

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO
CORRECTED INTRODUCED**

LLS NO. 19-0520.01 Jennifer Berman x3286

HOUSE BILL 19-1026

HOUSE SPONSORSHIP

Catlin and McCluskie,

SENATE SPONSORSHIP

Coram and Donovan,

House Committees
Rural Affairs & Agriculture

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING FINES ASSESSED FOR VIOLATIONS OF LAWS**
102 **ADMINISTERED BY THE DIVISION OF PARKS AND WILDLIFE.**

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>.)

With regard to fines imposed for violations of laws enforced by the division of parks and wildlife in the department of natural resources (division), the bill changes the amount of certain fines and modifies the disposition of money collected from fines.

Section 1 of the bill adds a nonstatutory short title.

Section 2 makes legislative findings.

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.

Under current law, the state treasurer is required to credit half of the money collected from a fine imposed for a violation of laws enforced by the division to the general fund and half of the money to either the fund administered by the division that is relevant to the type of violation committed, if a parks and wildlife officer issued the citation, or to the local government or other state agency whose law enforcement officer issued the citation. **Sections 4, 23, 31, and 35** modify the disposition of fines collected as follows:

- ! If a parks and wildlife officer issues a citation for a fine, the state treasurer is required to credit all of the money collected from the associated fine to the fund administered by the division that is relevant to the type of violation committed; or
- ! If any other Colorado peace officer issues a citation for a fine, the state treasurer is required to credit half of the money collected from the associated fine to the fund administered by the division that is relevant to the type of violation committed and half of the money to the local government or other state agency whose law enforcement officer issued the citation.

The remaining sections change the amounts of fines for violations of laws enforced by the division as follows:

- ! **Sections 3 and 34** increase the fine for a violation of a rule for which there is not an associated statutory penalty listed from \$50 to \$100;
- ! **Section 5** increases the following fines from \$50 to \$100: Procuring or using multiple licenses of the same type, possessing live wildlife without a license, fishing without a license, and hunting without having obtained a hunter education certificate;
- ! **Section 6** modifies the fines for unlawfully possessing fish, mollusks, crustaceans, amphibians, or reptiles so that the fine is \$35 for each such animal taken or possessed at one time;
- ! **Section 7** increases the fine from \$50 to \$150 for refusing to allow an officer of the division or other peace officer to inspect personal identification documents, licenses, firearms, records, or wildlife and increases the fine from \$50 to \$100 for failing to void a license or carcass tag as required by the parks and wildlife commission (commission) by rule;
- ! **Section 8** increases the fine for unlawfully transporting, exporting, importing, or releasing native wildlife from \$50 to \$200;
- ! **Section 9** increases the fines for failing to attempt to locate

- big game that has been wounded from \$100 to \$200 and for using wildlife as bait from \$100 to \$200;
- ! **Section 10** increases the fine from \$50 to \$100 for failing to wear fluorescent pink or daylight fluorescent orange garments while hunting elk, deer, pronghorn, moose, or black bear with a firearm;
 - ! **Section 11** increases the fine for possessing a loaded firearm in a motor vehicle from \$50 to \$100;
 - ! **Section 12** increases the fine for shooting from a public road from \$50 to \$100;
 - ! **Section 13** increases the fine for using division property in violation of any commission rule from \$50 to \$100;
 - ! **Section 14** increases the fine for knowingly luring a bear with food or edible waste from \$100 to \$200 for a first offense, \$500 to \$1,000 for a second offense, and \$1,000 to \$2,000 for a third or subsequent offense;
 - ! **Section 15** authorizes the commission, by rule, to allow for the possession, importation, exportation, shipment, or transportation of an aquatic nuisance species;
 - ! **Section 16** exempts from the prohibition against transferring park passes the transfer of a park pass pursuant to a commission rule regarding the manner by which a pass may be transferred;
 - ! **Section 17** increases the fine from \$50 to \$100 for using or possessing certain vessels that have not been issued a number;
 - ! **Section 18** increases the fine for violating certain personal watercraft equipment requirements from \$50 to \$100;
 - ! **Section 19** increases the fine for violating the minimum age requirements for operating a motorboat from \$50 to \$100;
 - ! **Section 20** increases the fine from \$50 to \$100 for operating a vessel: That is not properly equipped, in excess of noise restrictions, above wakeless speed, in violation of any commission rule, or, with respect to personal watercraft only, between 1/2 hour after sunset and 1/2 hour before sunrise. Section 20 also increases the fine for operating a vessel in a careless or imprudent manner from \$100 to \$200.
 - ! **Section 21** increases the fine from \$100 to \$200 for operating water skis or similar devices in a careless manner or operating a vessel towing water skis or a similar device in a manner as to cause the device or person on the device to collide with or strike an object or person. Section 21 also requires a person on a stand-up paddleboard to have a

readily accessible personal flotation device and increases the fine from \$50 to \$100 for failing to wear a personal flotation device on water skis or similar devices, violating commission rules regarding the safe operation of water skis or similar devices, or violating commission rules prohibiting the use of single-chambered air-inflated devices on rivers or streams under certain conditions.

