

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

**INTRODUCED**

LLS NO. 17-1088.01 Jennifer Berman x3286

**HOUSE BILL 17-1321**

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**HOUSE SPONSORSHIP**

**Arndt and Wilson**, Catlin, McLachlan, Mitsch Bush, Rankin

**SENATE SPONSORSHIP**

**(None)**,

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**House Committees**

Agriculture, Livestock, & Natural Resources

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE PARKS AND WILDLIFE COMMISSION'S AUTHORITY TO**  
102            **SET CERTAIN CHARGES ASSESSED ON PEOPLE ENGAGING IN**  
103            **ACTIVITIES REGULATED BY THE DIVISION OF PARKS AND**  
104            **WILDLIFE, AND, IN CONNECTION THEREWITH, SETTING CERTAIN**  
105            **HUNTING, FISHING, PARKS, AND RECREATION FEES AND FINES,**  
106            **CREATING AN AQUATIC NUISANCE SPECIES STICKER AND**  
107            **ASSOCIATED FEE STRUCTURE, AND REQUIRING REPORTING BY**  
108            **THE DIVISION OF PARKS AND WILDLIFE ON FEE AMOUNTS AND**  
109            **THE USE OF DIVISION-MANAGED LANDS BY NONCONSUMPTIVE**  
110            **USERS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does*

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.*

*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>.)*

**Section 1** of the bill provides a nonstatutory legislative declaration.

**Section 2** adds "voucher" and "preference point" to the documents listed under the definition of "license".

**Sections 3 and 17** add "sponsorships" and "donations" to the list of money transfers that the parks and wildlife commission (commission) is authorized to receive and expend.

**Section 4** prohibits the commission from using revenue generated from increased license fee amounts authorized by the bill for the purchase of any fee title interest in real property or any interest in water.

**Section 6** clarifies that the Colorado outdoor recreation search and rescue card fee is nonrefundable.

**Sections 7, 14, 15, and 18** raise the maximum fee amounts that the commission may assess by rule for certain licenses, permits, and passes. Sections 7, 14, 15, and 18 also authorize the commission to apply a consumer price index adjustment to a fee that has been set at the maximum fee amount allowed, which fee adjustment does not count toward the maximum fee amounts set.

**Section 8** allows the division of parks and wildlife (division) to grant up to 25% of the money derived from sales of the state migratory waterfowl stamp to nonprofit organizations implementing the North American waterfowl management plan.

**Section 9** removes references to the fee assessed for the youth small game hunting license since the maximum fee amount for the license is listed in another part of statute. Section 9 also authorizes the commission to establish by rule a special licensing program for young adult hunters and anglers and requires that, if the commission establishes such a licensing program by rule, the commission must define "young adult" in a manner that does not include adults 26 years of age or older.

**Section 10** changes the name of the wildlife management public education advisory council to the wildlife council.

**Section 11** requires the division to prepare reports on the status of certain license fee increases that the commission is authorized to promulgate pursuant to the bill and nonconsumptive users' use of division-managed land, and to present the reports to the agriculture committees in the house of representatives and the senate.

**Section 12** increases the fine imposed against a person who violates a wildlife statute or rule that does not have a specific penalty listed for the violation from \$50 to \$100.

**Section 13** raises the penalty for a number of wildlife-license-related offenses to an amount equal to twice the cost of

the most expensive license for the species. Section 13 also clarifies that engaging in conduct that requires a license without a license is a violation subject to an assessment of 10 license suspension points and a fine amount equal to twice the cost of the most expensive license issued for the activity that the person unlawfully engaged in without the requisite license; except that a violation based on fishing without a license is subject to a \$125 fine and an assessment of 10 license suspension points.

**Section 23** requires a person to purchase an aquatic nuisance species sticker to operate or use a vessel on the waters of the state or possess a vessel at a vessel staging area. The fees collected on the sale of aquatic nuisance species stickers are credited to the division of parks and wildlife aquatic nuisance species fund to help fund inspections of vessels and associated conveyances for the presence of aquatic nuisance species, decontamination of vessels or conveyances with the presence of aquatic nuisance species, lake monitoring for the presence of aquatic nuisance species, and outreach efforts.

Under current law, "pass" or "registration" is defined as a document issued by the division authorizing the use of land or water under the division's control. **Section 16** adds "sticker" to the definition to encompass the aquatic nuisance species sticker created in section 23.

**Section 19** establishes that a violation of the requirement to obtain an aquatic nuisance species sticker is a class 2 petty offense, punishable by a fine equal to twice the cost of a nonresident motorboat or sailboat aquatic nuisance species sticker.

**Section 20** repeals the division of wildlife aquatic nuisance species fund and renames the division of parks and outdoor recreation aquatic nuisance species fund as the division of parks and wildlife aquatic nuisance species fund, combining the 2 existing funds into one fund. **Sections 5 and 26** make conforming amendments regarding the combining of the 2 funds into one renamed fund.

**Section 21** removes the \$5 cap on the fee that the division may charge a person for replacement of a lost or destroyed pass or registration. The fee is set at 50% of the cost of the original pass or registration.

**Section 22** defines "nonmotorboat".

**Section 24** changes the penalty for a violation of statutes and rules concerning parks and recreation for which a specific penalty is not listed from a class 2 petty offense to a misdemeanor and raises the fine from \$50 to \$100.

**Section 25** establishes that engaging in conduct that requires a permit, pass, or sticker issued by the division without a permit, pass, or sticker is a violation subject to a fine amount equal to twice the cost of the most expensive permit, pass, or sticker issued for the activity that the person unlawfully engaged in without the requisite permit, pass, or sticker.

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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 hereby finds and determines that:

4 (a) The people of Colorado value and seek to preserve the state's  
5 unique wildlife, park, recreational, and water resources;

6 (b) Outdoor recreation significantly impacts Colorado's economy,  
7 including the following total economic benefits: \$919 million from  
8 hunting; \$1.9 billion from fishing; \$2.3 billion from wildlife viewing; and  
9 \$1 billion from state park visitors;

10 (c) The division of parks and wildlife and the parks and wildlife  
11 commission require additional funding from user fees to ensure the  
12 agency's financial sustainability and to maintain its current operations and  
13 services; and

14 (d) As an enterprise agency, the division and commission have  
15 identified goals and objectives that can only be achieved with increased  
16 funding from user fees, including:

17 (I) Enhancing access and services on public and private lands for  
18 sportsmen and women and for nonconsumptive users;

19 (II) Increasing youth and adult hunter and angler recruitment  
20 through education and outreach programs;

21 (III) Increasing big game populations through habitat  
22 improvement programs;

23 (IV) Preventing the listing of state trust species under the federal  
24 "Endangered Species Act of 1973", 16 U.S.C. sec. 1531 et seq., as  
25 amended, through species distribution and abundance monitoring, disease  
26 prevention, and partnerships with private landowners;

1 (V) Reducing renovation and maintenance backlogs for fish  
2 hatcheries and the more than one hundred dams owned and operated by  
3 the division;

4 (VI) Implementing law enforcement program upgrades, including  
5 upgrades to equipment and to new communications technologies, to  
6 maintain compatibility with other law enforcement agencies;

7 (VII) Recruiting and retaining qualified employees to manage  
8 wildlife, park, recreational, and aquatic resources;

9 (VIII) Maintaining park infrastructure under the pressure of  
10 increasing visitation; and

11 (IX) Ensuring that Colorado's lakes and reservoirs remain free of  
12 aquatic nuisance species and open to recreation by providing a stable,  
13 annual funding source for boat inspection stations.

