

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 23-0007.04 Jery Payne x2157

**SENATE BILL 23-275**

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**SENATE SPONSORSHIP**

**Ginal and Will**, Cutter, Jaquez Lewis, Priola

**HOUSE SPONSORSHIP**

**Duran and Lynch**, McLachlan

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**Senate Committees**

Agriculture & Natural Resources  
Appropriations

**House Committees**

Agriculture, Water & Natural Resources  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING MANAGING WILD HORSES, AND, IN CONNECTION**  
102              **THEREWITH, AUTHORIZING THE CREATION OF AN ENTITY TO**  
103              **SUPPORT MANAGEMENT OF WILD HORSE HERDS IN COLORADO,**  
104              **SEEKING LONG-TERM SOLUTIONS FOR HORSES REMOVED FROM**  
105              **THE WILD RANGE, AND MAKING AN APPROPRIATION.**

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**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>.)*

The bill creates the Colorado wild horse management project (wild horse project), which is a nonprofit, state-owned corporate entity that

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

HOUSE  
Amended 2nd Reading  
May 4, 2023

SENATE  
3rd Reading Unamended  
April 27, 2023

SENATE  
Amended 2nd Reading  
April 26, 2023

manages and operates programs benefitting wild horses and supports wild horse management. The director of the wild horse project will be selected by a committee of the governor, the commissioner of agriculture, the executive director of the department of natural resources, and the majority leader of the house of representatives. The wild horse project has the powers normally afforded to a nonprofit corporate entity. The wild horse project will annually report to the governor, the joint budget committee, and the appropriate joint legislative committee at "SMART Act" hearings.

The wild horse project may seek federal payment for wild horse management support activities and gifts, grants, or donations. On the effective date of the bill, the state treasurer is required to transfer \$1.5 million from the general fund to the wild horse project fund, which is created for use by the wild horse project.

A working group is established by the wild horse project to study and pursue long-term solutions for wild horses that are removed from federal horse management areas or held in federal facilities and make recommendations to the governor and the general assembly. The working group will have representation from the executive branch, the legislative branch, nonprofit organizations, businesses, the western slope, and the ranching community. The Colorado state director of the federal bureau of land management (bureau), the Southern Ute Tribe, and the Ute Mountain Ute Tribe may appoint representatives to the working group.

A wild horse stewardship program is created to help manage range health and infrastructure. The wild horse fertility control program is created to manage the wild horse herd population by collaborating, coordinating, and training people and entities to manage wild horse populations. Both programs are overseen by the wild horse project.

The commissioner of agriculture is required to provide support in the form of grants and contracts to assist with managing wild horse populations using fertility control methods, subject to approval by the bureau, until July 31, 2024, or until the wild horse project commences its own program to manage wild horse populations if commenced earlier than July 31, 2024.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares:

4           (a) Colorado is home to four federally owned and protected wild  
5 horse herds generally that are found within federal herd management  
6 areas administered by the federal bureau of land management in

1 accordance with the federal "Wild Free-Roaming Horses and Burros  
2 Act", Pub.L. 92-195;

3 (b) Wild horses are protected under federal law in the areas where  
4 they are presently found and are an integral part of the natural system of  
5 the public lands;

6 (c) Federal budgets have not kept pace with the many needs these  
7 wild horse herds have, and this underfunding has clear negative effects  
8 on state equities, Colorado's vital agricultural industry, rangeland  
9 conditions, wildlife, and more;

10 (d) Federal underfunding has exacerbated the challenging  
11 conditions that negatively affect the health of wild horse ranges and  
12 federal herd management areas, and this further affects state and private  
13 equities in state programs and rangeland quality;

14 (e) Colorado has the opportunity to serve the diverse interests of  
15 livestock owners, wildlife, and range health by supporting responsible  
16 wild horse management, stabilizing herd numbers, and ending the  
17 unsustainable cycle of population growth followed by removal of wild  
18 horses from the range;

19 (f) Localized volunteers undertake the vast majority of care and  
20 management for these herds. These ■ groups provide hundreds of hours  
21 of selfless work for the betterment of the wild horse herds, local  
22 communities, and surrounding rangelands. Yet these ■ groups have  
23 insufficient resources to meet the need that exists and the growing  
24 challenges associated with sustained drought, and they often struggle to  
25 find and retain reliable and qualified volunteers to perform critical  
26 activities.

