING OTHER LOCAL TRANSPORTATION INFRASTRUCTURE AND  
12 SERVICES WITHIN THE LOCAL JURISDICTION; AND

13 (i) THE EFFECTS OF LOCAL TRANSPORTATION CONDITIONS ON  
14 LOCAL ACCESS ROUTES SERVING STATE PARKS ON THE VISITOR  
15 EXPERIENCE.

16 (3) AFTER PERFORMING THE INITIAL STUDY REQUIRED IN  
17 SUBSECTION (2) OF THIS SECTION, THE DIVISION SHALL SEEK COMMENTS  
18 FROM THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF  
19 LOCAL AFFAIRS BEFORE COMPLETING THE STUDY.

20 (4) THE DIVISION SHALL COMPLETE THE STUDY DESCRIBED IN THIS  
21 SECTION AND MAKE LEGISLATIVE RECOMMENDATIONS TO THE GENERAL  
22 ASSEMBLY BY NOVEMBER 1, 2024. THE RECOMMENDATIONS MUST  
23 INCLUDE SOURCES FOR FUNDING OR PARTNERSHIPS TO ASSIST IN THE  
24 MAINTENANCE OF LOCAL TRANSPORTATION INFRASTRUCTURE AND  
25 SERVICES ASSOCIATED WITH STATE PARKS. \_\_\_

26 **SECTION 3. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the



1 ninety-day period after final adjournment of the general assembly; except  
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
3 of the state constitution against this act or an item, section, or part of this  
4 act within such period, then the act, item, section, or part will not take  
5 effect unless approved by the people at the general election to be held in  
6 November 2024 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.