14 (2) The general assembly therefore determines and declares that  
15 statutes affecting the division's and commission's financial sustainability  
16 should be updated to afford them additional financial resources to reach  
17 and maintain their identified goals and objectives.

18 **SECTION 2.** In Colorado Revised Statutes, 33-1-102, **amend** the  
19 introductory portion and (27) as follows:

20 **33-1-102. Definitions.** As used in this ~~title~~ TITLE 33, unless the  
21 context otherwise requires:

22 (27) "License" means a permit, stamp, card, certificate, tag, seal,  
23 VOUCHER, PREFERENCE POINT, or other document provided for by statute  
24 or commission rule ~~or regulation~~ and issued or required by the division  
25 authorizing the hunting, fishing, trapping, taking, transportation, or  
26 possession of wildlife or other activity for which express authorization is  
27 required by articles 1 to 6 of this ~~title~~ TITLE 33.

1           **SECTION 3.** In Colorado Revised Statutes, 33-1-105, **amend**  
2 (1)(f)(I)(A) and (2) as follows:

3           **33-1-105. Powers of commission.** (1) The commission has  
4 power to:

5           (f) (I) Receive and expend:

6           (A) Grants, gifts, SPONSORSHIPS, CONTRIBUTIONS, DONATIONS,  
7 and bequests, including federal ~~moneys~~ MONEY, made available for the  
8 purposes for which the commission is authorized; and

9           (2) Nothing in articles 1 to 6 of this ~~title shall be construed as~~  
10 ~~authorizing~~ TITLE 33 AUTHORIZES the commission to change any penalty  
11 prescribed by law for ~~the~~ A violation of ~~the provisions~~ ANY PROVISION of  
12 articles 1 to 6 of this ~~title or to change the amount of any license fee~~  
13 ~~established by statute~~ TITLE 33.

14           **SECTION 4.** In Colorado Revised Statutes, 33-1-105.5, **add** (11)  
15 as follows:

16           **33-1-105.5. Acquisition of property - procedure.** (11) THE  
17 COMMISSION SHALL NOT USE REVENUE GENERATED FROM ANY INCREASED  
18 LICENSE FEE AMOUNTS AUTHORIZED BY HOUSE BILL 17-\_\_\_, ENACTED IN  
19 2017, FOR THE PURCHASE OF ANY FEE TITLE INTEREST IN REAL PROPERTY,  
20 INCLUDING WATER.

21           **SECTION 5.** In Colorado Revised Statutes, 33-1-112, **amend**  
22 (3.5)(a) and (3.5)(b); and **repeal** (1)(b) as follows:

23           **33-1-112. Funds - cost accounting - definition - repeal.**  
24 (1) (b) ~~For the fiscal year commencing July 1, 2008, there shall be~~  
25 ~~transferred one million two hundred fifty thousand dollars from the~~  
26 ~~wildlife cash fund to the division of wildlife aquatic nuisance species~~  
27 ~~fund, created in section 33-10.5-108.~~

1 (3.5) (a) There is hereby created the wildlife management public  
2 education fund. ~~Moneys~~ MONEY in ~~such~~ THE fund ~~shall consist~~ CONSISTS  
3 of the surcharge authorized by section 33-4-102 (8.5), ~~such moneys as~~  
4 ANY MONEY the general assembly allocates to the fund, and ~~moneys~~  
5 MONEY collected from gifts, donations, contributions, bequests, grants,  
6 and funds or reimbursements made from other sources to the wildlife  
7 ~~management public education advisory~~ council created in section  
8 33-4-120.

9 (b) ~~Moneys~~ MONEY in the wildlife management public education  
10 fund ~~shall be~~ IS subject to annual appropriation and shall be used by the  
11 wildlife ~~management public education advisory~~ council for carrying out  
12 its duties as set forth in section 33-4-120, including ~~but not limited to~~, the  
13 reasonable and necessary expenses incurred by council members in  
14 fulfilling their duties, as approved by the director.

15 **SECTION 6.** In Colorado Revised Statutes, 33-1-112.5, **amend**  
16 (2)(a), (2)(b), and (2)(c)(II) as follows:

17 **33-1-112.5. Search and rescue fund.** (2) (a) A NONREFUNDABLE  
18 surcharge of twenty-five cents shall be assessed on each license listed in  
19 section 33-4-102 (1) and (1.4) that is sold by the division or one of its  
20 license agents pursuant to section 33-4-101. Receipts and interest from  
21 the surcharge shall be deposited in the search and rescue fund created in  
22 subsection (1) of this section.

23 (b) A NONREFUNDABLE surcharge of twenty-five cents shall be  
24 assessed on each vessel, each snowmobile, and each off-highway vehicle  
25 registration that is sold by the division or one of its agents pursuant to  
26 section 33-13-103, 33-14-102, or 33-14.5-102. Receipts and interest from  
27 the surcharge shall be deposited in the search and rescue fund created in

1 subsection (1) of this section. To coincide with annual registration  
2 renewal schedules, the surcharge shall be assessed on an annual basis  
3 beginning on October 1, 1992, for snowmobile registrations, January 1,  
4 1993, for vessel registrations, and April 1, 1993, for off-highway vehicle  
5 registrations.

6 (c) (II) The Colorado outdoor recreation search and rescue card  
7 ~~shall cost~~ COSTS three dollars, ~~and shall be~~ IS valid for one year from the  
8 date of purchase, AND IS NONREFUNDABLE. The department shall charge  
9 vendors two dollars for each Colorado outdoor recreation search and  
10 rescue card, which shall be transmitted to the state treasurer, who shall  
11 credit the amount to the search and rescue fund created in subsection (1)  
12 of this section. The VENDOR SHALL RETAIN THE remaining one dollar ~~shall~~  
13 ~~be retained by the vendor~~ as the vendor's fee.

14 **SECTION 7.** In Colorado Revised Statutes, 33-4-102, **amend** (1),  
15 (1.4), (1.6), (2), (3), (8), (8.5)(a), and (11); and **repeal** (1.8) and (14)(c)  
16 as follows:

17 **33-4-102. Types of licenses and fees - rules.** (1) Except as  
18 otherwise provided in subsection (1.6) of this section, the division ~~is~~  
19 ~~authorized to~~ MAY issue the following resident and nonresident licenses  
20 and shall collect the following fees, ~~therefor~~ AS ESTABLISHED BY RULE BY  
21 THE COMMISSION, FOR THE ISSUED LICENSES IN AMOUNTS NOT TO EXCEED  
22 THE FOLLOWING AMOUNTS:

	<b>Fees</b>	
	<b>Resident</b>	<b>Nonresident</b>
23		
24		
25	(a) to (p) Repealed.	
26	(q) <del>Bonus trout stamps</del>	\$11.00
27	(r) to (u) Repealed.	\$11.00