! **Sections 22, 24 through 27, and 29** increase the fines for various snowmobile operational violations from \$50 to \$100;

! **Section 28** increases the fine for operating a snowmobile in a careless or imprudent manner from \$100 to \$200. Section 28 also increases the fine from \$50 to \$100 for a snowmobile owner who, while the owner's snowmobile is under the owner's control, allows another to operate the snowmobile in a careless or imprudent manner, in a manner in wanton or willful disregard for safety, or under the influence of alcohol or a controlled substance.

! **Section 30** increases the fine for operating an unnumbered, unregistered off-highway vehicle (OHV) from \$50 to \$100. Section 30 also increases the fine from \$35 to \$100 for operating a nonresident-owned or -operated OHV that does not have a valid license or registration from another state or has been in this state for more than 30 days but for which a permit has not been issued.

! **Section 32** increases the fine for operating an OHV in violation of road crossing restrictions from \$50 to \$100;

! **Section 33** increases the fine for operating an OHV without obtaining and displaying an off-highway use permit from \$50 to \$100;

! **Section 36** increases the fine for unlawful camping from \$50 to \$100 if the person is camping in an area located in a state park or state recreation area that is not designated for camping and adds a fine in an amount equal to 5 times the cost of a permit for a campsite if the person is camping at a campsite without having obtained a valid permit;

! **Section 37** increases the fine from \$50 to \$100, with respect to a motor vehicle or vessel on property under the control of the division, for the following activities: Operating or parking outside of designated areas, in excess of posted speed limits; parking in a manner that impedes the normal flow of traffic; leaving a motor vehicle or vessel unattended for more than 24 hours; or operating or parking a motor vehicle without having first purchased a required pass or permit; and

! **Section 38** adds a conforming amendment.

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

2 **SECTION 1. Short title.** The short title of this act is the "Respect
3 the Great Outdoors Act".

4 **SECTION 2. Legislative declaration.** (1) The general assembly
5 hereby finds and declares that:

6 (a) The general assembly passed the "Hunting, Fishing, and Parks
7 for Future Generations Act" in 2018 to provide sufficient funding to the
8 division of parks and wildlife to ensure that future generations have
9 access to the quality hunting, fishing, and outdoor recreational
10 opportunities that Coloradans enjoy today;

11 (b) Fines for violations of Colorado hunting, fishing, and parks
12 statutes, which have not been increased broadly since 2003, are no longer
13 sufficient to deter violations and ensure compliance with laws that protect
14 Colorado's wildlife, parks, and recreational resources;

15 (c) The division of parks and wildlife and the parks and wildlife
16 commission have identified 10 goals and objectives to achieve by 2025,
17 including objectives to increase:

18 (I) The number of hunters and anglers in Colorado to combat
19 national declines in their numbers, through programs such as hunter
20 education and "Fishing is Fun"; and

21 (II) Park visitation through investments in programs to increase
22 youth involvement in the outdoors; and

23 (d) Revenue from an increase in fines for violations of hunting,
24 fishing, and parks statutes will enable the division of parks and wildlife
25 to invest additional resources into achieving its 2025 goals to recruit and

1 educate a new generation of hunters, anglers, and park users who respect
2 the laws protecting Colorado's great outdoors.

3 **SECTION 3.** In Colorado Revised Statutes, 33-6-104, **amend** (1)
4 as follows:

5 **33-6-104. Imposition of penalty - procedures.** (1) ~~Any~~ A person
6 who violates ~~any of the provisions of articles 1 to 6 of this title or any rule~~
7 of the commission ~~that does~~ FOR WHICH THERE IS not ~~have a specific~~ AN
8 ASSOCIATED STATUTORY penalty listed is guilty of a misdemeanor and,
9 upon conviction thereof, shall be punished by a fine of ~~fifty~~ ONE
10 HUNDRED dollars, a surcharge as described in section 24-33.5-415.6,
11 ~~C.R.S.~~, and an assessment of five license suspension points.

12 **SECTION 4.** In Colorado Revised Statutes, 33-6-105, **amend** (1)
13 as follows:

14 **33-6-105. Disposition of fines and surcharges.** (1) (a) Except
15 as otherwise provided in subsection (1)(b) of this section, all ~~moneys~~
16 MONEY collected for fines under articles 1 to 6 of this title 33, either by
17 payment of a penalty assessment or assessed by a court upon conviction
18 and resulting from issuance of a citation by ~~a wildlife~~ AN officer of the
19 division of parks and wildlife, shall be transmitted to the state treasurer,
20 who shall credit ~~one-half to the general fund and one-half~~ THE MONEY to
21 the wildlife cash fund or, for offenses involving nongame wildlife, to the
22 Colorado nongame conservation and wildlife restoration cash fund.

23 (b) When an arrest has been made or the citation for any wildlife
24 offense has been issued by ~~a park officer of the division of parks and~~
25 ~~wildlife or by~~ any other Colorado peace officer, as defined in this title
26 TITLE 33, the state treasurer shall credit one-half of the ~~moneys~~ MONEY
27 collected to the ~~general fund~~ WILDLIFE CASH FUND OR, FOR OFFENSES

1 INVOLVING NONGAME WILDLIFE, TO THE COLORADO NONGAME
2 CONSERVATION AND WILDLIFE RESTORATION CASH FUND, and:

3 (I) IF THE PEACE OFFICER IS EMPLOYED BY A LOCAL JURISDICTION,
4 one-half to the TREASURER OF THE Colorado town, city, county, OR city
5 and county IN WHICH THE VIOLATION OCCURRED, TO BE CREDITED TO THE
6 APPROPRIATE FUND; or

7 (II) IF THE PEACE OFFICER IS EMPLOYED BY ANOTHER STATE
8 AGENCY, ONE-HALF TO A FUND ADMINISTERED BY THE state agency whose
9 officer issued the citation, AS DESIGNATED BY THE STATE AGENCY.