27 (g) Wild horse herds have long been a central part of the character

1 of Colorado and the West; in particular, they have been ingrained in the  
2 history, culture, and current workings of local and ranching communities  
3 and operators;

4 (h) Large helicopter roundups of wild horses, the condition of  
5 these horses and herds, extended drought conditions, and our shared need  
6 to ensure that Colorado rangelands and natural resources are well cared  
7 for have been key concerns and challenges Colorado has recently faced,  
8 and Colorado has a deep need and interest to address these concerns and  
9 challenges to improve the situation;

10 (i) With current conditions, Colorado must take action to ensure  
11 that it maintains healthy wild horse herds and healthy rangelands and  
12 avoids key challenges, such as wild horse herds that are too large for the  
13 health of the horses, existing care systems, and rangeland;

14 (j) Colorado, federal land managers and external experts, the wild  
15 horse advocacy community, and key partners such as volunteer networks,  
16 conservationists, and the ranching community have worked together to  
17 identify strategies that would capitalize on current conditions, create a  
18 sustainable way to improve the care of our wild horse herds, and care for  
19 Colorado's natural resource equities;

20 (k) The federal bureau of land management in Colorado has  
21 recently invested additional funding in key herd management areas to  
22 improve conditions for wild horses and wildlife and is interested in  
23 partnering with the state, wildlife organizations, and wild horse  
24 advocates, and this interest further underscores the opportunity Colorado  
25 has to work with federal and stakeholder entities, creating real outcomes  
26 that will promote range health, horse herd health, and the health of  
27 Colorado's agricultural and local economies;

1 (l) After extensive evaluation, the following efforts have been  
2 identified as highly effective, highly efficient, and worthy of fostering:

3 (I) Providing state-level coordination, partnership development,  
4 and, in particular, volunteer and paid human resource development to  
5 support the existing work of the friend groups in delivering  
6 contraceptives through darting;

7 (II) Rangeland care, including fence repair and replacement;

8 (III) Installing and maintaining infrastructure needed to support  
9 the well-being of rangelands and wild horses; and

10 (IV) In particular, growing partnerships and networks to support  
11 wild horse management;

12 (m) With the public's strong interest in, care of, and love of wild  
13 horses, Colorado has an opportunity to catalyze a self-sustaining, but  
14 state-supported, independent entity that will draw from private gifts,  
15 grants, and donations to conduct its work;

16 (n) The core work of the independent entity will be to foster  
17 diverse and creative partnerships and enlist a broad and diverse, but  
18 reliable and sustainable, community to ensure the long-term sustainability  
19 of Colorado's wild horse herds and rangelands;

20 (o) The wild horse project could include engaging and funding  
21 volunteer networks, engaging veterans' organizations or other  
22 organizations that have members with existing shooting skills for darting  
23 efforts, engaging and creating partnership or funding opportunities in  
24 local and ranching communities with close proximity to the herds, or  
25 numerous other potential creative partnerships; and

26 (p) Through state action in creating the foundation from which  
27 these activities can launch, Colorado efficiently and effectively solves a



1 (9) "WILD HORSE PROJECT" MEANS THE COLORADO WILD HORSE  
2 PROJECT CREATED IN SECTION 35-66-102 (1).

3 **35-66-102. Wild horse project - creation - director selection -**  
4 **operation - repeal.** (1) THE DEPARTMENT MAY CREATE THE WILD HORSE  
5 PROJECT, WHICH, IF CREATED, IS A STATE-OWNED NONPROFIT ENTITY THAT  
6 MANAGES AND OPERATES THE STEWARDSHIP PROGRAM AND THE FERTILITY  
7 CONTROL PROGRAM.

8 (2) (a) A HIRING COMMITTEE IS ESTABLISHED TO HIRE THE  
9 DIRECTOR FOR THE WILD HORSE PROJECT. THE HIRING COMMITTEE  
10 CONSISTS OF FIVE MEMBERS:

11 (I) THE GOVERNOR OR THE GOVERNOR'S DESIGNEE, WHO IS CHAIR  
12 OF THE HIRING COMMITTEE;

13 (II) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE;

14 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL  
15 RESOURCES OR THE EXECUTIVE DIRECTOR'S DESIGNEE;     

16 (IV) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
17 OR THE MAJORITY LEADER'S DESIGNEE; AND

18 (V) THE MINORITY LEADER OF THE SENATE OR THE MINORITY  
19 LEADER'S DESIGNEE.

