INTRODUCED

LLS NO. 17-1088.01 Jennifer Berman x3286

HOUSE BILL 17-1321

HOUSE SPONSORSHIP

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

SENATE SPONSORSHIP

(None),

House Committees
Agriculture, Livestock, & Natural Resources

A BILL FOR AN ACT

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

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.
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and determines that:

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

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

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

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

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

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

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

(IV) Preventing the listing of state trust species under the federal "Endangered Species Act of 1973", 16 U.S.C. sec. 1531 et seq., as amended, through species distribution and abundance monitoring, disease prevention, and partnerships with private landowners;
Reducing renovation and maintenance backlogs for fish hatcheries and the more than one hundred dams owned and operated by the division;

Implementing law enforcement program upgrades, including upgrades to equipment and to new communications technologies, to maintain compatibility with other law enforcement agencies;

Recruiting and retaining qualified employees to manage wildlife, park, recreational, and aquatic resources;

Maintaining park infrastructure under the pressure of increasing visitation; and

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

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

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

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

(27) "License" means a permit, stamp, card, certificate, tag, seal, VOUCHER, PREFERENCE POINT, or other document provided for by statute or commission rule or regulation and issued or required by the division authorizing the hunting, fishing, trapping, taking, transportation, or possession of wildlife or other activity for which express authorization is required by articles 1 to 6 of this title TITLE 33.
SECTION 3. In Colorado Revised Statutes, 33-1-105, amend 
(1)(f)(I)(A) and (2) as follows:

33-1-105. Powers of commission. (1) The commission has 
power to:
   (f) (I) Receive and expend:
      (A) Grants, gifts, SPONSORSHIPS, CONTRIBUTIONS, DONATIONS, 
and bequests, including federal moneys MONEY, made available for the 
purposes for which the commission is authorized; and 
   (2) Nothing in articles 1 to 6 of this title shall be construed as 
authorizing TITLE 33 AUTHORIZES the commission to change any penalty 
prescribed by law for the violation of ANY PROVISION of 
articles 1 to 6 of this title or to change the amount of any license fee 
established by statute TITLE 33.

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

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

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

33-1-112. Funds - cost accounting - definition - repeal. 
(1) (b) For the fiscal year commencing July 1, 2008, there shall be 
transferred one million two hundred fifty thousand dollars from the 
wildlife cash fund to the division of wildlife aquatic nuisance species 
fund, created in section 33-10.5-108.
(3.5) (a) There is hereby created the wildlife management public education fund. Moneys in such the fund shall consist of the surcharge authorized by section 33-4-102 (8.5), such moneys as any money the general assembly allocates to the fund, and moneys collected from gifts, donations, contributions, bequests, grants, and funds or reimbursements made from other sources to the wildlife management public education advisory council created in section 33-4-120.

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

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

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

(b) A NONREFUNDABLE surcharge of twenty-five cents shall be assessed on each vessel, each snowmobile, and each off-highway vehicle registration that is sold by the division or one of its agents pursuant to section 33-13-103, 33-14-102, or 33-14.5-102. Receipts and interest from the surcharge shall be deposited in the search and rescue fund created in
subsection (1) of this section. To coincide with annual registration
renewal schedules, the surcharge shall be assessed on an annual basis
beginning on October 1, 1992, for snowmobile registrations, January 1,
1993, for vessel registrations, and April 1, 1993, for off-highway vehicle
registrations.

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

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

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

<table>
<thead>
<tr>
<th>Fees</th>
<th>Resident</th>
<th>Nonresident</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) to (p) Repealed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(q) Bonus trout stamps</td>
<td>$11.00</td>
<td>$11.00</td>
</tr>
<tr>
<td>(r) to (u) Repealed.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

HB17-1321
(v) 3-year possession/hunting raptor license $100.00 Not available

$150.00

(w) Annual possession/hunting raptor license Not available $55.00

$82.50

(x) Repealed.

