A BILL FOR AN ACT

Concerning fines assessed for violations of laws 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.
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.

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

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

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

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

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

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

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

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

(d) Revenue from an increase in fines for violations of hunting, fishing, and parks statutes will enable the division of parks and wildlife to invest additional resources into achieving its 2025 goals to recruit and
educate a new generation of hunters, anglers, and park users who respect the laws protecting Colorado's great outdoors.

SECTION 3. 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 associated statutory 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 4. In Colorado Revised Statutes, 33-6-105, amend (1) as follows:

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

(b) When an arrest has been made or the citation for any wildlife offense has been issued by a park officer of the division of parks and wildlife or by any other Colorado peace officer, as defined in this title, the state treasurer shall credit one-half of the moneys collected to the general fund wildlife cash fund or, for offenses
INvolving nongame wildlife, to the colorado nongame conservation and wildlife restoration cash fund, and:

(I) If the peace officer is employed by a local jurisdiction, one-half to the treasurer of the Colorado town, city, county, or city and county in which the violation occurred, to be credited to the appropriate fund; or

(II) If the peace officer is employed by another state agency, one-half to a fund administered by the state agency whose officer issued the citation, as designated by the state agency.

section 5. In colorado revised statutes, 33-6-107, amend (1)(a), (5), (6), and (8)(f) 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 one hundred dollars and an assessment of ten license suspension points or shall, with respect to big game, be punished by a fine of two hundred dollars 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 one hundred dollars 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 fifty-one hundred dollars and an assessment of ten license suspension points.

(8) (f) Any person who violates this subsection (8) or any rule implementing this subsection (8) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of fifty-one hundred dollars and an assessment of ten license suspension points.

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

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

(g) For all fish, mollusks, crustaceans, amphibians, or reptiles not covered by paragraph (a) of this subsection, a fine of thirty-five dollars and an assessment of five points for the first such animal and, for each additional such animal taken or possessed at the same time, an additional fine of ten thirty-five dollars per animal and an additional assessment of one point per animal.

SECTION 7. In Colorado Revised Statutes, 33-6-111, amend (1) and (3) as follows:
33-6-111. Inspection of license and wildlife - check stations - failure to tag - eluding an officer. (1) (a) Any person who hunts, traps, fishes, or possesses wildlife for any purpose shall, WHEN REQUESTED TO DO SO BY AN OFFICER OF THE DIVISION OF PARKS AND WILDLIFE OR OTHER PEACE OFFICER EMPOWERED TO ENFORCE ARTICLES 1 TO 6 OF THIS TITLE 33, produce:

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

(II) All firearms;

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

(IV) All wildlife; and

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

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

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

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

SECTION 9. In Colorado Revised Statutes, 33-6-116, amend (3) as follows:

Hunting, trapping, or fishing on private property - posting public lands. (3) Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one TWO hundred dollars and an assessment of twenty license suspension points.

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

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

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

SECTION 11. In Colorado Revised Statutes, 33-6-121, amend (2) as follows:

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

SECTION 12. In Colorado Revised Statutes, amend 33-6-125 as follows:

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

SECTION 13. In Colorado Revised Statutes, amend 33-6-126 as
follows:

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

SECTION 14. In Colorado Revised Statutes, 33-6-129, amend
(2) as follows:

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

SECTION 15. In Colorado Revised Statutes, 33-6-131, amend
(3) as follows:

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

(a) **One** TWO hundred dollars for a first offense;
(b) **Five hundred** ONE THOUSAND dollars for a second offense; OR
(c) **One** TWO thousand dollars for a third or subsequent offense.

**SECTION 16.** In Colorado Revised Statutes, 33-10.5-105, amend (1)(a) as follows:

33-10.5-105. **Prohibition of aquatic nuisance species - rules - penalties.** (1) A person shall not:

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

**SECTION 17.** In Colorado Revised Statutes, 33-12-105, amend (1) as follows:

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

**SECTION 18.** In Colorado Revised Statutes, 33-13-103, amend (4) as follows:

33-13-103. **Numbering of vessels required - rules.** (4) 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** ONE HUNDRED dollars.

**SECTION 19.** In Colorado Revised Statutes, 33-13-106, amend (5) as follows:
33-13-106. Equipment requirements. (5) Any person who violates subsection (1), (2), (3), (4), or (4.5) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty ONE HUNDRED dollars.

SECTION 20. In Colorado Revised Statutes, 33-13-107.1, amend (5) as follows:

33-13-107.1. Minimum age of motorboat operators - youth education. (5) Any person who violates this section is guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of fifty ONE HUNDRED dollars.

SECTION 21. In Colorado Revised Statutes, 33-13-108, amend (1)(b) and (2)(b) as follows:

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

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

SECTION 22. In Colorado Revised Statutes, 33-13-110, amend (1)(c), (2)(b), (2)(d), and (3)(a); and add (2)(c.5) as follows:

33-13-110. Water skis, aquaplanes, surfboards, inner tubes, stand-up paddleboards, and similar devices - rules. (1) (c) Any person who violates this subsection (1) is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of one TWO hundred dollars.
(2) (b) The commission shall promulgate such rules as are necessary or desirable for the safe use of water skis, aquaplanes, surfboards, inner tubes, STAND-UP PADDLEBOARDS, and other similar devices.