10 **SECTION 5.** In Colorado Revised Statutes, 33-6-107, **amend**
11 (1)(a), (5), (6), and (8)(f) as follows:

12 **33-6-107. Licensing violations - penalties - rule.** (1) (a) Except
13 as otherwise provided in articles 1 to 6 of this ~~title~~ TITLE 33 or by rule of
14 the commission, a person shall not procure or use more than one license
15 of a certain type in a calendar year. A person who violates this subsection
16 (1) is guilty of a misdemeanor and, upon conviction thereof, shall, with
17 respect to wildlife other than big game, be punished by a fine of ~~fifty~~ ONE
18 HUNDRED dollars and an assessment of ten license suspension points or
19 shall, with respect to big game, be punished by a fine of two hundred
20 dollars and an assessment of fifteen license suspension points.

21 (5) Any person who possesses live wildlife in this state and who
22 is required by commission rule ~~or regulation~~ to have a license for ~~such~~
23 possession OF LIVE WILDLIFE shall have the required license at the site
24 where the wildlife is kept. Any person who violates this subsection (5) is
25 guilty of a misdemeanor and, upon conviction thereof, shall be punished
26 by a fine of ~~fifty~~ ONE HUNDRED dollars and an assessment of ten license
27 suspension points.

1 (6) A person sixteen years of age or ~~over~~ OLDER who fishes for or
2 takes fish, amphibians, mollusks, or crustaceans in this state shall have a
3 proper and valid fishing license on his or her person. Persons under
4 sixteen years of age are not required to have a fishing license and ~~shall be~~
5 ARE entitled to the full bag or possession limit set by the commission. A
6 person who violates this subsection (6) is guilty of a misdemeanor and,
7 upon conviction thereof, shall be punished by a fine of ~~fifty~~ ONE
8 HUNDRED dollars and an assessment of ten license suspension points.

9 (8) (f) Any person who violates this subsection (8) or any rule
10 implementing this subsection (8) is guilty of a misdemeanor and, upon
11 conviction thereof, shall be punished by a fine of ~~fifty~~ ONE HUNDRED
12 dollars and an assessment of ten license suspension points.

13 **SECTION 6.** In Colorado Revised Statutes, 33-6-109, **amend**
14 (3)(g) as follows:

15 **33-6-109. Wildlife - illegal possession.** (3) A person who
16 violates subsection (1) or (2) of this section is guilty of a misdemeanor
17 and, depending upon the wildlife involved, shall be punished upon
18 conviction by a fine or imprisonment, or both, and license suspension
19 points or suspension or revocation of license privileges as follows:

20 (g) For all fish, mollusks, crustaceans, amphibians, or reptiles not
21 covered by ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS
22 SECTION, a fine of thirty-five dollars and an assessment of five points for
23 the first such animal and, for each additional such animal taken or
24 possessed at the same time, an additional fine of ~~ten~~ THIRTY-FIVE dollars
25 per animal and an ~~additional~~ assessment of one point per animal.

26 **SECTION 7.** In Colorado Revised Statutes, 33-6-111, **amend** (1)
27 and (3) as follows:

1 **33-6-111. Inspection of license and wildlife - check stations -**
2 **failure to tag - eluding an officer.** (1) (a) Any person who hunts, traps,
3 fishes, or possesses wildlife for any purpose shall, WHEN REQUESTED TO
4 DO SO BY AN OFFICER OF THE DIVISION OF PARKS AND WILDLIFE OR OTHER
5 PEACE OFFICER EMPOWERED TO ENFORCE ARTICLES 1 TO 6 OF THIS TITLE
6 33, produce:

7 (I) All applicable licenses THAT THE DIVISION issued to ~~him by the~~
8 ~~division~~, THE PERSON;

9 (II) All firearms;

10 (III) All records required to be maintained by articles 1 to 6 of this
11 ~~title~~ TITLE 33 or by any rule ~~or regulation~~ of the commission;

12 (IV) All wildlife; and

13 (V) Any personal identification documents. ~~when requested to do~~
14 ~~so by a district wildlife manager or other peace officer, as defined in~~
15 ~~section 33-1-102 (32) empowered to enforce articles 1 to 6 of this title.~~

16 (b) Any person who refuses to permit inspection of ~~such~~ THE
17 PERSON'S personal identification documents, licenses, firearms, records,
18 or wildlife is guilty of a misdemeanor and, upon conviction thereof, shall
19 be punished by a fine of ~~fifty~~ ONE HUNDRED FIFTY dollars and an
20 assessment of five license suspension points.