(y) Peregrine falcon capture license $200.00 Not available

$300.00

(1.4) Except as otherwise provided in subsection (1.6) of this section, the division is authorized to issue the following resident and nonresident licenses and shall collect the following fees, therefor, except as otherwise provided pursuant to subsection (1.6) of this section as established by rule by the Commission, for the issued licenses in amounts not to exceed the following amounts:

<table>
<thead>
<tr>
<th>Fees</th>
<th>Resident</th>
<th>Nonresident</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Extra rod stamp</td>
<td>$5.00</td>
<td>$5.00</td>
</tr>
<tr>
<td></td>
<td>$7.50</td>
<td>$7.50</td>
</tr>
<tr>
<td>(b) Fishing - 1 day</td>
<td>8.00</td>
<td>8.00</td>
</tr>
<tr>
<td></td>
<td>12.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(c) Fishing - 5 days</td>
<td>Not available</td>
<td>20.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>32.00</td>
</tr>
<tr>
<td>(d) Fishing - annual</td>
<td>25.00</td>
<td>55.00</td>
</tr>
<tr>
<td></td>
<td>37.50</td>
<td>100.00</td>
</tr>
<tr>
<td>(e) Senior annual fishing</td>
<td>Free</td>
<td>Not available</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Price 1</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>2</td>
<td>(f) Small game hunting</td>
<td>20.00</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>30.00</td>
</tr>
<tr>
<td>4</td>
<td>(g) Small game - 1 day</td>
<td>10.00</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>15.00</td>
</tr>
<tr>
<td>6</td>
<td>(h) Furbearer license</td>
<td>25.00</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>37.50</td>
</tr>
<tr>
<td>8</td>
<td>(i) (Deleted by amendment, L. 94, p. 1220, § 3, effective May 22, 1994.)</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>(j) Turkey, fall</td>
<td>15.00</td>
</tr>
<tr>
<td>11</td>
<td></td>
<td>22.50</td>
</tr>
<tr>
<td>12</td>
<td>(j.3) Turkey, spring</td>
<td>20.00</td>
</tr>
<tr>
<td>13</td>
<td></td>
<td>30.00</td>
</tr>
<tr>
<td>14</td>
<td>(j.6) Turkey (youth)</td>
<td>10.00</td>
</tr>
<tr>
<td>15</td>
<td></td>
<td>15.00</td>
</tr>
<tr>
<td>16</td>
<td>(k) Combination fishing and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>small game hunting</td>
<td>40.00</td>
</tr>
<tr>
<td>18</td>
<td></td>
<td>60.00</td>
</tr>
<tr>
<td>19</td>
<td>(l) Pronghorn</td>
<td>30.00</td>
</tr>
<tr>
<td>20</td>
<td></td>
<td>45.00</td>
</tr>
<tr>
<td>21</td>
<td>(m) Bear, fall</td>
<td>40.00</td>
</tr>
<tr>
<td>22</td>
<td></td>
<td>60.00</td>
</tr>
<tr>
<td>23</td>
<td>(n) Repealed.</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>(o) Deer</td>
<td>30.00</td>
</tr>
<tr>
<td>25</td>
<td></td>
<td>45.00</td>
</tr>
<tr>
<td>26</td>
<td>(p) Elk</td>
<td>45.00</td>
</tr>
<tr>
<td>27</td>
<td></td>
<td>67.50</td>
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<tr>
<td></td>
<td>Description</td>
<td>Fee</td>
</tr>
<tr>
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<td>--------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>1</td>
<td>(q) Mountain goat</td>
<td>$250.00</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>(r) Moose</td>
<td>$250.00</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>(s) Mountain lion</td>
<td>$40.00</td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>(t) Rocky mountain bighorn sheep</td>
<td>$250.00</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>(u) Desert bighorn sheep</td>
<td>$250.00</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>(v) (I) Resident low-income</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Senior lifetime fishing</td>
<td>Free</td>
</tr>
<tr>
<td>13</td>
<td>(II) (Deleted by amendment, L. 97, p. 766, § 1, effective May 1, 1997.)</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(w) Youth big game (deer, elk, pronghorn)</td>
<td>$10.00 each</td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>(x) Youth small game hunting</td>
<td>$1.00</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>(y) Repealed</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>(z) Colorado wildlife habitat</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Stamp, purchased in conjunction with the purchase of a hunting license</td>
<td>$10.00</td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
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</tbody>
</table>
(aa) "Lifetime" Colorado

<table>
<thead>
<tr>
<th>Wildlife Habitat Stamp</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>300.00</td>
<td>300.00</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Migratory Waterfowl Stamp</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10.00</td>
<td>10.00</td>
</tr>
</tbody>
</table>

(1.6) (a) By promulgation of appropriate rule, the commission may, from time to time, authorize the issuance of any of the licenses provided for in this section for a fee less than that specified in this section and may, by promulgation of appropriate rule, later raise such license fee up to an amount not to exceed the statutory limit, when, in the judgment of the commission, one of the following conditions applies:

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

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

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

(IV) When the commission determines pursuant to section 24-75-402 (3), C.R.S., that a reduction in the amount of the fee is necessary to reduce the uncommitted reserves of the fund to which all or
any portion of the fee is credited. After the uncommitted reserves of the cash fund are sufficiently reduced, the commission by rule or as otherwise provided by law may increase the amount of the fee as provided in section 24-75-402 (4), C.R.S.