1	(v) 3-year possession/hunting		
2	raptor license	<del>\$100.00</del>	Not available
3		\$150.00	
4	(w) Annual possession/hunting		
5	raptor license	Not available	<del>\$55.00</del>
6			\$82.50
7	(x) Repealed.		
8	(y) Peregrine falcon		
9	capture license	<del>\$200.00</del>	Not available
10		\$300.00	

11 (1.4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.6) OF  
12 THIS SECTION, the division is ~~authorized to~~ MAY issue the following  
13 resident and nonresident licenses and shall collect ~~the following~~ fees,  
14 ~~therefor, except as otherwise provided pursuant to subsection (1.6) of this~~  
15 ~~section~~ AS ESTABLISHED BY RULE BY THE COMMISSION, FOR THE ISSUED  
16 LICENSES IN AMOUNTS NOT TO EXCEED THE FOLLOWING AMOUNTS:

		<b>Fees</b>	
		<b>Resident</b>	<b>Nonresident</b>
18			
19	(a) Extra rod stamp	<del>\$5.00</del>	<del>\$5.00</del>
20		\$7.50	\$7.50
21	(b) Fishing - 1 day	<del>8.00</del>	<del>8.00</del>
22		12.00	15.00
23	(c) Fishing - 5 days	Not available	<del>20.00</del>
24			32.00
25	(d) Fishing - annual	<del>25.00</del>	<del>55.00</del>
26		37.50	100.00
27	(e) Senior annual fishing	Free	Not available

1		18.75	
2	(f) Small game hunting	<del>20.00</del>	<del>55.00</del>
3		30.00	82.50
4	(g) Small game - 1 day	<del>10.00</del>	<del>10.00</del>
5		15.00	15.00
6	(h) Furbearer license	<del>25.00</del>	<del>200.00</del>
7		37.50	300.00
8	(i) (Deleted by amendment, L. 94, p. 1220, § 3, effective May 22,		
9	1994.)		
10	(j) Turkey, fall	<del>15.00</del>	<del>100.00</del>
11		22.50	150.00
12	(j.3) Turkey, spring	<del>20.00</del>	<del>100.00</del>
13		30.00	150.00
14	(j.6) Turkey (youth)	<del>10.00</del>	<del>75.00</del>
15		15.00	112.50
16	(k) Combination fishing and		
17	small game hunting	<del>40.00</del>	Not available
18		60.00	
19	(l) Pronghorn	<del>30.00</del>	270.00
20		45.00	
21	(m) Bear, fall	<del>40.00</del>	450.00
22		60.00	
23	(n) Repealed.		
24	(o) Deer	<del>30.00</del>	270.00
25		45.00	
26	(p) Elk	<del>45.00</del>	450.00
27		67.50	

1	(q) Mountain goat	<del>250.00</del>	1,500.00
2		375.00	
3	(r) Moose	<del>250.00</del>	1,500.00
4		375.00	
5	(s) Mountain lion	<del>40.00</del>	450.00
6		60.00	
7	(t) Rocky mountain bighorn		
8	sheep	<del>250.00</del>	1,500.00
9		375.00	
10	(u) Desert bighorn sheep	<del>250.00</del>	1,000.00
11		375.00	
12	(v) (I) Resident low-income		
13	senior lifetime fishing	Free	Not available
14	(II) (Deleted by amendment, L. 97, p. 766, § 1, effective May 1,		
15	1997.)		
16	(w) Youth big game (deer,		
17	elk, pronghorn)	<del>10.00 each</del>	100.00 each
18		15.00 each	
19	(x) Youth small game hunting	<del>1.00</del>	<del>1.00</del>
20		1.50	1.50
21	(y) Repealed.		
22	(z) Colorado wildlife habitat		
23	stamp, purchased in		
24	conjunction with the		
25	purchase of a hunting		
26	or fishing license	<del>10.00</del>	<del>10.00</del>
27		15.00	15.00

1	(aa) "Lifetime" Colorado		
2	wildlife habitat stamp	300.00	300.00
3		450.00	450.00
4	(bb) MIGRATORY WATERFOWL		
5	STAMP	10.00	10.00

6 (1.6) (a) By promulgation of appropriate rule, the commission  
7 may, from time to time, ~~authorize the issuance of any of the licenses~~  
8 ~~provided for in this section for~~ REDUCE a fee ~~less than that~~ specified in  
9 this section and may, by promulgation of appropriate rule, later raise ~~such~~  
10 THE license fee up to AN AMOUNT NOT TO EXCEED the statutory limit,  
11 when, in the judgment of the commission, one of the following conditions  
12 applies:

13 (I) When the commission determines that it would be beneficial  
14 to issue ~~such~~ THE license in conjunction with another type of license and  
15 creates a combination license;

16 (II) When the commission determines it is proper for management  
17 of the division or otherwise beneficial to the management of state wildlife  
18 resources. Licenses so discounted may be limited to certain geographic  
19 areas, by sex, or as otherwise deemed appropriate by the commission.

20 (III) When the commission determines that an activity is regulated  
21 at both the state and federal levels and that issuance of a multi-year state  
22 license or collection of a reduced state annual license fee, or both, would  
23 help to coordinate ~~such~~ state and federal regulation and reflect the  
24 administrative cost savings realized through ~~such~~ coordination.

25 (IV) ~~When the commission determines pursuant to section~~  
26 ~~24-75-402 (3), C.R.S., that a reduction in the amount of the fee is~~  
27 ~~necessary to reduce the uncommitted reserves of the fund to which all or~~

1 any portion of the fee is credited. After the uncommitted reserves of the  
2 cash fund are sufficiently reduced, the commission by rule or as otherwise  
3 provided by law may increase the amount of the fee as provided in section  
4 ~~24-75-402 (4), C.R.S.~~

5 (b) ~~The nonresident big game fees~~ IF A FEE described in subsection  
6 ~~(1.4) of this section shall annually be adjusted in accordance with~~  
7 ARTICLES 1 TO 6 OF THIS TITLE 33 IS SET AT THE MAXIMUM FEE AMOUNT  
8 AUTHORIZED IN ARTICLES 1 TO 6 OF THIS TITLE 33, THEN THE COMMISSION  
9 MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE AMOUNT  
10 REFLECTED BY THE changes in the United States bureau of labor statistics  
11 consumer price index for the Denver-Boulder-Greeley consolidated  
12 metropolitan statistical area for all urban consumers and all goods or its  
13 successor index. ~~Such~~ THE adjustment ~~shall~~ IS not be effective until the  
14 commission notifies the joint budget committee of ~~such~~ THE adjustment.  
15 THE ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE MAXIMUM FEE  
16 AMOUNTS ALLOWED FOR FEES SET IN ACCORDANCE WITH ARTICLES 1 TO  
17 6 OF THIS TITLE 33.

18 (c) Repealed.