21 (3) Any person who fails to void ~~his~~ THE PERSON'S license or
22 carcass tag as required by commission rule ~~or regulation~~ is guilty of a
23 misdemeanor and, upon conviction thereof, shall be punished by a fine of
24 ~~fifty~~ ONE HUNDRED dollars and an assessment of ten license suspension
25 points.

26 **SECTION 8.** In Colorado Revised Statutes, 33-6-114, **amend** (4)
27 as follows:

1 **33-6-114. Transportation, importation, exportation, and**
2 **release of wildlife.** (4) Any person who violates this section is guilty of
3 a misdemeanor and, upon conviction thereof, shall be punished by a fine
4 of ~~fifty~~ TWO HUNDRED dollars for violations involving native wildlife and
5 by a fine of not less than two hundred fifty dollars nor more than one
6 thousand dollars for violations involving nonnative or exotic wildlife. In
7 addition, for violations involving either native wildlife or nonnative or
8 exotic wildlife, five license suspension points per incident may be
9 assessed by the division against an individual's license privileges.

10 **SECTION 9.** In Colorado Revised Statutes, 33-6-119, **amend**
11 (1)(a) and (3) as follows:

12 **33-6-119. Pursuit of wounded game - waste of edible game**
13 **wildlife - use of wildlife as bait.** (1) (a) Except as provided in section
14 33-6-116 (1), it is unlawful for a person who shoots at, wounds, or may
15 have wounded game wildlife to fail to make a reasonable attempt to
16 locate the game wildlife suspected of injury and take it into ~~his or her~~ THE
17 PERSON'S possession. A person who violates this ~~paragraph (a)~~
18 SUBSECTION (1)(a) is guilty of a misdemeanor and, upon conviction
19 thereof, shall, with respect to big game, be punished by a fine of ~~one~~ TWO
20 hundred dollars and an assessment of fifteen license suspension points or
21 shall, with respect to small game, be punished by a fine of fifty dollars
22 and an assessment of fifteen license suspension points.

23 (3) It is unlawful for any person to use wildlife as bait unless
24 otherwise provided by rule ~~or regulation~~ of the commission. Any person
25 who violates this section is guilty of a misdemeanor and, upon conviction
26 thereof, shall be punished by a fine of ~~one~~ TWO hundred dollars and an
27 assessment of ten license suspension points.

1 **SECTION 10.** In Colorado Revised Statutes, 33-6-121, **amend**
2 (2) as follows:

3 **33-6-121. Hunters to wear fluorescent pink or daylight**
4 **fluorescent orange garments.** (2) Any person who violates ~~the~~
5 ~~provisions of~~ this section is guilty of a misdemeanor and, upon conviction
6 thereof, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars and an
7 assessment of five license suspension points.

8 **SECTION 11.** In Colorado Revised Statutes, **amend** 33-6-125 as
9 follows:

10 **33-6-125. Possession of a loaded firearm in a motor vehicle.** It
11 is unlawful for any person, except a person authorized by law or by the
12 division, to possess or have under ~~his~~ THE PERSON'S control any firearm,
13 other than a pistol or revolver, in or on any motor vehicle unless the
14 chamber of ~~such~~ THE firearm is unloaded. Any person in possession or in
15 control of a rifle or shotgun in a motor vehicle shall allow any peace
16 officer ~~as defined in section 33-1-102(32)~~, who is empowered and acting
17 under the authority granted in section 33-6-101 to enforce articles 1 to 6
18 of this ~~title~~ TITLE 33 to inspect the chamber of any rifle or shotgun in the
19 motor vehicle. For the purposes of this section, a "muzzle-loader" shall
20 be considered unloaded if it is not primed, and ~~for such purpose~~, "primed"
21 means having a percussion cap on the nipple or flint in the striker and
22 powder in the flash pan. Any person who violates this section is guilty of
23 a misdemeanor and, upon conviction thereof, shall be punished by a fine
24 of ~~fifty~~ ONE HUNDRED dollars and an assessment of fifteen license
25 suspension points.

26 **SECTION 12.** In Colorado Revised Statutes, **amend** 33-6-126 as
27 follows:

1 **33-6-126. Shooting from a public road.** It is unlawful for any
2 person, except a duly authorized peace officer acting in the line of duty,
3 to discharge any firearm or release an arrow from, upon, or across any
4 public road. Any person who violates this section is guilty of a
5 misdemeanor and, upon conviction thereof, shall be punished by a fine of
6 ~~fifty~~ ONE HUNDRED dollars and an assessment of five license suspension
7 points.

8 **SECTION 13.** In Colorado Revised Statutes, 33-6-129, **amend**
9 (2) as follows:

10 **33-6-129. Damage to property or habitat under division**
11 **control.** (2) It is unlawful for ~~any~~ A person to use ~~any~~ division property
12 in violation of any commission rule. ~~or regulation.~~ Any person who
13 violates this subsection (2) is guilty of a misdemeanor and, upon
14 conviction thereof, shall be punished by a fine of ~~fifty~~ ONE HUNDRED
15 dollars.