(b) The nonresident big game fees described in subsection (1.4) of this section shall annually be adjusted in accordance with ARTICLES 1 TO 6 OF THIS TITLE 33 IS SET AT THE MAXIMUM FEE AMOUNT AUTHORIZED IN ARTICLES 1 TO 6 OF THIS TITLE 33, THEN THE COMMISSION MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE AMOUNT REFLECTED BY THE CHANGES IN THE UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX. SUCH THE ADJUSTMENT SHALL NOT BE EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET COMMITTEE OF SUCH THE ADJUSTMENT.

THE ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE MAXIMUM FEE AMOUNTS ALLOWED FOR FEES SET IN ACCORDANCE WITH ARTICLES 1 TO 6 OF THIS TITLE 33.

(c) Repealed.

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

(2) Except as otherwise provided in subsection (1.6) of this section, the division may issue the following special licenses and shall collect the following fees, therefore as established by rule by the commission, for the issued licenses in amounts not to exceed the following amounts:

Fees
(a) Scientific collecting license for the collection of wildlife species outside of established seasons and bag limits. $20.00 - $30.00

(b) Importation license, issued for the purpose of importing wildlife into the state. $50.00 - $75.00

(c) Field trial license. $15.00 - $22.50

(d) Commercial lake license, issued for the operation of privately owned lakes for purposes of charging customers to fish; no live fish or viable gametes may be sold or transported from the premises. $150.00 - $225.00

(e) Private lake license, issued for the operation of privately owned lakes for the purpose of fishing when no fee is charged; no fish or gametes may be sold or live fish or viable gametes transported from the premises. $10.00 - $15.00

(f) Commercial wildlife park license, issued for the operation of privately owned wildlife parks and for related buying, selling, or trading of lawfully acquired wildlife or for charging customers to hunt on such a park. $100.00 - $150.00

(g) Noncommercial park license, issued to persons who wish to keep lawfully acquired native birds except raptors as pets. $20.00 - $30.00

(h) (Deleted by amendment, L. 91, p. 199, § 4, effective June 7, 1991.)

(i) Wildlife sanctuary license. $100.00 - $150.00

(3) Any license issued by the division for which a fee is not provided in subsection (1), (1.4), or (2) of this section shall not exceed forty ONE HUNDRED dollars.

(8) (a) In the event of the loss, theft, or destruction of a small game, fishing, furbearer, or combination small game and fishing license,
the person to whom the license was issued may purchase a new license from any license agency or may obtain a duplicate license from the division upon payment of a fee not to exceed five dollars, to be established by the commission by rule and regulation of fifty percent of the cost of the original license and completion of an affidavit as set forth below.

(b) In the event of the loss, theft, or destruction of any other license issued by the division, the person to whom the license was issued may receive a duplicate license from the division upon payment of a fee of fifty percent of the cost of the original license, not to exceed twenty-five two hundred dollars, and completion of an affidavit stating where and by whom said the license was issued and the circumstances under which said the license was lost, stolen, or destroyed. In the event the division determines that the original license has been lost or destroyed in the mail, the person to whom the license was issued may obtain a duplicate license from the division without charge by submitting to the division a signed affidavit stating that such the license was never received.

(8.5) (a) (I) Except for the annual Colorado wildlife habitat stamp, and the lifetime Colorado wildlife stamp, and the youth small game hunting license, the commission shall, by rule, assess a surcharge of seventy-five IN AN AMOUNT NOT TO EXCEED ONE DOLLAR AND FIFTY cents shall be assessed on each license listed in subsection (1.4) of this section that is sold by the division or one of its license agents pursuant to section 33-4-101. Revenues derived from the assessment of such the surcharge, together with any interest earned thereon on the revenues derived, shall be deposited into the wildlife management public
education fund created in section 33-1-112 (3.5)(a).

