

## CHAPTER 423

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**NATURAL RESOURCES**


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**HOUSE BILL 19-1026**

BY REPRESENTATIVE(S) Catlin and McCluskie, Arndt, Bird, Caraveo, Cutter, Gray, Hansen, Herod, McLachlan, Michaelson Jenet, Roberts, Snyder, Titone, Will, Becker;  
also SENATOR(S) Coram and Donovan.

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

*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

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(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~~ A person who violates ~~any of the provisions of articles 1 to 6 of this title or any rule of the commission that does~~ FOR WHICH THERE IS NOT ~~have a specific~~ AN 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~~ MONEY collected for fines under articles 1 to 6 of this title 33, either by payment of a penalty assessment or assessed by a court upon conviction and resulting from issuance of a citation by a ~~wildlife~~ AN 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~~ THE MONEY 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~~ TITLE 33, the state treasurer shall credit ~~one-half of the moneys~~ MONEY 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~~ TITLE 33 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 ~~over~~ 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~~ ARE 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 (3)~~ SUBSECTION (3)(a) OF THIS SECTION, 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:

**33-6-114. 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:

**33-6-116. 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:

**33-6-119. 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~~ THE PERSON'S 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 suspension 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~~ A 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~~ THAT 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)~~ SUBSECTION (1)(b) 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 ~~moneys~~ 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)~~ SUBSECTION (1)(b) 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~~ A 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~~ FOR WHICH THERE IS 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) ~~(a)~~ 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 33, 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:

**33-15-110. Vehicles and vessels - operation on state property.** (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~~ MONEY credited pursuant to section 33-6-105 ~~(1)(a)~~ (1); and all interest derived from the deposit and investment of ~~moneys~~ MONEY in the fund and credited to the fund by the state treasurer. All unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund at the end of any fiscal year must remain in the fund and ~~shall~~ MUST 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~~ MONEY 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.

Approved: June 3, 2019