16 **SECTION 14.** In Colorado Revised Statutes, 33-6-131, **amend**
17 (3) as follows:

18 **33-6-131. Knowingly luring bears.** (3) Any person who violates
19 this section shall be given a warning. Upon a second or subsequent
20 violation of this section, ~~such~~ THE person is guilty of a misdemeanor and,
21 upon conviction, shall be punished by a fine not to exceed:

- 22 (a) ~~One~~ TWO hundred dollars for a first offense;
- 23 (b) ~~Five hundred~~ ONE THOUSAND dollars for a second offense; OR
- 24 (c) ~~One~~ TWO thousand dollars for a third or subsequent offense.

25 **SECTION 15.** In Colorado Revised Statutes, 33-10.5-105,
26 **amend** (1)(a) as follows:

27 **33-10.5-105. Prohibition of aquatic nuisance species - rules -**

1 **penalties.** (1) A person shall not:

2 (a) Possess, import, export, ship, or transport an aquatic nuisance
3 species, EXCEPT AS AUTHORIZED BY THE COMMISSION BY RULE;

4 **SECTION 16.** In Colorado Revised Statutes, 33-12-105, **amend**
5 (1) as follows:

6 **33-12-105. Licensing violations.** (1) Except as otherwise
7 provided in section 33-12-104 OR BY A COMMISSION RULE REGARDING THE
8 MANNER BY WHICH A PASS MAY BE TRANSFERRED, it is unlawful for any
9 person to transfer, sell, or assign any pass or registration issued under
10 articles 10 to 15 of this ~~title~~ TITLE 33 to another person. Any person who
11 violates this subsection (1) is guilty of a class 2 petty offense and, upon
12 conviction, shall be punished by a fine of two hundred dollars.

13 **SECTION 17.** In Colorado Revised Statutes, 33-13-103, **amend**
14 (4) as follows:

15 **33-13-103. Numbering of vessels required - rules.** (4) Any
16 person who violates subsection (1) of this section is guilty of a class 2
17 petty offense and, upon conviction, shall be punished by a fine of ~~fifty~~
18 ONE HUNDRED dollars.

19 **SECTION 18.** In Colorado Revised Statutes, 33-13-106, **amend**
20 (5) as follows:

21 **33-13-106. Equipment requirements.** (5) Any person who
22 violates ~~subsection (1), (2), (3), (4), or (4.5)~~ of this section is guilty of a
23 class 2 petty offense and, upon conviction, shall be punished by a fine of
24 ~~fifty~~ ONE HUNDRED dollars.

25 **SECTION 19.** In Colorado Revised Statutes, 33-13-107.1,
26 **amend** (5) as follows:

27 **33-13-107.1. Minimum age of motorboat operators - youth**

1 **education.** (5) Any person who violates this section is guilty of a class
2 2 petty offense and, upon conviction thereof, shall be punished by a fine
3 of ~~fifty~~ ONE HUNDRED dollars.

4 **SECTION 20.** In Colorado Revised Statutes, 33-13-108, **amend**
5 (1)(b) and (2)(b) as follows:

6 **33-13-108. Prohibited vessel operations - rules.** (1) (b) Any
7 person who violates ~~paragraph (a) or (a.5) of this subsection (1)~~
8 SUBSECTION (1)(a) OR (1)(a.5) OF THIS SECTION is guilty of a class 2 petty
9 offense and, upon conviction thereof, shall be punished by a fine of ~~fifty~~
10 ONE HUNDRED dollars.

11 (2) (b) Any person who violates ~~paragraph (a) of this subsection~~
12 ~~(2)~~ SUBSECTION (2)(a) OF THIS SECTION is guilty of a class 2 petty offense
13 and, upon conviction thereof, shall be punished by a fine of ~~one~~ TWO
14 hundred dollars.

15 **SECTION 21.** In Colorado Revised Statutes, 33-13-110, **amend**
16 (1)(c), (2)(b), (2)(d), and (3)(a); and **add** (2)(c.5) as follows:

17 **33-13-110. Water skis, aquaplanes, surfboards, inner tubes,**
18 **stand-up paddleboards, and similar devices - rules.** (1) (c) Any person
19 who violates this subsection (1) is guilty of a class 2 petty offense and,
20 upon conviction, shall be punished by a fine of ~~one~~ TWO hundred dollars.

21 (2) (b) The commission shall promulgate such rules as are
22 necessary or desirable for the safe use of water skis, aquaplanes,
23 surfboards, inner tubes, STAND-UP PADDLEBOARDS, and other similar
24 devices.

25 (c.5) ANY PERSON ON A STAND-UP PADDLEBOARD SHALL HAVE
26 READILY ACCESSIBLE A PERSONAL FLOTATION DEVICE THAT IS OF A TYPE
27 APPROVED BY THE COMMANDANT OF THE UNITED STATES COAST GUARD

1 AND IS IN GOOD AND SERVICEABLE CONDITION.

2 (d) Any person who violates this subsection (2) is guilty of a class
3 2 petty offense and, upon conviction, shall be punished by a fine of fifty
4 ONE HUNDRED dollars.

5 (3) (a) ~~No~~ A person shall NOT operate, manipulate, or ride water
6 skis, an aquaplane, a surfboard, an inner tube, A STAND-UP PADDLEBOARD,
7 or any similar device while under the influence of alcohol, a controlled
8 substance as defined in section 18-18-102 (5), ~~C.R.S.~~, or any other drug,
9 or any combination thereof, ~~which~~ THAT renders the person incapable of
10 the safe operation of ~~such~~ THE device.