19 (1.8) ~~Any moneys realized as a result of the fee increases related~~  
20 ~~to fishing specified in subsection (1.4) of this section shall be allocated~~  
21 ~~for use in the fisheries and hatcheries presently operated by the division.~~

22 (2) Except as otherwise provided in subsection (1.6) of this  
23 section, the division ~~is authorized to~~ MAY issue the following special  
24 licenses and shall collect ~~the following~~ fees, ~~therefor~~ AS ESTABLISHED BY  
25 RULE BY THE COMMISSION, FOR THE ISSUED LICENSES IN AMOUNTS NOT TO  
26 EXCEED THE FOLLOWING AMOUNTS:

27 **Fees**

- 1 (a) Scientific collecting license for the collection of wildlife
- 2 species outside of established seasons and bag limits . ~~\$ 20.00~~ \$ 30.00
- 3 (b) Importation license, issued for the purpose of importing
- 4 wildlife into the state . . . . . ~~50.00~~ 75.00
- 5 (c) Field trial license . . . . . ~~15.00~~ 22.50
- 6 (d) Commercial lake license, issued for the operation of privately
- 7 owned lakes for purposes of charging customers to fish; no live fish or
- 8 viable gametes may be sold or transported from the premises
- 9 . . . . . ~~150.00~~ 225.00
- 10 (e) Private lake license, issued for the operation of privately
- 11 owned lakes for the purpose of fishing when no fee is charged; no fish or
- 12 gametes may be sold or live fish or viable gametes transported from the
- 13 premises . . . . . ~~10.00~~ 15.00
- 14 (f) Commercial wildlife park license, issued for the operation of
- 15 privately owned wildlife parks and for related buying, selling, or trading
- 16 of lawfully acquired wildlife or for charging customers to hunt ~~on such~~
- 17 ~~a~~ AT THE park . . . . . ~~100.00~~ 150.00
- 18 (g) Noncommercial park license, issued to persons who wish to
- 19 keep lawfully acquired native birds except raptors as pets ~~20.00~~ 30.00
- 20 (h) (Deleted by amendment, L. 91, p. 199, § 4, effective June 7,
- 21 1991.)
- 22 (i) Wildlife sanctuary license . . . . . ~~100.00~~ 150.00
- 23 (3) Any license issued by the division for which a fee is not
- 24 provided in subsection (1), (1.4), or (2) of this section ~~shall not~~ CANNOT
- 25 exceed ~~forty~~ ONE HUNDRED dollars.
- 26 (8) (a) In the event of the loss, theft, or destruction of a small
- 27 game, fishing, furbearer, or combination small game and fishing license,

1 the person to whom the license was issued may purchase a new license  
2 from any license agency or may obtain a duplicate license from the  
3 division upon payment of a fee ~~not to exceed five dollars, to be~~  
4 ~~established by the commission by rule and regulation~~ OF FIFTY PERCENT  
5 OF THE COST OF THE ORIGINAL LICENSE and completion of an affidavit as  
6 set forth below.

7 (b) In the event of the loss, theft, or destruction of any other  
8 license issued by the division, the person to whom the license was issued  
9 may receive a duplicate license from the division upon payment of a fee  
10 of fifty percent of the cost of the original license, not to exceed  
11 ~~twenty-five~~ TWO HUNDRED dollars, and completion of an affidavit stating  
12 where and by whom ~~said~~ THE license was issued and the circumstances  
13 under which ~~said~~ THE license was lost, stolen, or destroyed. In the event  
14 the division determines that the original license has been lost or destroyed  
15 in the mail, the person to whom the license was issued may obtain a  
16 duplicate license from the division without charge by submitting to the  
17 division a signed affidavit stating that ~~such~~ THE license was never  
18 received.

19 (8.5) (a) (I) Except for the annual Colorado wildlife habitat stamp,  
20 ~~and~~ the lifetime Colorado wildlife stamp, AND THE YOUTH SMALL GAME  
21 HUNTING LICENSE, THE COMMISSION SHALL, BY RULE, ASSESS a surcharge  
22 ~~of seventy-five~~ IN AN AMOUNT NOT TO EXCEED ONE DOLLAR AND FIFTY  
23 cents ~~shall be assessed~~ on each license listed in subsection (1.4) of this  
24 section that is sold by the division or one of its license agents pursuant to  
25 section 33-4-101. Revenues derived from the assessment of ~~such~~ THE  
26 surcharge, together with any interest earned ~~thereon~~ ON THE REVENUES  
27 DERIVED, shall be deposited ~~in~~ INTO the wildlife management public

1 education fund created in section 33-1-112 (3.5)(a).

2 (II) IF THE SURCHARGE DESCRIBED IN SUBSECTION (8.5)(a)(I) OF  
3 THIS SECTION IS SET AT THE MAXIMUM SURCHARGE AMOUNT AUTHORIZED  
4 IN SUBSECTION (8.5)(a)(I) OF THIS SECTION, THEN THE COMMISSION MAY,  
5 BY RULE, ADJUST THE SURCHARGE BY AN AMOUNT UP TO THE AMOUNT  
6 REFLECTED BY THE CHANGES IN THE UNITED STATES BUREAU OF LABOR  
7 STATISTICS CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY  
8 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN  
9 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX. THE ADJUSTMENT  
10 IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET  
11 COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE  
12 COUNTED TOWARD THE MAXIMUM SURCHARGE AMOUNT ALLOWED IN THIS  
13 SUBSECTION (8.5).

14 (11) With respect to licenses ~~which~~ THAT are issued in limited  
15 numbers for the taking of game wildlife, the division ~~is authorized to~~ MAY  
16 collect from each license applicant a nonrefundable processing fee not to  
17 exceed ~~three~~ TWENTY dollars, WHICH FEE THE COMMISSION SHALL  
18 ESTABLISH BY RULE.

19 (14) (c) ~~The annual fee for a license for a wildlife sanctuary shall~~  
20 ~~not exceed one hundred dollars.~~

21 **SECTION 8.** In Colorado Revised Statutes, 33-4-102.5, **amend**  
22 (3) as follows:

23 **33-4-102.5. Issuance of migratory waterfowl stamp -**  
24 **prohibition against hunting without stamp.** (3) (a) ~~The fee for each~~  
25 ~~stamp shall be five dollars, and The stamp shall remain~~ REMAINS valid  
26 through the last day of June following its issuance. ~~Each stamp shall be~~  
27 ~~validated by the signature of the licensee written across the face of the~~



1 stamp.

2 (b) Notwithstanding the amount specified for the fee in paragraph  
3 (a) of this subsection (3), the commission by rule or as otherwise provided  
4 by law may reduce the amount of the fee if necessary pursuant to section  
5 24-75-402 (3), C.R.S., to reduce the uncommitted reserves of the fund to  
6 which all or any portion of the fee is credited. After the uncommitted  
7 reserves of the fund are sufficiently reduced, the commission by rule or  
8 as otherwise provided by law may increase the amount of the fee as  
9 provided in section 24-75-402 (4), C.R.S. THE DIVISION MAY GRANT UP  
10 TO TWENTY-FIVE PERCENT OF THE FUNDS DERIVED FROM THE SALE OF  
11 STATE MIGRATORY WATERFOWL STAMPS TO APPROPRIATE NONPROFIT  
12 ORGANIZATIONS FOR IMPLEMENTATION OF THE NORTH AMERICAN  
13 WATERFOWL MANAGEMENT PLAN. THE NONPROFIT ORGANIZATIONS SHALL  
14 USE THE FUNDS FOR THE DEVELOPMENT OF WATERFOWL PROPAGATION  
15 AREAS WITHIN THE DOMINION OF CANADA OR THE UNITED STATES THAT  
16 SPECIFICALLY PROVIDE WATERFOWL FOR THE CENTRAL FLYWAY, PACIFIC  
17 FLYWAY, OR BOTH.

