

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

**INTRODUCED**

LLS NO. 23-0950.01 Jery Payne x2157

**SENATE BILL 23-255**

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**SENATE SPONSORSHIP**

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**A BILL FOR AN ACT**

101      **CONCERNING THE PROVISION OF COMPENSATION TO PEOPLE WHO**  
102                    **SUFFER DAMAGES BECAUSE OF GRAY WOLF DEPREDATION, AND,**  
103                    **IN CONNECTIONS THEREWITH, REDUCING AN APPROPRIATION.**

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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 wolf depredation compensation fund (fund) to compensate landowners and agricultural producers for depredation of livestock and working animals by wolves. For the 2023-24 state fiscal year and each state fiscal year thereafter, the state treasurer is directed to transfer \$350,000 from the general fund to the fund. At the end of the

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.*

2023-24 and 2024-25 state fiscal years, any unencumbered balance in the fund that exceeds \$100,000 is transferred to the wildlife cash fund. At the end of subsequent state fiscal years, the amount transferred to the wildlife cash fund is any unencumbered balance in the fund that exceeds 120% of the amount spent from the fund in the previous state fiscal year.

Each year, the director of the division of parks and wildlife will issue a report and make a presentation at the appropriate "SMART Act" hearing.

The bill reduces by \$175,000 the fiscal year 2023-24 general fund appropriation to the department of natural resources for use by the division of parks and wildlife for the reintroduction and management of gray wolves.

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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 finds and declares that:

4 (a) In the 2020 general election, the citizens of Colorado passed  
5 proposition 114, which is codified as section 33-2-105.8, Colorado  
6 Revised Statutes, and mandates that the parks and wildlife commission  
7 restore the gray wolf to the state;

8 (b) The text of proposition 114 includes the requirement that the  
9 parks and wildlife commission pay "fair compensation to owners of  
10 livestock for any losses of livestock caused by gray wolves..."; and

11 (c) It is in the best interest of livestock owners and the intention  
12 of proposition 114's supporters to dedicate a source of funding that is  
13 available solely for wolf depredation compensation.

14 **SECTION 2.** In Colorado Revised Statutes, **add** 33-1-127 as  
15 follows:

16 **33-1-127. Wolf depredation compensation fund -**  
17 **compensation for damages - definitions - rules.** (1) AS USED IN THIS  
18 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

19 (a) "AGRICULTURAL PRODUCER" MEANS A PERSON THAT PRODUCES

1 AGRICULTURAL COMMODITIES, INCLUDING LIVESTOCK, FOR THE PURPOSE  
2 OF SELLING THE AGRICULTURAL COMMODITIES.

3 (b) "DEPREDACTION" MEANS THAT A PREDATOR HAS CAUSED THE  
4 DEATH OF OR INJURY OF AN ANIMAL THAT IS NOT WILDLIFE.

5 (c) "FUND" MEANS THE WOLF DEPREDACTION COMPENSATION FUND  
6 CREATED IN SUBSECTION (2) OF THIS SECTION.

7 (d) "LIVESTOCK" HAS THE MEANING SET FORTH IN SECTION  
8 35-1-102 (6).

9 (e) "WORKING ANIMAL" MEANS AN ANIMAL THAT IS TRAINED AND  
10 USED BY AGRICULTURAL PRODUCERS TO ASSIST IN TASKS THAT AID THE  
11 PRODUCTION OF AGRICULTURAL COMMODITIES, INCLUDING LIVESTOCK.

12 (2) (a) THE WOLF DEPREDACTION COMPENSATION FUND IS CREATED  
13 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO  
14 THE FUND IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS SECTION AND  
15 ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR  
16 TRANSFER TO THE FUND.

17 (b) FOR THE 2023-24 STATE FISCAL YEAR AND EACH STATE FISCAL  
18 YEAR THEREAFTER, THE STATE TREASURER SHALL ANNUALLY TRANSFER  
19 THREE HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND TO  
20 THE FUND.

21 (c) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
22 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
23 FUND TO THE FUND.

24 (3) (a) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO  
25 THE DIVISION TO COMPENSATE LANDOWNERS AND AGRICULTURAL  
26 PRODUCERS THAT SUFFER DAMAGES DUE TO WOLF DEPREDACTION.

27 (b) FOR A LANDOWNER OR AGRICULTURAL PRODUCER TO BE

1 COMPENSATED FROM THE FUND:

2 (I) ONE OR MORE GRAY WOLVES MUST HAVE KILLED OR INJURED  
3 LIVESTOCK OR A WORKING ANIMAL OWNED BY THE LANDOWNER OR  
4 AGRICULTURAL PRODUCER, AS DETERMINED BY THE DIVISION; AND

5 (II) THE LANDOWNER OR AGRICULTURAL PRODUCER MUST BE  
6 ELIGIBLE FOR COMPENSATION UNDER THE GRAY WOLF RESTORATION AND  
7 MANAGEMENT PLAN, CREATED IN ACCORDANCE WITH SECTION 33-2-105.8,  
8 OR IN ANY RULES PROMULGATED BY THE COMMISSION.