20 (b) THE HIRING COMMITTEE CREATED IN THIS SUBSECTION (2)  
21 SHALL HIRE THE DIRECTOR OF THE WILD HORSE PROJECT ON OR BEFORE  
22 AUGUST 1, 2023, AND WITHIN ONE HUNDRED TWENTY DAYS AFTER A  
23 DIRECTOR RESIGNS, OTHERWISE LEAVES OFFICE, OR IS NO LONGER ABLE TO  
24 PERFORM THE DUTIES OF DIRECTOR. THE GOVERNOR MAY APPOINT AN  
25 INTERIM DIRECTOR UNTIL THE DIRECTOR IS HIRED.

26 (c) THE DIRECTOR SERVES AT THE PLEASURE OF THE HIRING  
27 COMMITTEE.

1           (3) TO IMPLEMENT THIS ARTICLE 66, THE WILD HORSE PROJECT  
2 MAY:

3           (a) MAKE PROPOSALS TO IMPLEMENT THIS ARTICLE 66 TO THE  
4 BUREAU, COMMISSIONER, AND DEPARTMENT;

5           (b) ENTER INTO CONTRACTS AND MEMORANDA OF  
6 UNDERSTANDING;

7           (c) ADOPT AND USE A SEAL OR LOGO;

8           (d) BUY, SELL, ACQUIRE, LEASE, AND OWN REAL AND PERSONAL  
9 PROPERTY;

10          (e) EXERCISE ANY LEGAL AUTHORITY OR SEEK LEGAL REMEDIES  
11 NECESSARY TO IMPLEMENT THIS ARTICLE 66;

12          (f) HIRE STAFF; AND

13          (g) TAKE ANY OTHER ACTION REASONABLY RELATED TO  
14 IMPLEMENTING THIS ARTICLE 66.

15           **35-66-103. Wild horse project report - repeal.** (1) ON OR  
16 BEFORE JANUARY 31, 2024, AND ON OR BEFORE JANUARY 31 OF EACH  
17 YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A WRITTEN REPORT  
18 TO THE GOVERNOR AND THE APPROPRIATE COMMITTEES OF REFERENCE AS  
19 DETERMINED IN ACCORDANCE WITH SECTION 2-7-203 (1). THE  
20 DEPARTMENT SHALL ALSO PRESENT THE REPORT TO THE APPROPRIATE  
21 JOINT COMMITTEE OF REFERENCE, IN ACCORDANCE WITH SECTION 2-7-203  
22 (2), AS PART OF THE DEPARTMENT'S "SMART ACT" HEARING. THE REPORT  
23 MUST INCLUDE A DESCRIPTION OF THE MONEY SPENT, GRANTS MADE, AND  
24 ACTIONS TAKEN TO IMPLEMENT THIS ARTICLE 66, INCLUDING THE NUMBER  
25 OF HORSES TREATED UNDER THE FERTILITY CONTROL PROGRAM, THE  
26 NUMBER OF FOALS BORN THE PRIOR YEAR IN EACH HERD MANAGEMENT  
27 AREA, AND THE ACTIONS TAKEN AND ACCOMPLISHED IN ACCORDANCE



1 WITH THE STEWARDSHIP PROGRAM.

2 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2027.

3 **35-66-104. Wild horse project fund - legislative declaration -**

4 **repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT ANY  
5 MONEY RECEIVED UNDER THIS ARTICLE 66 FROM THE FEDERAL  
6 GOVERNMENT OR FROM GIFTS, GRANTS, OR DONATIONS IS CUSTODIAL  
7 FUNDS AND, THEREFORE, IS NOT SUBJECT TO APPROPRIATION.

8 (b) THE WILD HORSE PROJECT FUND IS CREATED IN THE STATE  
9 TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS, AND DONATIONS;  
10 PAYMENTS FROM THE FEDERAL GOVERNMENT IN CONNECTION WITH  
11 ASSISTING IN THE MANAGEMENT OF WILD HORSES; AND ANY OTHER MONEY  
12 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE  
13 FUND.