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

(11) With respect to licenses which are issued in limited numbers for the taking of game wildlife, the division is authorized to collect from each license applicant a nonrefundable processing fee not to exceed three twenty dollars, which fee the commission shall establish by rule.

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

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

33-4-102.5. Issuance of migratory waterfowl stamp - prohibition against hunting without stamp. (3) (a) The fee for each stamp shall be five dollars, and the stamp shall remain valid through the last day of June following its issuance. Each stamp shall be validated by the signature of the licensee written across the face of the
(b) Notwithstanding the amount specified for the fee in paragraph (a) of this subsection (3), the commission by rule or as otherwise provided by law may reduce the amount of the fee if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the uncommitted reserves of the fund to which all or any portion of the fee is credited. After the uncommitted reserves of the fund are sufficiently reduced, the commission by rule or as otherwise provided by law may increase the amount of the fee as provided in section 24-75-402 (4), C.R.S. The division may grant up to twenty-five percent of the funds derived from the sale of state migratory waterfowl stamps to appropriate nonprofit organizations for implementation of the North American waterfowl management plan. The nonprofit organizations shall use the funds for the development of waterfowl propagation areas within the dominion of Canada or the United States that specifically provide waterfowl for the central flyway, Pacific flyway, or both.

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

33-4-117. Youth licenses - terminally ill hunters - special restrictions and privileges - rules. (1) A person under the age of eighteen years may obtain a youth small game hunting license, issued pursuant to section 33-4-102 (1.4)(x), for a fee of one dollar upon showing a hunter education certificate as required by section 33-6-107 (8). The one-dollar fee for the license, as established in section 33-4-102 (1.4)(x), includes the search and rescue fund surcharge imposed under section 33-1-112.5 (2)(a).
(7) The commission may establish by rule a special licensing program for young adult hunters and anglers. If the commission establishes a special licensing program, the commission shall define "young adult" by rule, but shall not define "young adult" in a manner that includes adults twenty-six years of age or older.

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

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

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

33-4-121. Reporting by division - license fee increases - division-managed lands - definitions - repeal. (1) (a) (I) Commencing on or before September 1, 2018, and on or before September 1 of each year thereafter, the division shall prepare a written report on:

(A) The status of any license fee increases promulgated by the commission after the effective date of this section;

(B) The impact that those increased fees have had on the total number of sales of unlimited licenses; and

(C) An accounting of program expenditures made with the increased fees and the impact of those expenditures.

(II) The division shall make the written reports available...
TO THE PUBLIC AND SHALL SEND THE REPORTS TO THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

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

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

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

AND

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

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

(3) AS USED IN THIS SECTION:

(a) "NONCONSUMPTIVE USER" MEANS AN INDIVIDUAL WHO ENGAGES IN RECREATIONAL OR EDUCATIONAL ACTIVITIES THAT DO NOT
INVOLVE THE TAKING OF WILDLIFE, AND INCLUDES HIKERS, MOUNTAIN
BIKERS, AND WILDLIFE WATCHERS.

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

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

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

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

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

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

(5) Any person who possesses live wildlife in this state and who is required by commission rule or regulation to have a license for such possession of live wildlife shall have the required license at the site where the wildlife is kept. Any person who violates this subsection (5) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of fifty dollars equal to twice the cost of the most expensive license for such possession and an assessment of ten license suspension points.

(6) A person sixteen years of age or older who fishes for or takes fish, amphibians, mollusks, or crustaceans in this state shall have a proper and valid fishing license on his or her person. Persons under sixteen years of age are not required to have a fishing license and shall be entitled to the full bag or possession limit set by the commission. A person who violates this subsection (6) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred twenty-five dollars and an assessment of ten license suspension points.

(11) A person must have a valid license to engage in the activities authorized by a license issued pursuant to articles 1 to 6 of this title 33 or commission rules promulgated pursuant to articles 1 to 6 of this title 33. Except for a person whose violation is punishable under subsection (6) of this section and unless specified elsewhere in articles 1 to 6 of this title 33, any person who violates this subsection (11) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by:

(a) A fine equal to twice the cost of the most expensive
LICENSE ISSUED FOR THE ACTIVITY THAT THE PERSON UNLAWFULLY
ENGAGED IN WITHOUT A LICENSE; AND

(b) AN ASSESSMENT OF TEN LICENSE SUSPENSION POINTS.