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

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

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

SECTION 23. In Colorado Revised Statutes, 33-14-102, amend (9) as follows:

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

SECTION 24. In Colorado Revised Statutes, amend 33-14-106 as follows:

33-14-106. Snowmobile recreation fund - creation - use of
money. (1) Except as provided in section 33-15-103 (1) when enforcement is by a wildlife officer, all fees from the registration of snowmobiles, and one-half of all moneys; money collected for fines under this article ARTICLE 14, and all interest earned on such moneys THE FEES AND FINES shall be credited to the snowmobile recreation fund, hereby created, and shall be used for the administration of this article ARTICLE 14 and for the establishment and maintenance of snowmobile trails, vehicle parking areas, and facilities. However, any moneys FEE money collected in excess of five dollars per original or renewal registration shall be used exclusively for direct services and not administrative costs. The remaining one-half of all fines collected shall be credited to the state general fund.

(2) When a Colorado peace officer other than a division of parks and wildlife officer makes an arrest or issues a citation for an offense arising from a violation of this Article 14, the money collected for the resulting fine shall be transmitted to the state treasurer, who shall credit one-half of the money to the snowmobile recreation fund and:

(a) If the peace officer is employed by a local jurisdiction, one-half to the treasurer of the local jurisdiction in which the violation occurred, to be credited to the appropriate fund; or

(b) If the peace officer is employed by another state agency, one-half to a fund administered by the state agency, as designated by the state agency.

SECTION 25. In Colorado Revised Statutes, 33-14-109, amend (3) as follows:

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

SECTION 26. In Colorado Revised Statutes, 33-14-111, amend (3) as follows:

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

SECTION 27. In Colorado Revised Statutes, 33-14-112, amend (3) as follows:

33-14-112. Crossing roads, highways, and railroad tracks. (3) Any person who violates this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty ONE HUNDRED dollars.

SECTION 28. In Colorado Revised Statutes, 33-14-114, amend (3) as follows:

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

SECTION 29. In Colorado Revised Statutes, 33-14-116, amend (5) and (7) as follows:

33-14-116. Other operating restrictions. (5) 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 one TWO hundred dollars.

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

SECTION 30. In Colorado Revised Statutes, 33-14-117, amend (3)(b) as follows:

33-14-117. Hunting, carrying weapons on snowmobiles - prohibitions. (3) 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 as follows:

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

SECTION 31. In Colorado Revised Statutes, 33-14.5-102, amend (7) and (9)(f) as follows:

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

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

SECTION 32. In Colorado Revised Statutes, 33-14.5-106, amend (2) as follows:

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

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

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

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

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

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

(b) If a Colorado peace officer other than a Division of Parks and Wildlife officer makes an arrest or issues a citation for an offense arising from a violation of this Article 14.5, the state treasurer shall credit one-half of the money collected for the resulting fine to the off-highway vehicle recreation fund and:

(I) If the peace officer is employed by a local jurisdiction, one-half to the treasurer of the local jurisdiction in which the violation occurred, to be credited to the appropriate fund; or

(II) If the peace officer is employed by another state agency, one-half to a fund administered by the state agency, as designated by the state agency.

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

33-14.5-108.5. Crossing roads, highways, and railroad tracks.
(3) A person who violates this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty ONE HUNDRED dollars.

SECTION 34. In Colorado Revised Statutes, 33-14.5-112, amend (6) as follows:

33-14.5-112. Off-highway use permit - fees - applications - requirements - exemptions - rules. (6) Any person who violates paragraph (b) of subsection (1) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of fifty ONE HUNDRED dollars.

SECTION 35. In Colorado Revised Statutes, 33-15-102, amend (1) as follows:

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

SECTION 36. In Colorado Revised Statutes, 33-15-103, amend (1) as follows:

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

(a) IF A DIVISION OF PARKS AND WILDLIFE OFFICER MAKES THE
ARREST OR ISSUES THE CITATION UNDERLYING THE FINE, THE STATE
TREASURER SHALL CREDIT ALL OF THE MONEY TO THE PARKS AND
OUTDOOR RECREATION CASH FUND; OR

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

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

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

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

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

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

(b) If a peace officer other than a division of parks and
wildlife officer makes the arrest or issues the citation
underlying the fine, the state treasurer shall credit one-half
OF THE MONEY TO THE PARKS AND OUTDOOR RECREATION CASH FUND
AND:

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

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

SECTION 37. In Colorado Revised Statutes, amend 33-15-107
as follows:

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

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

SECTION 38. In Colorado Revised Statutes, 33-15-110, amend
(2) as follows:

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

SECTION 39. In Colorado Revised Statutes, 33-1-125, amend
(1)(a) as follows:

33-1-125. Colorado nongame conservation and wildlife restoration cash fund - creation - disbursement of money - wildlife rehabilitation grant program - authority and board created - process - report - definitions - repeal. (1) (a) There is hereby created in the state treasury the Colorado nongame conservation and wildlife restoration cash fund, referred to in this section as the "fund". The fund consists of voluntary contributions made through part 7 of article 22 of title 39, less any appropriation to the department of revenue pursuant to section 39-22-703; any moneys credited pursuant to section 33-6-105 (1)(a); and all interest derived from the deposit and investment of moneys in the fund and credited to the fund by the state treasurer. All unexpended and unencumbered moneys remaining in the fund at the end of any fiscal year must remain in the fund and shall not revert back to the general fund or any other fund or be used for any purpose other than the purposes set forth in this section. The division shall expend moneys from the fund as specified in, and for the implementation of, this section.

SECTION 40. Effective date - applicability. This act takes effect July 1, 2019, and applies to violations committed on or after said date.

SECTION 41. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.