14 (2) (a) STATE MONEY IN THE FUND IS CONTINUOUSLY  
15 APPROPRIATED TO THE DEPARTMENT FOR USE BY THE WILD HORSE PROJECT  
16 TO IMPLEMENT AND ADMINISTER THIS ARTICLE 66.

17 (b) (I) STATE MONEY IN THE FUND IS CONTINUOUSLY  
18 APPROPRIATED TO THE DEPARTMENT TO IMPLEMENT AND ADMINISTER  
19 SECTION 35-1-119 AND THIS ARTICLE 66.

20 (II) THIS SUBSECTION (2)(b) WILL BE REPEALED WHEN THE  
21 DEPARTMENT CREATES THE WILD HORSE PROJECT. THE COMMISSIONER  
22 SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE ON  
23 WHICH THE CONDITION SPECIFIED IN THIS SUBSECTION (2)(b) HAS  
24 OCCURRED BY E-MAILING THE NOTICE TO  
25 REVISOROFSTATUTES.GA@COLEG.GOV. THIS SUBSECTION (2)(b) IS  
26 REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT  
27 THE DEPARTMENT HAS CREATED THE WILD HORSE PROJECT OR, IF THE

1 NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO  
2 THE REVISOR OF STATUTES.

3 (3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
4 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
5 FUND TO THE FUND.

6 (4) THE WILD HORSE PROJECT MAY SEEK AND ACCEPT GIFTS,  
7 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
8 PURPOSES OF THIS ARTICLE 66. THE WILD HORSE PROJECT SHALL TRANSMIT  
9 ALL MONEY RECEIVED AS GIFTS, GRANTS, OR DONATIONS UNDER THIS  
10 SUBSECTION (4) TO THE STATE TREASURER, WHO SHALL CREDIT THE  
11 MONEY TO THE FUND.

12 (5) (a) ON THE EFFECTIVE DATE OF THIS ARTICLE 66, THE STATE  
13 TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED THOUSAND  
14 DOLLARS FROM THE GENERAL FUND TO THE FUND.

15 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2025.

16 **35-66-105. Working group for long-term solutions for**  
17 **off-range horses - repeal.** (1) (a) A WILD HORSE WORKING GROUP IS  
18 CREATED IN THE DEPARTMENT. THE WILD HORSE WORKING GROUP SHALL  
19 IDENTIFY AND PURSUE:

20 (I) HUMANE, NONLETHAL ALTERNATIVES FOR WILD HORSES THAT  
21 ARE TAKEN OFF-RANGE IN COLORADO OR HELD IN FEDERAL HOLDING  
22 FACILITIES, INCLUDING:

23 (A) A STATE WILD HORSE PRESERVE;

24 (B) WILD HORSE SANCTUARIES OR CREATIVE COLLABORATIONS  
25 WITH WILD HORSE SANCTUARIES; AND

26 (C) OPPORTUNITIES FOR PARTNERSHIPS WITH THE STATE,  
27 INCLUDING PROGRAMS CREATED BY THE GOVERNOR'S COMMISSION ON

1 COMMUNITY SERVICE, ANY DEPARTMENT OF CORRECTIONS PROGRAM, AND  
2 ANY CREATIVE PARTNERSHIPS WITH STATE PROGRAMS;

3 (II) OPPORTUNITIES FOR LONG-TERM CARE AND MANAGEMENT OF  
4 NONFEDERAL WILD OR UNCLAIMED HORSES CURRENTLY IN COLORADO;  
5 AND

6 (III) PARTNERSHIPS AND OPPORTUNITIES TO ENSURE THE SUCCESS  
7 OF ADOPTIONS AND LOCALIZED QUALITY ASSURANCE WHEN SUPPORTING  
8 ADOPTION NETWORKS WITHIN COLORADO.

9 (b) THE WORKING GROUP SHALL NOT CONSIDER OUTCOMES THAT  
10 INVOLVE THE CREATION OF AN EASEMENT OR THE TRANSFER OF LAND,  
11 GRAZING RIGHTS, OR OTHER SIMILAR PRIVATE HOLDINGS IF EITHER IS  
12 AGAINST THE WILL OF THE LANDOWNER OR GRAZING RIGHTS HOLDER.

