

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 8, 2018

Date

Committee on Health, Insurance, & Environment.

After consideration on the merits, the Committee recommends the following:

HB18-1051 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute following:

3 "SECTION 1. In Colorado Revised Statutes, **amend** 30-15-201
4 as follows:

5 **30-15-201. Penalty for leaving campfire unattended.** (1) (a) It
6 is the duty of the board of county commissioners of each county in this
7 state to cause to be erected and maintained, at suitable distances and in
8 conspicuous places (at the side of the main-traveled highways of each
9 county and at such other places in each county as each board may deem
10 proper), notices printed in large letters on suitable signboards stating that
11 campfires must not be left unattended and must be totally extinguished
12 before breaking or leaving camp and that violators are subject to a
13 fifty-dollar fine. Any person who leaves STARTS OR MAINTAINS A
14 CAMPFIRE COMMITS THE OFFENSE OF LEAVING a campfire unattended
15 commits a class 2 petty offense and, upon conviction thereof, shall be
16 punished by a fine of fifty dollars IF HE OR SHE KNOWINGLY OR
17 RECKLESSLY:

18 (I) FAILS TO REASONABLY ATTEND THE CAMPFIRE AT ALL TIMES:

19 OR

20 (II) FAILS TO THOROUGHLY EXTINGUISH THE CAMPFIRE BEFORE
21 LEAVING THE SITE.

22 (b) (I) A PERSON WHO COMMITS THE OFFENSE OF LEAVING A
23 CAMPFIRE UNATTENDED COMMITS A CLASS 2 PETTY OFFENSE AND, UPON

1 CONVICTION OF THE OFFENSE, SHALL BE PUNISHED BY A FINE OF FIFTY
2 DOLLARS.

3 (II) A PERSON WHO COMMITS THE OFFENSE OF LEAVING A
4 CAMPFIRE UNATTENDED WHERE THE CAMPFIRE IS LOCATED IN A FORESTED
5 OR GRASSLAND AREA COMMITS A CLASS 3 MISDEMEANOR AND, UPON
6 CONVICTION OF THE OFFENSE, SHALL BE PUNISHED BY A MINIMUM
7 SENTENCE OF A FIFTY DOLLAR FINE UP TO A MAXIMUM SENTENCE OF SIX
8 MONTHS IMPRISONMENT OR A SEVEN HUNDRED FIFTY DOLLAR FINE, OR
9 BOTH.

10 (2) ~~The erection of such notices shall be at the expense of each~~
11 ~~county, and at least twenty notices shall be posted and maintained in each~~
12 ~~county in this state. The board of governors of the Colorado state~~
13 ~~university system may also post similar notices, signed by the board and~~
14 ~~erected and maintained at its expense, at such points throughout the state~~
15 ~~as it deems necessary or expedient.~~

16 **SECTION 2.** In Colorado Revised Statutes, 33-15-106, **amend**
17 (1)(a) and (2)(a) as follows:

18 **33-15-106. Fires.** (1) On any property under the control of the
19 division, it is unlawful for any person to:

20 (a) ~~Leave a fire unattended or fail~~ START OR MAINTAIN A FIRE IF
21 HE OR SHE KNOWINGLY OR RECKLESSLY FAILS TO REASONABLY ATTEND
22 THE FIRE AT ALL TIMES OR FAILS to thoroughly extinguish a THE fire before
23 leaving it THE SITE;

24 (2) (a) Any person who violates ~~paragraph (a) of subsection (1)~~
25 ~~SUBSECTION (1)(a) of this section is guilty of a class 2 petty offense~~ CLASS
26 3 MISDEMEANOR and, upon conviction thereof, shall be punished by a ~~fine~~
27 ~~of fifty dollars~~ A MINIMUM SENTENCE OF A FIFTY DOLLAR FINE UP TO A
28 MAXIMUM SENTENCE OF SIX MONTHS IMPRISONMENT OR A SEVEN
29 HUNDRED FIFTY DOLLAR FINE, OR BOTH.

30 **SECTION 3. Effective date - applicability.** This act takes effect
31 July 1, 2018, and applies to offenses committed on or after said date.

32 **SECTION 4. Safety clause.** The general assembly hereby finds,
33 determines, and declares that this act is necessary for the immediate
34 preservation of the public peace, health, and safety."

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