18 **SECTION 9.** In Colorado Revised Statutes, 33-4-117, **amend** (1);  
19 and **add** (7) as follows:

20 **33-4-117. Youth licenses - terminally ill hunters - special**  
21 **restrictions and privileges - rules.** (1) A person under the age of  
22 eighteen years may obtain a youth small game hunting license, issued  
23 pursuant to section 33-4-102 (1.4)(x), ~~for a fee of one dollar~~ upon  
24 showing a hunter education certificate as required by section 33-6-107  
25 (8). The ~~one-dollar~~ fee FOR THE LICENSE, AS ESTABLISHED IN SECTION  
26 33-4-102 (1.4)(x), includes the search and rescue fund surcharge imposed  
27 under section 33-1-112.5 (2)(a).

1           (7) THE COMMISSION MAY ESTABLISH BY RULE A SPECIAL  
2 LICENSING PROGRAM FOR YOUNG ADULT HUNTERS AND ANGLERS. IF THE  
3 COMMISSION ESTABLISHES A SPECIAL LICENSING PROGRAM, THE  
4 COMMISSION SHALL DEFINE "YOUNG ADULT" BY RULE, BUT SHALL NOT  
5 DEFINE "YOUNG ADULT" IN A MANNER THAT INCLUDES ADULTS  
6 TWENTY-SIX YEARS OF AGE OR OLDER.

7           **SECTION 10.** In Colorado Revised Statutes, 33-4-120, **amend**  
8 (1)(a) as follows:

9           **33-4-120. Wildlife council - creation.** (1) (a) The director of the  
10 division shall appoint nine individuals, at least three of ~~which~~ WHOM are  
11 from the western slope, to act as the wildlife ~~management-public~~  
12 ~~education advisory~~ council, referred to in this section as the "council".  
13 The council ~~shall have~~ HAS statewide responsibility and authority.

14           **SECTION 11.** In Colorado Revised Statutes, **add** 33-4-121 as  
15 follows:

16           **33-4-121. Reporting by division - license fee increases -**  
17 **division-managed lands - definitions - repeal.** (1) (a) (I) COMMENCING  
18 ON OR BEFORE SEPTEMBER 1, 2018, AND ON OR BEFORE SEPTEMBER 1 OF  
19 EACH YEAR THEREAFTER, THE DIVISION SHALL PREPARE A WRITTEN  
20 REPORT ON:

21           (A) THE STATUS OF ANY LICENSE FEE INCREASES PROMULGATED  
22 BY THE COMMISSION AFTER THE EFFECTIVE DATE OF THIS SECTION;

23           (B) THE IMPACT THAT THOSE INCREASED FEES HAVE HAD ON THE  
24 TOTAL NUMBER OF SALES OF UNLIMITED LICENSES; AND

25           (C) AN ACCOUNTING OF PROGRAM EXPENDITURES MADE WITH THE  
26 INCREASED FEES AND THE IMPACT OF THOSE EXPENDITURES.

27           (II) THE DIVISION SHALL MAKE THE WRITTEN REPORTS AVAILABLE

1 TO THE PUBLIC AND SHALL SEND THE REPORTS TO THE AGRICULTURE,  
2 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF  
3 REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND  
4 ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

5 (b) ON OR BEFORE MARCH 1, 2020, THE DIVISION SHALL PRESENT  
6 ITS FINDINGS FROM, AND A SUMMARY OF, ITS MOST RECENT REPORT  
7 PREPARED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO A JOINT  
8 SESSION OF THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES  
9 COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE,  
10 NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE, OR THEIR  
11 SUCCESSOR COMMITTEES.

12 (2) (a) ON OR BEFORE DECEMBER 31, 2018, THE DIVISION SHALL  
13 PREPARE A WRITTEN REPORT ON:

14 (I) NONCONSUMPTIVE USERS' USE OF DIVISION-MANAGED LANDS;  
15 AND

16 (II) RECOMMENDATIONS ON HOW NONCONSUMPTIVE USERS COULD  
17 HELP COVER THE DIVISION'S COSTS FOR MAINTAINING THE LANDS,  
18 INCLUDING ANY LEGISLATIVE RECOMMENDATIONS.

19 (b) ON OR BEFORE MARCH 1, 2019, THE DIVISION SHALL PRESENT  
20 ITS FINDINGS AND A SUMMARY OF THE REPORT PREPARED PURSUANT TO  
21 SECTION (2)(a) OF THIS SECTION TO A JOINT SESSION OF THE AGRICULTURE,  
22 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF  
23 REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND  
24 ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

25 (3) AS USED IN THIS SECTION:

26 (a) "NONCONSUMPTIVE USER" MEANS AN INDIVIDUAL WHO  
27 ENGAGES IN RECREATIONAL OR EDUCATIONAL ACTIVITIES THAT DO NOT

1 INVOLVE THE TAKING OF WILDLIFE, AND INCLUDES HIKERS, MOUNTAIN  
2 BIKERS, AND WILDLIFE WATCHERS.

3 (b) "UNLIMITED LICENSE" MEANS A CATEGORY OF LICENSE THAT  
4 IS NOT SUBJECT TO ANY LIMITATION ON THE NUMBER OF LICENSE SALES  
5 THAT MAY BE MADE.

6 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

7 **SECTION 12.** In Colorado Revised Statutes, 33-6-104, **amend**  
8 (1) as follows:

9 **33-6-104. Imposition of penalty - procedures.** (1) Any person  
10 who violates any of the provisions of articles 1 to 6 of this ~~title~~ TITLE 33  
11 or any rule of the commission that does not have a specific penalty listed  
12 is guilty of a misdemeanor and, upon conviction thereof, shall be  
13 punished by a fine of ~~fifty~~ ONE HUNDRED dollars, a surcharge as described  
14 in section 24-33.5-415.6, ~~C.R.S.~~, and an assessment of five license  
15 suspension points.

16 **SECTION 13.** In Colorado Revised Statutes, 33-6-107, **amend**  
17 (1)(a), (5), and (6); and **add** (11) as follows:

18 **33-6-107. Licensing violations - penalties - rule.** (1) (a) Except  
19 as otherwise provided in articles 1 to 6 of this ~~title~~ TITLE 33 or by rule of  
20 the commission, a person shall not procure or use more than one license  
21 of a certain type in a calendar year. A person who violates this subsection  
22 (1) is guilty of a misdemeanor and, upon conviction thereof, shall, with  
23 respect to wildlife other than big game, be punished by a fine of ~~fifty~~  
24 ~~dollars~~ EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE LICENSE FOR  
25 THE SPECIES and an assessment of ten license suspension points or shall,  
26 with respect to big game, be punished by a fine of ~~two hundred dollars~~  
27 EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE LICENSE FOR THE

1 SPECIES and an assessment of fifteen license suspension points.

2 (5) Any person who possesses live wildlife in this state and who  
3 is required by commission rule ~~or regulation~~ to have a license for ~~such~~  
4 possession OF LIVE WILDLIFE shall have the required license at the site  
5 where the wildlife is kept. Any person who violates this subsection (5) is  
6 guilty of a misdemeanor and, upon conviction thereof, shall be punished  
7 by a fine ~~of fifty dollars~~ EQUAL TO TWICE THE COST OF THE MOST  
8 EXPENSIVE LICENSE FOR SUCH POSSESSION and an assessment of ten  
9 license suspension points.