13 (2) THE WILD HORSE WORKING GROUP CONSISTS OF AT LEAST  
14 FOURTEEN MEMBERS, INCLUDING THE FOLLOWING REPRESENTATION:

15 (a) (I) THE GOVERNOR SHALL APPOINT:

16 (A) A REPRESENTATIVE OF THE GOVERNOR'S OFFICE;

17 (B) A REPRESENTATIVE OF THE DEPARTMENT OF NATURAL  
18 RESOURCES;

19 (C) A REPRESENTATIVE OF THE COLORADO TOURISM OFFICE; AND

20 (D) A REPRESENTATIVE OF THE DEPARTMENT OF AGRICULTURE;

21 (II) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES OR  
22 THE MAJORITY LEADER'S DESIGNEE;

23 (III) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
24 OR THE MINORITY LEADER'S DESIGNEE;

25 (IV) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
26 SHALL APPOINT:

27 (A) TWO REPRESENTATIVES OF NONPROFIT WILD HORSE

1     ADVOCACY ORGANIZATIONS;

2             (B) A RESIDENT OF THE WESTERN SLOPE; AND

3             (C)     A   NONPROFIT   ENVIRONMENTAL   CONSERVATION  
4     ORGANIZATION;

5             (V) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
6     SHALL APPOINT:

7             (A) TWO REPRESENTATIVES OF THE RANCHING AND GRAZING  
8     PERMIT HOLDER COMMUNITY; AND

9             (B) A REPRESENTATIVE FROM EACH OF THE LOCAL ON-RANGE WILD  
10    HORSE ORGANIZATIONS THAT MAINTAIN MEMORANDA OF UNDERSTANDING  
11    WITH THE BUREAU TO CONDUCT ON-RANGE ACTIVITIES;

12            (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL  
13    RESOURCES SHALL APPOINT A REPRESENTATIVE OF THE STATE BOARD OF  
14    LAND COMMISSIONERS; AND

15            (b) (I) THE COLORADO STATE DIRECTOR OF THE BUREAU MAY  
16    REPRESENT THE BUREAU OR MAY APPOINT A REPRESENTATIVE OF THE  
17    BUREAU;

18            (II) THE SOUTHERN UTE TRIBE MAY APPOINT A REPRESENTATIVE  
19    OF THE TRIBE;

20            (III) THE UTE MOUNTAIN UTE TRIBE MAY APPOINT A  
21    REPRESENTATIVE OF THE TRIBE; AND

22            (IV) THE REGION TWO REGIONAL FORESTER OF THE UNITED  
23    STATES FOREST SERVICE MAY APPOINT A REPRESENTATIVE OF THE UNITED  
24    STATES FOREST SERVICE.

25            (3) (a) NOT LATER THAN ONE HUNDRED TWENTY DAYS AFTER THE  
26    EFFECTIVE DATE OF THIS SECTION, THE APPOINTING AUTHORITIES SHALL  
27    APPOINT MEMBERS TO THE WILD HORSE WORKING GROUP IN ACCORDANCE

1 WITH SUBSECTION (2) OF THIS SECTION.

2 (b) THE MEMBERS OF THE WILD HORSE WORKING GROUP SERVE  
3 WITHOUT COMPENSATION FROM THE STATE; EXCEPT THAT MEMBERS WHO  
4 ARE STATE EMPLOYEES MAY BE COMPENSATED AS STATE EMPLOYEES.

5 (4) (a) THE WORKING GROUP SHALL MAKE RECOMMENDATIONS TO  
6 THE GOVERNOR AND GENERAL ASSEMBLY REGARDING SOLUTIONS TO THE  
7 ISSUES DESCRIBED IN THIS SECTION.

8 (b) THE WORKING GROUP SHALL ATTEMPT TO MAKE LEGISLATIVE  
9 RECOMMENDATIONS BY NOVEMBER 1, 2024, BUT SHALL MAKE THE  
10 RECOMMENDATIONS BY NOVEMBER 1, 2025.

11 (c) THE WORKING GROUP SHALL MAKE RECOMMENDATIONS NOT  
12 REQUIRING LEGISLATIVE ACTION AND REGARDING SOLUTIONS TO THE  
13 ISSUES DESCRIBED IN THIS SECTION TO THE APPROPRIATE ENTITY IN A  
14 TIMELY MANNER AND INCLUDE THE RECOMMENDATION IN THE ANNUAL  
15 REPORT REQUIRED IN SECTION 35-66-103.