9 (c) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT  
10 AND ADMINISTER THIS SECTION. THE RULES MAY:

11 (I) INCLUDE ADDITIONAL CRITERIA NECESSARY TO RECEIVE  
12 COMPENSATION FROM THE FUND; OR

13 (II) AUTHORIZE AND SET CRITERIA FOR COMPENSATION FROM THE  
14 FUND FOR INDIRECT LIVESTOCK LOSS.

15 (4) AT THE END OF A STATE FISCAL YEAR, THE STATE TREASURER  
16 SHALL TRANSFER FROM THE FUND TO THE WILDLIFE CASH FUND, CREATED  
17 IN SECTION 33-1-112(1), ANY UNEXPENDED AND UNENCUMBERED MONEY  
18 REMAINING IN THE FUND THAT EXCEEDS:

19 (a) FOR STATE FISCAL YEARS 2023-24 AND 2024-25, ONE HUNDRED  
20 THOUSAND DOLLARS; AND

21 (b) FOR STATE FISCAL YEAR 2025-26 AND SUBSEQUENT FISCAL  
22 YEARS, AN AMOUNT EQUAL TO THE AMOUNT OF MONEY EXPENDED FROM  
23 THE FUND DURING THE IMMEDIATELY PRECEDING STATE FISCAL YEAR PLUS  
24 TWENTY PERCENT OF THIS AMOUNT.

25 (5) (a) ON OR BEFORE JANUARY 31, 2025, AND ON OR BEFORE  
26 JANUARY 31 OF EACH YEAR THEREAFTER, THE DIRECTOR SHALL SUBMIT A  
27 WRITTEN REPORT TO THE APPROPRIATE COMMITTEES OF REFERENCE AS

1 DETERMINED IN ACCORDANCE WITH SECTION 2-7-203 (1). THE DIRECTOR  
2 SHALL ALSO PRESENT THE REPORT TO THE APPROPRIATE JOINT COMMITTEE  
3 OF REFERENCE, IN ACCORDANCE WITH SECTION 2-7-203 (2), AS PART OF  
4 THE DEPARTMENT'S "SMART ACT" HEARING. FOR THE IMMEDIATELY  
5 PRECEDING STATE FISCAL YEAR, THE REPORT MUST INCLUDE:

6 (I) THE NUMBER OF LIVESTOCK AND WORK ANIMALS KILLED BY  
7 GRAY WOLVES;

8 (II) THE NUMBER OF CLAIMS MADE FOR COMPENSATION FROM THE  
9 FUND;

10 (III) THE NUMBER OF COMPENSATION CLAIMS THAT WERE  
11 APPROVED AND DENIED;

12 (IV) THE REASONS FOR THE DENIAL OF COMPENSATION CLAIMS;

13 (V) THE AMOUNT OF MONEY PAID FOR COMPENSATION FROM THE  
14 FUND;

15 (VI) AN EXPLANATION OF THE NUMBER AND COST OF LOSSES DUE  
16 TO WOLF DEPREDATION;

17 (VII) THE NUMBER OF RESIDENT GRAY WOLVES;

18 (VIII) THE NUMBER OF RESIDENT GRAY WOLF PACKS;

19 (IX) THE ACTIVITY OF THE GRAY WOLF PACKS, INCLUDING DATES,  
20 DETERMINED FROM GRAY WOLVES BEING TRACKED; AND

21 (X) THE NUMBER OF GRAY WOLF BREEDING PAIRS AND THE  
22 POPULATION CHANGES OF RESIDENT GRAY WOLVES.

23 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
24 REPORTING REQUIREMENT SPECIFIED IN SUBSECTION (5)(a) OF THIS  
25 SECTION CONTINUES INDEFINITELY.

26 (6) (a) COMPENSATION PAID UNDER THIS SECTION IS  
27 REIMBURSEMENT FOR DAMAGES AND NOT INCOME SUBJECT TO TAXATION.

1           (b) THIS SECTION DOES NOT AUTHORIZE THE RELEASE OF ANY  
2 PRIVATE INFORMATION ABOUT A CLAIMANT OR A CLAIMANT'S  
3 COMPENSATION.

4           **SECTION 3. Appropriation - adjustments to 2023 long bill.** To  
5 implement this act, the general fund appropriation made in the annual  
6 general appropriation act for the 2023-24 state fiscal year to the  
7 department of natural resources for use by the division of parks and  
8 wildlife for the implementation of Proposition 114 for the reintroduction  
9 and management of gray wolves is decreased by \$175,000.

10           **SECTION 4. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, or safety.