11 **SECTION 22.** In Colorado Revised Statutes, 33-14-102, **amend**
12 (9) as follows:

13 **33-14-102. Snowmobile registration - fees - applications -**
14 **requirements - penalties - exemptions - rules.** (9) Any person who
15 operates a snowmobile in violation of this section is guilty of a class 2
16 petty offense and, upon conviction, shall be punished by a fine of fifty
17 ONE HUNDRED dollars.

18 **SECTION 23.** In Colorado Revised Statutes, **amend** 33-14-106
19 as follows:

20 **33-14-106. Snowmobile recreation fund - creation - use of**
21 **money.** (1) ~~Except as provided in section 33-15-103 (1) when~~
22 ~~enforcement is by a wildlife officer,~~ All fees from the registration of
23 snowmobiles, ~~and one-half of all moneys,~~ MONEY collected for fines
24 under this ~~article~~ ARTICLE 14, and all interest earned on ~~such moneys~~ THE
25 FEES AND FINES shall be credited to the snowmobile recreation fund,
26 hereby created, and shall be used for the administration of this ~~article~~
27 ARTICLE 14 and for the establishment and maintenance of snowmobile

1 trails, vehicle parking areas, and facilities. However, any ~~moneys~~ FEE
2 MONEY collected in excess of five dollars per original or renewal
3 registration shall be used exclusively for direct services and not
4 administrative costs. ~~The remaining one-half of all fines collected shall~~
5 ~~be credited to the state general fund.~~

6 (2) WHEN A COLORADO PEACE OFFICER OTHER THAN A DIVISION
7 OF PARKS AND WILDLIFE OFFICER MAKES AN ARREST OR ISSUES A CITATION
8 FOR AN OFFENSE ARISING FROM A VIOLATION OF THIS ARTICLE 14, THE
9 MONEY COLLECTED FOR THE RESULTING FINE SHALL BE TRANSMITTED TO
10 THE STATE TREASURER, WHO SHALL CREDIT ONE-HALF OF THE MONEY TO
11 THE SNOWMOBILE RECREATION FUND AND:

12 (a) IF THE PEACE OFFICER IS EMPLOYED BY A LOCAL JURISDICTION,
13 ONE-HALF TO THE TREASURER OF THE LOCAL JURISDICTION IN WHICH THE
14 VIOLATION OCCURRED, TO BE CREDITED TO THE APPROPRIATE FUND; OR

15 (b) IF THE PEACE OFFICER IS EMPLOYED BY ANOTHER STATE
16 AGENCY, ONE-HALF TO A FUND ADMINISTERED BY THE STATE AGENCY, AS
17 DESIGNATED BY THE STATE AGENCY.

18 **SECTION 24.** In Colorado Revised Statutes, 33-14-109, **amend**
19 (3) as follows:

20 **33-14-109. Restrictions on young operators.** (3) Any person
21 who violates this section is guilty of a class 2 petty offense and, upon
22 conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

23 **SECTION 25.** In Colorado Revised Statutes, 33-14-111, **amend**
24 (3) as follows:

25 **33-14-111. Snowmobile operation on right-of-way of streets,**
26 **roads, or highways.** (3) Any person who violates this section is guilty
27 of a class 2 petty offense and, upon conviction, shall be punished by a

1 fine of ~~fifty~~ ONE HUNDRED dollars.

2 **SECTION 26.** In Colorado Revised Statutes, 33-14-112, **amend**
3 (3) as follows:

4 **33-14-112. Crossing roads, highways, and railroad tracks.**

5 (3) Any person who violates this section is guilty of a class 2 petty
6 offense and, upon conviction, shall be punished by a fine of ~~fifty~~ ONE
7 HUNDRED dollars.

8 **SECTION 27.** In Colorado Revised Statutes, 33-14-114, **amend**
9 (3) as follows:

10 **33-14-114. Required equipment - snowmobiles.** (3) Any person
11 who violates this section is guilty of a class 2 petty offense and, upon
12 conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

13 **SECTION 28.** In Colorado Revised Statutes, 33-14-116, **amend**
14 (5) and (7) as follows:

15 **33-14-116. Other operating restrictions.** (5) Any person who
16 violates subsection (1) of this section is guilty of a class 2 petty offense
17 and, upon conviction, shall be punished by a fine of ~~one~~ TWO hundred
18 dollars.

19 (7) Any person who violates subsection (4) of this section is guilty
20 of a class 2 petty offense and, upon conviction, shall be punished by a
21 fine of ~~fifty~~ ONE HUNDRED dollars.

22 **SECTION 29.** In Colorado Revised Statutes, 33-14-117, **amend**
23 (3)(b) as follows:

24 **33-14-117. Hunting, carrying weapons on snowmobiles -**
25 **prohibitions.** (3) Any person who violates subsection (1) of this section
26 is guilty of a class 2 petty offense and, upon conviction, shall be punished
27 by a fine as follows:

1 (b) For a violation of ~~paragraph (b) of subsection (1)~~ SUBSECTION
2 (1)(b) of this section, ~~fifty~~ ONE HUNDRED dollars; and

3 **SECTION 30.** In Colorado Revised Statutes, 33-14.5-102,
4 **amend** (7) and (9)(f) as follows:

5 **33-14.5-102. Off-highway vehicle registration -**
6 **nonresident-owned or -operated off-highway vehicle permits - fees -**
7 **applications - requirements - exemptions - rules.** (7) Any person who
8 operates an off-highway vehicle in violation of this section is guilty of a
9 class 2 petty offense and, upon conviction, shall be punished by a fine of
10 ~~fifty~~ ONE HUNDRED dollars.