(4)(b) as follows:


(4) (b) (I) The commission may, BY RULE, raise or lower park fees and
charges described in paragraph (a) of this subsection (4) if the
commission reasonably anticipates that the total annual revenues realized
from such fees and charges will not increase by more than twenty percent
over the annual amount earned from fees and charges as they existed on
July 1, 2014. THIS SUBSECTION (4)(b), BUT SHALL NOT RAISE PARK FEES
AND CHARGES BY AN AMOUNT GREATER THAN FIFTY PERCENT OF THE FEES
AND CHARGES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS
SUBSECTION (4)(b), AS AMENDED.

(II) IF A PARK FEE OR CHARGE IS SET BY THE COMMISSION AT THE
MAXIMUM FEE OR CHARGE AMOUNT AUTHORIZED IN SUBSECTION (4)(b)(I)
OF THIS SECTION, THEN THE COMMISSION MAY, BY RULE, ADJUST THE PARK
FEE OR CHARGE BY AN AMOUNT UP TO THE AMOUNT REFLECTED BY THE
CHANGES IN THE United States bureau of labor statistics
CONSUMER PRICE INDEX FOR THE Denver-Boulder-Greeley
CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN
CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX. THE ADJUSTMENT
IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET
COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE
COUNTED TOWARD THE MAXIMUM FEE OR CHARGE AMOUNT ALLOWED
PURSUANT TO SUBSECTION (4)(b)(I) OF THIS SECTION.
SECTION 15. In Colorado Revised Statutes, 33-10-101, amend (2)(d) as follows:

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

(d) (I) Charge a fee for required passes or permits for the use of any state park or state recreation area where appropriate supervision and maintenance is required and when certain facilities, as determined by the parks and wildlife commission, are maintained at any such area. The commission may raise or lower fees for passes or permits, but shall not raise the fees by an amount greater than fifty percent of the fees as they existed on the effective date of this subsection (2)(d), as amended.

(II) If a fee for a pass or permit is set by the commission at the maximum fee amount authorized in articles 10 to 15 of this title 33 or commission rules promulgated pursuant to articles 10 to 15 of this title 33, then the commission may, by rule, adjust the fee by an amount up to the amount reflected by the changes in the United States Bureau of Labor Statistics Consumer Price Index for the Denver-Boulder-Greeley Consolidated Metropolitan Statistical Area for all urban consumers and all goods or its successor index. The adjustment is not effective until the commission notifies the joint budget committee of the adjustment. The adjustment shall not be counted toward the maximum fee amounts allowed pursuant to articles 10 to 15 of this title 33 or commission rules promulgated pursuant to articles 10 to 15 of this title 33.

SECTION 16. In Colorado Revised Statutes, 33-10-102, amend
the introductory portion and (16) as follows:

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

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

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

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

(e) (I) Receive and expend:

(A) Grants, gifts, SPONSORSHIPS, DONATIONS, and bequests, including federal money, made available for the purposes for which the commission is authorized; and

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

**33-10-111. Parks and outdoor recreation cash fund - parks for future generations trust fund - created - fees - accounting expenditures for roads and highways - definition.** (5) (a) Subject to this subsection (5), the commission may set fees by rule for the use of facilities and programs of the division, including discounts for marketing purposes. THE COMMISSION MAY RAISE OR LOWER FEES FOR FACILITIES AND PROGRAMS, BUT SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER THAN FIFTY PERCENT OF THE FEES AS THEY EXISTED ON THE EFFECTIVE
DATE OF THIS SUBSECTION (5)(a), AS AMENDED. IF A FEE FOR A FACILITY OR PROGRAM IS SET BY THE COMMISSION AT THE MAXIMUM FEE AMOUNT AUTHORIZED PURSUANT TO THIS SUBSECTION (5)(a), THEN THE COMMISSION MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE AMOUNT REFLECTED BY THE CHANGES IN THE UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX. THE ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE MAXIMUM FEE AMOUNTS ALLOWED UNDER THIS SUBSECTION (5)(a). The commission shall:

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

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


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

33-10.5-108. Division of parks and wildlife aquatic nuisance species fund - creation - repeal. (1) (a) (I) There is hereby created in the state treasury the division of parks and outdoor recreation WILDLIFE
aquatic nuisance species fund, ALSO REFERRED TO IN THIS SECTION AS THE
"FUND", which shall be administered by the division of parks and wildlife
in the department of natural resources and shall consist of all moneys transferred by the state treasurer as specified in sections 39-29-109.3 (2)(m) C.R.S. and 33-13-103 (6). All moneys in the fund are continuously appropriated to the division of parks and wildlife for the purpose of implementing the provisions of this article. All moneys in the fund at the end of each fiscal year shall remain in the fund and shall not revert to the general fund or any other fund.