10 (6) A person sixteen years of age or ~~over~~ OLDER who fishes for or  
11 takes fish, amphibians, mollusks, or crustaceans in this state shall have a  
12 proper and valid fishing license on his or her person. Persons under  
13 sixteen years of age are not required to have a fishing license and shall be  
14 entitled to the full bag or possession limit set by the commission. A  
15 person who violates this subsection (6) is guilty of a misdemeanor and,  
16 upon conviction thereof, shall be punished by a fine of ~~fifty~~ ONE  
17 HUNDRED TWENTY-FIVE dollars and an assessment of ten license  
18 suspension points.

19 (11) A PERSON MUST HAVE A VALID LICENSE TO ENGAGE IN THE  
20 ACTIVITIES AUTHORIZED BY A LICENSE ISSUED PURSUANT TO ARTICLES 1  
21 TO 6 OF THIS TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT  
22 TO ARTICLES 1 TO 6 OF THIS TITLE 33. EXCEPT FOR A PERSON WHOSE  
23 VIOLATION IS PUNISHABLE UNDER SUBSECTION (6) OF THIS SECTION AND  
24 UNLESS SPECIFIED ELSEWHERE IN ARTICLES 1 TO 6 OF THIS TITLE 33, ANY  
25 PERSON WHO VIOLATES THIS SUBSECTION (11) IS GUILTY OF A  
26 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY:

27 (a) A FINE EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE

1 LICENSE ISSUED FOR THE ACTIVITY THAT THE PERSON UNLAWFULLY  
2 ENGAGED IN WITHOUT A LICENSE; AND

3 (b) AN ASSESSMENT OF TEN LICENSE SUSPENSION POINTS.

4 **SECTION 14.** In Colorado Revised Statutes, 33-9-102, **amend**  
5 (4)(b) as follows:

6 **33-9-102. Powers and duties of commission - rules.**

7 (4) (b) (I) The commission may, BY RULE, raise or lower park fees and  
8 charges described in ~~paragraph (a) of this subsection (4) if the~~  
9 ~~commission reasonably anticipates that the total annual revenues realized~~  
10 ~~from such fees and charges will not increase by more than twenty percent~~  
11 ~~over the annual amount earned from fees and charges as they existed on~~  
12 ~~July 1, 2011~~ THIS SUBSECTION (4)(b), BUT SHALL NOT RAISE PARK FEES  
13 AND CHARGES BY AN AMOUNT GREATER THAN FIFTY PERCENT OF THE FEES  
14 AND CHARGES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS  
15 SUBSECTION (4)(b), AS AMENDED.

16 (II) IF A PARK FEE OR CHARGE IS SET BY THE COMMISSION AT THE  
17 MAXIMUM FEE OR CHARGE AMOUNT AUTHORIZED IN SUBSECTION (4)(b)(I)  
18 OF THIS SECTION, THEN THE COMMISSION MAY, BY RULE, ADJUST THE PARK  
19 FEE OR CHARGE BY AN AMOUNT UP TO THE AMOUNT REFLECTED BY THE  
20 CHANGES IN THE UNITED STATES BUREAU OF LABOR STATISTICS  
21 CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY  
22 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN  
23 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX. THE ADJUSTMENT  
24 IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET  
25 COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE  
26 COUNTED TOWARD THE MAXIMUM FEE OR CHARGE AMOUNT ALLOWED  
27 PURSUANT TO SUBSECTION (4)(b)(I) OF THIS SECTION.

1           **SECTION 15.** In Colorado Revised Statutes, 33-10-101, **amend**  
2 (2)(d) as follows:

3           **33-10-101. Legislative declaration.** (2) In implementing the  
4 policy set forth in subsection (1) of this section, the state shall:

5           (d) (I) Charge a fee for required passes or permits for the use of  
6 any state park or state recreation area where appropriate supervision and  
7 maintenance is required and when certain facilities, as determined by the  
8 ~~parks and wildlife~~ commission, are maintained at any such area. THE  
9 COMMISSION MAY RAISE OR LOWER FEES FOR PASSES OR PERMITS, BUT  
10 SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER THAN FIFTY PERCENT  
11 OF THE FEES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS  
12 SUBSECTION (2)(d), AS AMENDED.

13           (II) IF A FEE FOR A PASS OR PERMIT IS SET BY THE COMMISSION AT  
14 THE MAXIMUM FEE AMOUNT AUTHORIZED IN ARTICLES 10 TO 15 OF THIS  
15 TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT TO ARTICLES  
16 10 TO 15 OF THIS TITLE 33, THEN THE COMMISSION MAY, BY RULE, ADJUST  
17 THE FEE BY AN AMOUNT UP TO THE AMOUNT REFLECTED BY THE CHANGES  
18 IN THE UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE  
19 INDEX FOR THE DENVER-BOULDER-GREELEY CONSOLIDATED  
20 METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS AND ALL  
21 GOODS OR ITS SUCCESSOR INDEX. THE ADJUSTMENT IS NOT EFFECTIVE  
22 UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET COMMITTEE OF THE  
23 ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE  
24 MAXIMUM FEE AMOUNTS ALLOWED PURSUANT TO ARTICLES 10 TO 15 OF  
25 THIS TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT TO  
26 ARTICLES 10 TO 15 OF THIS TITLE 33.

27           **SECTION 16.** In Colorado Revised Statutes, 33-10-102, **amend**

1 the introductory portion and (16) as follows:

2 **33-10-102. Definitions.** As used in articles 10 to 15 of this title  
3 TITLE 33, unless the context otherwise requires:

4 (16) "Pass", ~~or~~ "registration", OR "STICKER" means a document  
5 issued by the division authorizing the use of land, ~~and~~ water, OR BOTH,  
6 under the control of the division or the use of vessels or snowmobiles  
7 within this state. The term "pass" ~~shall include~~ INCLUDES a permit or card,  
8 and the term "registration" ~~shall include~~ INCLUDES decals issued by the  
9 division.