11 (9) (f) Any person who violates ~~the provisions of~~ this subsection
12 (9) is guilty of a class 2 petty offense and, upon conviction thereof, shall
13 be punished by a fine of ~~thirty-five~~ ONE HUNDRED dollars.

14 **SECTION 31.** In Colorado Revised Statutes, 33-14.5-106,
15 **amend** (2) as follows:

16 **33-14.5-106. Off-highway vehicle recreation fund - creation -**
17 **use of money.** (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS
18 SECTION, all ~~moneys~~ MONEY collected for fines imposed pursuant to ~~the~~
19 ~~provisions of this article~~ ARTICLE 14.5 shall be distributed as follows:

20 (a) ~~One-half of such amount collected shall be transferred to the~~
21 ~~state treasurer for credit to the general fund; and~~

22 (b) ~~One-half of such amount collected shall be distributed as~~
23 ~~follows:~~

24 (I) ~~If the citing officer is a park officer, the amount shall be~~
25 ~~transferred to the state treasurer and credited to the off-highway vehicle~~
26 ~~recreation fund. or~~

27 (II) ~~If the citing officer is a wildlife officer or special wildlife~~

1 officer, the amount shall be transferred to the state treasurer and credited
2 to the wildlife cash fund; or

3 (HH) ~~If the citing officer is any other peace officer, such amount~~
4 ~~shall be transferred to the treasurer of the local jurisdiction in which the~~
5 ~~violation occurred to be credited to the appropriate fund.~~

6 (b) IF A COLORADO PEACE OFFICER OTHER THAN A DIVISION OF
7 PARKS AND WILDLIFE OFFICER MAKES AN ARREST OR ISSUES A CITATION
8 FOR AN OFFENSE ARISING FROM A VIOLATION OF THIS ARTICLE 14.5, THE
9 STATE TREASURER SHALL CREDIT ONE-HALF OF THE MONEY COLLECTED
10 FOR THE RESULTING FINE TO THE OFF-HIGHWAY VEHICLE RECREATION
11 FUND AND:

12 (I) IF THE PEACE OFFICER IS EMPLOYED BY A LOCAL JURISDICTION,
13 ONE-HALF TO THE TREASURER OF THE LOCAL JURISDICTION IN WHICH THE
14 VIOLATION OCCURRED, TO BE CREDITED TO THE APPROPRIATE FUND; OR

15 (II) IF THE PEACE OFFICER IS EMPLOYED BY ANOTHER STATE
16 AGENCY, ONE-HALF TO A FUND ADMINISTERED BY THE STATE AGENCY, AS
17 DESIGNATED BY THE STATE AGENCY.

18 **SECTION 32.** In Colorado Revised Statutes, 33-14.5-108.5,
19 **amend** (3) as follows:

20 **33-14.5-108.5. Crossing roads, highways, and railroad tracks.**

21 (3) A person who violates this section is guilty of a class 2 petty offense
22 and, upon conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED
23 dollars.

24 **SECTION 33.** In Colorado Revised Statutes, 33-14.5-112,
25 **amend** (6) as follows:

26 **33-14.5-112. Off-highway use permit - fees - applications -**
27 **requirements - exemptions - rules.** (6) Any person who violates

1 ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section is guilty
2 of a class 2 petty offense and, upon conviction, shall be punished by a
3 fine of ~~fifty~~ ONE HUNDRED dollars.

4 **SECTION 34.** In Colorado Revised Statutes, 33-15-102, **amend**
5 (1) as follows:

6 **33-15-102. Imposition of penalty - procedures.** (1) ~~Any~~ A
7 person who violates ~~any of the provisions of articles 10 to 15 or 32 of this~~
8 ~~title or any rule of the commission that does~~ FOR WHICH THERE IS not ~~have~~
9 ~~a specific~~ AN ASSOCIATED STATUTORY penalty listed is guilty of a class 2
10 petty offense and, upon conviction, shall be punished by a fine of ~~fifty~~
11 ONE HUNDRED dollars.

