

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0236.01 Bob Lackner x4350

HOUSE BILL 18-1051

HOUSE SPONSORSHIP

Hamner and Carver, Becker K., Exum, Singer, Thurlow

SENATE SPONSORSHIP

Coram and Merrifield, Cooke, Jones

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING STATUTORY PROVISIONS ENACTED TO PROMOTE THE
102 EXTINGUISHMENT OF UNATTENDED FIRES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Wildfire Matters Review Committee. Section 1 of the bill modifies existing statutory provisions addressing county powers to extinguish unattended campfires by:

- ! Changing the penalty for leaving a campfire unattended from a class 2 petty offense to a class 3 misdemeanor with an accompanying change in the maximum sentence; and

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

! Deleting provisions requiring a county to post notices concerning unattended campfires.

With respect to the existing statutory penalty for leaving a fire unattended or not thoroughly extinguishing a fire before leaving it on any property under the control of the division of parks and wildlife, **section 2** changes the penalty from a class 2 petty offense to a class 3 misdemeanor with an accompanying change in the maximum sentence.

1 *Be it enacted by the General Assembly of the State of Colorado:*

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

4 **30-15-201. Penalty for leaving campfire unattended.** ~~(1) It is~~
5 ~~the duty of the board of county commissioners of each county in this state~~
6 ~~to cause to be erected and maintained, at suitable distances and in~~
7 ~~conspicuous places (at the side of the main-traveled highways of each~~
8 ~~county and at such other places in each county as each board may deem~~
9 ~~proper), notices printed in large letters on suitable signboards stating that~~
10 ~~campfires must not be left unattended and must be totally extinguished~~
11 ~~before breaking or leaving camp and that violators are subject to a~~
12 ~~fifty-dollar fine. Any person who leaves a campfire unattended commits~~
13 ~~a class 2 petty offense and, upon conviction thereof, shall be punished by~~
14 ~~a fine of fifty dollars~~ IS GUILTY OF A CLASS 3 MISDEMEANOR AND, UPON
15 CONVICTION THEREOF, SHALL BE PUNISHED BY A MINIMUM SENTENCE OF
16 A FIFTY DOLLAR FINE UP TO A MAXIMUM SENTENCE OF SIX MONTHS
17 IMPRISONMENT OR A SEVEN HUNDRED FIFTY DOLLAR FINE, OR BOTH.

18 ~~(2) The erection of such notices shall be at the expense of each~~
19 ~~county, and at least twenty notices shall be posted and maintained in each~~
20 ~~county in this state. The board of governors of the Colorado state~~
21 ~~university system may also post similar notices, signed by the board and~~
22 ~~erected and maintained at its expense, at such points throughout the state~~

1 as it deems necessary or expedient.

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

4 **33-15-106. Fires.** (2) (a) Any person who violates ~~paragraph (a)~~
5 ~~of subsection (1)~~ SUBSECTION (1)(a) of this section is guilty of a ~~class 2~~
6 ~~petty offense~~ CLASS 3 MISDEMEANOR and, upon conviction thereof, shall
7 be punished by ~~a fine of fifty dollars~~ A MINIMUM SENTENCE OF A FIFTY
8 DOLLAR FINE UP TO A MAXIMUM SENTENCE OF SIX MONTHS IMPRISONMENT
9 OR A SEVEN HUNDRED FIFTY DOLLAR FINE, OR BOTH.

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

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