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

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

(2) (a) There is hereby created in the state treasury the division of wildlife aquatic nuisance species fund, which shall be administered by the division of parks and wildlife in the department of natural resources and shall consist of all moneys transferred by the treasurer as specified in sections 33-1-112 and 39-29-109.3 (2)(m), C.R.S. All moneys in the fund are continuously appropriated to the division of parks and wildlife for the purpose of implementing the provisions of this article. All moneys in the
fund at the end of each fiscal year shall remain in the fund and shall not revert to the general fund or any other fund:

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

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

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

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

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

(1.5) (a) "NONMOTORBOAT" MEANS A VESSEL THAT IS PROPELLED
BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR WIND IN ANY
MANNER.

(b) "NONMOTORBOAT" DOES NOT INCLUDE:

(I) A STAND-UP PADDLEBOARD; OR

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

(4) "Sailboat" means any vessel propelled by the effect of wind on
a sail. EXCEPT AS PROVIDED IN SECTION 33-13-103

(6)(f), "SAILBOAT" INCLUDES A SAILBOARD. For the purposes of this
article ARTICLE 13, any vessel propelled by both sail and machinery of any
sort shall be deemed a motorboat, when being so propelled.

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

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


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

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

(6) (a) COMMENCING ON JANUARY 1, 2018, IT IS UNLAWFUL FOR
ANY PERSON TO OPERATE OR USE A VESSEL TEN FEET OR MORE IN LENGTH
ON THE WATERS OF THIS STATE OR TO POSSESS A VESSEL AT A VESSEL
STAGING AREA UNLESS AN AQUATIC NUISANCE SPECIES STICKER HAS BEEN
ISSUED FOR THE VESSEL AND PLACED ON THE VESSEL.

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

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

<table>
<thead>
<tr>
<th>TYPE OF VESSEL</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) RESIDENT, NONMOTORBOAT</td>
<td>$15.00</td>
</tr>
<tr>
<td>(B) NONRESIDENT, NONMOTORBOAT</td>
<td>15.00</td>
</tr>
<tr>
<td>(C) RESIDENT, MOTORBOAT OR SAILBOAT</td>
<td>25.00</td>
</tr>
<tr>
<td>(D) NONRESIDENT, MOTORBOAT OR SAILBOAT</td>
<td>50.00</td>
</tr>
</tbody>
</table>

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

(d) ON OR BEFORE JANUARY 1, 2018, THE COMMISSION SHALL
ESTABLISH BY RULE THE PRESCRIBED MANNER FOR DISPLAYING AN
AQUATIC NUISANCE SPECIES STICKER ON A VESSEL. THE COMMISSION MAY
DEVELOP AN APPLICATION FORM AND PROCESS THAT COMBINES THE
APPLICATIONS FOR REGISTRATION PURSUANT TO SUBSECTION (1) OF THIS
SECTION AND FOR AN AQUATIC NUISANCE SPECIES STICKER PURSUANT TO
THIS SUBSECTION (6).

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

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

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

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

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

who violates any of the provisions of articles 10 to 15 or 32 of this title
TITLE 33 or any rule of the commission that does not have a specific
penalty listed is guilty of a class 2 petty offense MISDEMEANOR and, upon
conviction, shall be punished by a fine of fifty ONE HUNDRED dollars.

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

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

(a) IS AUTHORIZED UNDER ARTICLES 10 TO 15 OF THIS TITLE 33 OR
COMMISSION RULES PROMULGATED PURSUANT TO ARTICLES 10 TO 15 OF
THIS TITLE 33; AND
(b) Requires a specific permit, pass, or sticker.

(2) Any person who violates this section is guilty of a misdemeanor and, upon conviction, shall be punished by a fine equal to twice the cost of the most expensive permit, pass, or sticker issued for the activity that the person unlawfully engaged in without a permit, pass, or sticker.

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


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

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

(I) Repealed.

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

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

-31-
9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.