12 **SECTION 35.** In Colorado Revised Statutes, 33-15-103, **amend**
13 (1) as follows:

14 **33-15-103. Disposition of fines - notice of court decisions.**
15 (1) ~~(a)~~ Except as provided in section 33-10.5-105 (2)(b) and (3)(c), all
16 money collected for fines under this article 15 and articles 10 to 13 and
17 32 of this title 33, either by payment of a penalty assessment or assessed
18 by a court upon conviction, shall be transmitted to the state treasurer, who
19 shall credit the money to ~~the parks and outdoor recreation cash fund;~~
20 ~~except that, when an arrest has been made or the citation for any offense,~~
21 ~~including those committed under article 14 of this title 33, has been~~
22 ~~issued by a wildlife officer of the division of parks and wildlife, all~~
23 ~~money collected for the fine shall be transmitted to the state treasurer,~~
24 ~~who shall credit one-half to the wildlife cash fund and one-half to the~~
25 ~~general fund.~~ AS FOLLOWS:

26 (a) IF A DIVISION OF PARKS AND WILDLIFE OFFICER MAKES THE
27 ARREST OR ISSUES THE CITATION UNDERLYING THE FINE, THE STATE

1 TREASURER SHALL CREDIT ALL OF THE MONEY TO THE PARKS AND
2 OUTDOOR RECREATION CASH FUND; OR

3 ~~(b) All moneys collected for fines imposed pursuant to the~~
4 ~~provisions of article 14.5 of this title shall be distributed as follows:~~

5 ~~(I) One-half of such amount collected shall be transferred to the~~
6 ~~state treasurer for credit to the general fund; and~~

7 ~~(II) One-half of such amount collected shall be distributed as~~
8 ~~follows:~~

9 ~~(A) If the citing officer is a park officer, the amount shall be~~
10 ~~transferred to the state treasurer and credited to the off-highway vehicle~~
11 ~~recreation fund; or~~

12 ~~(B) If the citing officer is a wildlife officer or special wildlife~~
13 ~~officer, the amount shall be transferred to the state treasurer and credited~~
14 ~~to the wildlife cash fund; or~~

15 ~~(C) If the citing officer is any other peace officer, such amount~~
16 ~~shall be transferred to the treasurer of the local jurisdiction in which the~~
17 ~~violation occurred to be credited to the appropriate fund.~~

18 (b) IF A PEACE OFFICER OTHER THAN A DIVISION OF PARKS AND
19 WILDLIFE OFFICER MAKES THE ARREST OR ISSUES THE CITATION
20 UNDERLYING THE FINE, THE STATE TREASURER SHALL CREDIT ONE-HALF
21 OF THE MONEY TO THE PARKS AND OUTDOOR RECREATION CASH FUND
22 AND:

23 (I) IF THE PEACE OFFICER IS EMPLOYED BY A LOCAL JURISDICTION,
24 ONE-HALF TO THE TREASURER OF THE LOCAL JURISDICTION IN WHICH THE
25 VIOLATION OCCURRED, TO BE CREDITED TO THE APPROPRIATE FUND; OR

26 (II) IF THE PEACE OFFICER IS EMPLOYED BY ANOTHER STATE
27 AGENCY, ONE-HALF TO THE FUND ADMINISTERED BY THE STATE AGENCY,

1 AS DESIGNATED BY THE STATE AGENCY.

2 **SECTION 36.** In Colorado Revised Statutes, **amend** 33-15-107
3 as follows:

4 **33-15-107. Camping.** (1) It is unlawful for any person to camp
5 on land or water ~~under the control of the division~~ LOCATED IN A STATE
6 PARK OR STATE RECREATION AREA unless the area is so designated and
7 posted pursuant to rule of the commission. Any person who violates this
8 ~~section~~ SUBSECTION (1) is guilty of a class 2 petty offense and, upon
9 conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

10 (2) A PERSON WHO OCCUPIES AN AREA DESIGNATED FOR CAMPING
11 WITHOUT HAVING OBTAINED A VALID PERMIT FOR THE CAMPSITE IS GUILTY
12 OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED
13 BY A FINE EQUAL TO FIVE TIMES THE COST OF A PERMIT FOR THE CAMPSITE.

14 **SECTION 37.** In Colorado Revised Statutes, 33-15-110, **amend**
15 (2) as follows:

16 **33-15-110. Vehicles and vessels - operation on state property.**

17 (2) Any person who violates this section is guilty of a class 2 petty
18 offense and, upon conviction, shall be punished by a fine of ~~fifty~~ ONE
19 HUNDRED dollars.

20 **SECTION 38.** In Colorado Revised Statutes, 33-1-125, **amend**
21 (1)(a) as follows:

22 **33-1-125. Colorado nongame conservation and wildlife**
23 **restoration cash fund - creation - disbursement of money - wildlife**
24 **rehabilitation grant program - authority and board created - process**
25 **- report - definitions - repeal.** (1) (a) There is hereby created in the state
26 treasury the Colorado nongame conservation and wildlife restoration cash
27 fund, referred to in this section as the "fund". The fund consists of

1 voluntary contributions made through part 7 of article 22 of title 39, less
2 any appropriation to the department of revenue pursuant to section
3 39-22-703; any ~~moneys~~ MONEY credited pursuant to section 33-6-105
4 ~~(1)(a)~~ (1); and all interest derived from the deposit and investment of
5 ~~moneys~~ MONEY in the fund and credited to the fund by the state treasurer.
6 All unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund
7 at the end of any fiscal year must remain in the fund and ~~shall~~ MUST not
8 revert back to the general fund or any other fund or be used for any
9 purpose other than the purposes set forth in this section. The division
10 shall expend ~~moneys~~ MONEY from the fund as specified in, and for the
11 implementation of, this section.

12 **SECTION 39. Effective date - applicability.** This act takes
13 effect July 1, 2019, and applies to violations committed on or after said
14 date.

15 **SECTION 40. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.