10 **SECTION 17.** In Colorado Revised Statutes, 33-10-107, **amend**  
11 (1)(e)(I)(A) as follows:

12 **33-10-107. Powers of commission - rules - definitions.** (1) The  
13 commission has power to:

14 (e) (I) Receive and expend:

15 (A) Grants, gifts, SPONSORSHIPS, DONATIONS, and bequests,  
16 including federal ~~moneys~~ MONEY, made available for the purposes for  
17 which the commission is authorized; and

18 **SECTION 18.** In Colorado Revised Statutes, 33-10-111, **amend**  
19 (5)(a) introductory portion; and **repeal** (5)(c) as follows:

20 **33-10-111. Parks and outdoor recreation cash fund - parks for**  
21 **future generations trust fund - created - fees - accounting**  
22 **expenditures for roads and highways - definition.** (5) (a) Subject to  
23 this subsection (5), the commission may set fees by rule for the use of  
24 facilities and programs of the division, including discounts for marketing  
25 purposes. THE COMMISSION MAY RAISE OR LOWER FEES FOR FACILITIES  
26 AND PROGRAMS, BUT SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER  
27 THAN FIFTY PERCENT OF THE FEES AS THEY EXISTED ON THE EFFECTIVE



1 DATE OF THIS SUBSECTION (5)(a), AS AMENDED. IF A FEE FOR A FACILITY  
2 OR PROGRAM IS SET BY THE COMMISSION AT THE MAXIMUM FEE AMOUNT  
3 AUTHORIZED PURSUANT TO THIS SUBSECTION (5)(a), THEN THE  
4 COMMISSION MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE  
5 AMOUNT REFLECTED BY THE CHANGES IN THE UNITED STATES BUREAU OF  
6 LABOR STATISTICS CONSUMER PRICE INDEX FOR THE  
7 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL  
8 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR  
9 INDEX. THE ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION  
10 NOTIFIES THE JOINT BUDGET COMMITTEE OF THE ADJUSTMENT. THE  
11 ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE MAXIMUM FEE  
12 AMOUNTS ALLOWED UNDER THIS SUBSECTION (5)(a). The commission  
13 shall:

14 (c) ~~This subsection (5) is repealed, effective September 1, 2017.~~

15 **SECTION 19.** In Colorado Revised Statutes, 33-10.5-105, **add**  
16 (3) as follows:

17 **33-10.5-105. Prohibition of aquatic nuisance species -**  
18 **penalties.** (3) A PERSON WHO VIOLATES SECTION 33-13-103 (6) IS GUILTY  
19 OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED  
20 BY A FINE EQUAL TO TWICE THE COST OF THE FEE FOR A NONRESIDENT  
21 MOTORBOAT OR SAILBOAT AQUATIC NUISANCE SPECIES STICKER, WHICH  
22 FEE IS SET FORTH IN SECTION 33-13-103 (6)(c).

23 **SECTION 20.** In Colorado Revised Statutes, **amend** 33-10.5-108  
24 as follows:

25 **33-10.5-108. Division of parks and wildlife aquatic nuisance**  
26 **species fund - creation - repeal.** (1) (a) (I) There is hereby created in the  
27 state treasury the division of parks and ~~outdoor recreation~~ WILDLIFE

1 aquatic nuisance species fund, ALSO REFERRED TO IN THIS SECTION AS THE  
2 "FUND", which shall be administered by the division. ~~of parks and wildlife~~  
3 ~~in the department of natural resources and shall consist~~ THE FUND  
4 CONSISTS of all ~~moneys~~ MONEY transferred by the STATE treasurer as  
5 specified in ~~section~~ SECTIONS 39-29-109.3 (2)(m) ~~C.R.S.~~ AND 33-13-103  
6 (6). All ~~moneys~~ MONEY in the fund ~~are~~ IS continuously appropriated to the  
7 division ~~of parks and wildlife~~ for the purpose of implementing the  
8 ~~provisions of this article~~ THIS ARTICLE 10.5. All ~~moneys~~ MONEY in the  
9 fund at the end of each fiscal year ~~shall remain~~ REMAINS in the fund and  
10 ~~shall~~ DOES not revert to the general fund or any other fund.

11 (II) ON THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), THE  
12 STATE TREASURER SHALL TRANSFER THE UNOBLIGATED BALANCE OF THE  
13 DIVISION OF WILDLIFE AQUATIC NUISANCE SPECIES FUND, AS IT EXISTED  
14 PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), TO THE  
15 FUND. THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE JULY 1, 2018.

16 (b) In the use of ~~such moneys~~ THE MONEY IN THE FUND, priority  
17 shall be given to containment and eradication of aquatic nuisance species  
18 in the waters of the state in which ~~such~~ AQUATIC NUISANCE species have  
19 been detected and prevention of the introduction of AQUATIC nuisance  
20 species in areas determined to be most vulnerable to such an introduction.

21 (2) (a) ~~There is hereby created in the state treasury the division of~~  
22 ~~wildlife aquatic nuisance species fund, which shall be administered by the~~  
23 ~~division of parks and wildlife in the department of natural resources and~~  
24 ~~shall consist of all moneys transferred by the treasurer as specified in~~  
25 ~~sections 33-1-112 and 39-29-109.3 (2)(m), C.R.S. All moneys in the fund~~  
26 ~~are continuously appropriated to the division of parks and wildlife for the~~  
27 ~~purpose of implementing the provisions of this article. All moneys in the~~

1 fund at the end of each fiscal year shall remain in the fund and shall not  
2 revert to the general fund or any other fund.

3 ~~(b) In the use of such moneys, priority shall be given to~~  
4 ~~containment and eradication of aquatic nuisance species in the waters of~~  
5 ~~the state in which such species have been detected and prevention of the~~  
6 ~~introduction of nuisance species in areas determined to be most~~  
7 ~~vulnerable to such an introduction.~~

8 **SECTION 21.** In Colorado Revised Statutes, 33-12-101, **amend**  
9 (3) as follows:

10 **33-12-101. Passes and registrations - rules - definition.** (3) In  
11 the event of loss or destruction of a pass or registration, the person to  
12 whom the document was issued, upon payment of a fee of fifty percent  
13 of the cost of the original document, ~~but not to exceed five dollars~~, may  
14 obtain a replacement pass or registration by signing an affidavit stating  
15 where and by whom ~~said~~ THE document was issued and the circumstances  
16 under which the document was lost or destroyed. If the division  
17 determines that a pass or registration has been lost or destroyed in the  
18 mail, the person to whom the document was issued may obtain a  
19 replacement pass or registration without charge by signing an affidavit  
20 stating that ~~such~~ THE document was never received. The division shall  
21 supply agents selling ~~such~~ documents with affidavit forms for obtaining  
22 a replacement pass or registration.

23 **SECTION 22.** In Colorado Revised Statutes, 33-13-102, **amend**  
24 the introductory portion and (4); and **add** (1.5) and (4.5) as follows:

25 **33-13-102. Definitions.** As used in this ~~article~~ ARTICLE 13, unless  
26 the context otherwise requires:

27 (1.5) (a) "NONMOTORBOAT" MEANS A VESSEL THAT IS PROPELLED

1 BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR WIND IN ANY  
2 MANNER.

3 (b) "NONMOTORBOAT" DOES NOT INCLUDE:

4 (I) A STAND-UP PADDLEBOARD; OR

5 (II) A VESSEL THAT IS LESS THAN TEN FEET IN LENGTH AND IS  
6 PROPELLED BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR  
7 WIND IN ANY MANNER.

8 (4) "Sailboat" means any vessel propelled by the effect of wind on  
9 a sail. ~~including sailboards~~ EXCEPT AS PROVIDED IN SECTION 33-13-103  
10 (6)(f), "SAILBOAT" INCLUDES A SAILBOARD. For the purposes of this  
11 ~~article~~ ARTICLE 13, any vessel propelled by both sail and machinery of any  
12 sort shall be deemed a motorboat, when being so propelled.

13 (4.5) "STAND-UP PADDLEBOARD" MEANS A RIGID OR INFLATABLE  
14 BOARD THAT HAS A SIMILAR SHAPE TO A SURFBOARD AND ON WHICH THE  
15 OPERATOR STANDS UPRIGHT AND PROPELS THE BOARD USING A LONG  
16 PADDLE.

17 **SECTION 23.** In Colorado Revised Statutes, 33-13-103, **amend**  
18 (4); and **add** (6) as follows:

19 **33-13-103. Numbering of vessels required - rules - definitions.**

20 (4) (a) Any person who violates subsection (1) of this section is guilty of  
21 a class 2 petty offense and, upon conviction, shall be punished by a fine  
22 ~~of fifty dollars~~ EQUAL TO TWICE THE COST OF THE REGISTRATION FEE  
23 DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR THE TYPE OF VESSEL  
24 INVOLVED IN THE VIOLATION.

25 (b) ANY PERSON WHO VIOLATES SUBSECTION (6) OF THIS SECTION  
26 SHALL BE PUNISHED AS SET FORTH IN SECTION 33-10.5-105 (3).

27 (6) (a) COMMENCING ON JANUARY 1, 2018, IT IS UNLAWFUL FOR

1 ANY PERSON TO OPERATE OR USE A VESSEL TEN FEET OR MORE IN LENGTH  
2 ON THE WATERS OF THIS STATE OR TO POSSESS A VESSEL AT A VESSEL  
3 STAGING AREA UNLESS AN AQUATIC NUISANCE SPECIES STICKER HAS BEEN  
4 ISSUED FOR THE VESSEL AND PLACED ON THE VESSEL.

5 (b) AN AQUATIC NUISANCE SPECIES STICKER ISSUED PURSUANT TO  
6 THIS SUBSECTION (6) REMAINS VALID FOR A PERIOD ENDING ON DECEMBER  
7 31 OF THE YEAR OF ISSUANCE OF THE STICKER.

8 (c) (I) COMMENCING ON JANUARY 1, 2018, THE DIVISION MAY  
9 ISSUE THE FOLLOWING RESIDENT AND NONRESIDENT AQUATIC NUISANCE  
10 SPECIES STICKERS FOR VESSELS TEN FEET OR MORE IN LENGTH AND SHALL  
11 COLLECT FEES FOR THE STICKERS IN THE FOLLOWING AMOUNTS:

12	<b>TYPE OF VESSEL</b>	<b>FEE</b>
13	(A) RESIDENT, NONMOTORBOAT	\$15.00
14	(B) NONRESIDENT, NONMOTORBOAT	15.00
15	(C) RESIDENT, MOTORBOAT OR SAILBOAT	25.00
16	(D) NONRESIDENT, MOTORBOAT OR SAILBOAT	50.00

17 (II) THE STICKER FEES DESCRIBED IN SUBSECTION (6)(c)(I) OF THIS  
18 SECTION MAY, BY RULE, BE ADJUSTED BY AN AMOUNT UP TO THE AMOUNT  
19 REFLECTED BY THE CHANGES IN THE UNITED STATES BUREAU OF LABOR  
20 STATISTICS CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY  
21 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN  
22 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX. THE ADJUSTMENT  
23 IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET  
24 COMMITTEE OF THE ADJUSTMENT.

25 (d) ON OR BEFORE JANUARY 1, 2018, THE COMMISSION SHALL  
26 ESTABLISH BY RULE THE PRESCRIBED MANNER FOR DISPLAYING AN  
27 AQUATIC NUISANCE SPECIES STICKER ON A VESSEL. THE COMMISSION MAY

1 DEVELOP AN APPLICATION FORM AND PROCESS THAT COMBINES THE  
2 APPLICATIONS FOR REGISTRATION PURSUANT TO SUBSECTION (1) OF THIS  
3 SECTION AND FOR AN AQUATIC NUISANCE SPECIES STICKER PURSUANT TO  
4 THIS SUBSECTION (6).

5 (e) ALL FEES COLLECTED PURSUANT TO THIS SUBSECTION (6)  
6 SHALL BE TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT  
7 THE FEES TO THE DIVISION OF PARKS AND WILDLIFE AQUATIC NUISANCE  
8 SPECIES FUND CREATED IN SECTION 33-10.5-108 (1)(a)(I).

9 (f) AS USED IN THIS SUBSECTION (6):

10 (I) "AQUATIC NUISANCE SPECIES" HAS THE SAME MEANING AS SET  
11 FORTH IN SECTION 33-10.5-102 (1).

12 (II) "SAILBOAT" DOES NOT INCLUDE A SAILBOARD.

13 **SECTION 24.** In Colorado Revised Statutes, 33-15-102, **amend**  
14 (1) as follows:

15 **33-15-102. Imposition of penalty - procedures.** (1) Any person  
16 who violates any of the provisions of articles 10 to 15 or 32 of this ~~title~~  
17 TITLE 33 or any rule of the commission that does not have a specific  
18 penalty listed is guilty of a ~~class 2 petty offense~~ MISDEMEANOR and, upon  
19 conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

20 **SECTION 25.** In Colorado Revised Statutes, **add** 33-15-115 as  
21 follows:

22 **33-15-115. Fee violations - penalties - rules.** (1) A PERSON MUST  
23 HAVE A VALID PERMIT, PASS, OR STICKER TO ENGAGE IN AN ACTIVITY  
24 THAT:

25 (a) IS AUTHORIZED UNDER ARTICLES 10 TO 15 OF THIS TITLE 33 OR  
26 COMMISSION RULES PROMULGATED PURSUANT TO ARTICLES 10 TO 15 OF  
27 THIS TITLE 33; AND

1 (b) REQUIRES A SPECIFIC PERMIT, PASS, OR STICKER.

2 (2) ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
3 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE  
4 EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE PERMIT, PASS, OR  
5 STICKER ISSUED FOR THE ACTIVITY THAT THE PERSON UNLAWFULLY  
6 ENGAGED IN WITHOUT A PERMIT, PASS, OR STICKER.

7 **SECTION 26.** In Colorado Revised Statutes, 39-29-109.3,  
8 **amend** (2) introductory portion and (2)(m) as follows:

9 **39-29-109.3. Severance tax operational fund - repeal.**

10 (2) Subject to the requirements of subsections (3) and (4) of this section,  
11 if the general assembly chooses not to spend up to one hundred percent  
12 of the ~~moneys~~ MONEY in the operational fund as specified in subsection  
13 (1) of this section, the state treasurer shall transfer the following:

14 (m) For the mitigation of aquatic nuisance species as specified in  
15 article 10.5 of title 33: ~~C.R.S.:~~

16 (I) Repealed.

17 (II) For the state fiscal year commencing July 1, 2009, and every  
18 state fiscal year thereafter, four million six thousand five dollars ~~as~~  
19 ~~follows: Two million seven hundred one thousand four hundred sixty-one~~  
20 ~~dollars~~ to the division of parks and ~~outdoor recreation~~ WILDLIFE aquatic  
21 nuisance species fund created in section 33-10.5-108 (1). ~~C.R.S.;~~ and one  
22 million three hundred four thousand five hundred forty-four dollars to the  
23 ~~division of wildlife aquatic nuisance species fund created in section~~  
24 ~~33-10.5-108 (2), C.R.S.~~

25 **SECTION 27. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly (August

1 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2018 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.