16 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

17 **35-66-106. Wild horse stewardship program.** (1) THE WILD  
18 HORSE STEWARDSHIP PROGRAM IS CREATED TO COORDINATE AND ASSIST  
19 IN MANAGING AND SUPPORTING THE WELL-BEING OF COLORADO WILD  
20 HORSE HERDS AND WILD HORSE RANGELAND, INCLUDING HERDS WITHIN  
21 FEDERAL HERD MANAGEMENT AREAS, TO ENSURE THE LONG-TERM  
22 SUSTAINABILITY OF WILD HORSE HERDS AND WILD HORSE RANGE HEALTH  
23 BY:

24 (a) SUPPORTING THE MANAGEMENT OF RANGE HEALTH;     

25 (b) IN PARTNERSHIP WITH THE BUREAU AND WITH PERMISSION  
26 FROM THE BUREAU, BUILDING, REPAIRING, AND MAINTAINING RANGE  
27 INFRASTRUCTURE, SUCH AS FENCING, NATURAL FEED SOURCES, OR

1 NATURAL WATER SOURCES, ON PUBLIC LAND FOR THE BENEFIT OF THE  
2 WILD HORSE HERDS, THE WILD HORSE RANGELAND, AND THE RESIDENT  
3 POPULATIONS; AND

4 (c) COORDINATING WITH LOCAL ORGANIZATIONS ASSOCIATED  
5 WITH A HERD MANAGEMENT AREA.

6 (2) (a) THE DIRECTOR SHALL ANNUALLY REPORT TO THE  
7 DEPARTMENT ON THE ACTIONS TAKEN TO MEET THE REQUIREMENTS OF  
8 THIS SECTION. THE REPORT MUST INCLUDE THE ACTIVITIES PERFORMED  
9 AND ACCOMPLISHED IN ACCORDANCE WITH THE STEWARDSHIP PROGRAM.

10 (b) THE DIRECTOR MAY RESCIND A GRANT FOR:

11 (I) FAILURE OF THE GRANT RECIPIENT TO PERFORM THE DUTIES TO  
12 ACCOMPLISH THE PURPOSE FOR WHICH THE GRANT WAS MADE;

13 (II) LACK OF EFFECTIVENESS OF THE GRANT RECIPIENT'S ACTIONS  
14 CONCERNING THE PURPOSES FOR WHICH THE GRANT WAS MADE; AND

15 (III) A LACK OF CONSISTENCY WITH THE EXPECTATIONS OF THE  
16 WILD HORSE PROJECT IN MAKING THE GRANT.

17 (3) THE WILD HORSE PROJECT SHALL BEGIN IMPLEMENTING THIS  
18 SECTION BY JULY 31, 2024.

19 **35-66-107. Wild horse fertility control program.** (1) THE WILD  
20 HORSE FERTILITY CONTROL PROGRAM IS CREATED TO PROVIDE STATE-WIDE  
21 SUPPORT AND COORDINATION IN THE MANAGEMENT OF THE COLORADO  
22 WILD HORSE HERDS, INCLUDING HERDS WITHIN THE FEDERAL HERD  
23 MANAGEMENT AREAS, USING HUMANE FERTILITY CONTROL METHODS TO  
24 ENSURE THE LONG-TERM SUSTAINABILITY OF WILD HORSE HERDS. SUBJECT  
25 TO OBTAINING APPROVAL FROM THE BUREAU WHEN NECESSARY, THE WILD  
26 HORSE PROJECT SHALL, IN OPERATING THE FERTILITY CONTROL PROGRAM:

27 (a) COORDINATE AND ASSIST IN THE MANAGEMENT OF WILD HORSE

- 1 HERD POPULATIONS;
- 2 (b) MAKE PROPOSALS TO THE BUREAU;
- 3 (c) COORDINATE WITH AND ENTER INTO CONTRACTS OR  
4 MEMORANDA OF UNDERSTANDING WITH THE BUREAU;
- 5 (d) COORDINATE WITH AND ENTER INTO CONTRACTS OR  
6 PARTNERSHIPS WITH VOLUNTEERS, INTERESTED GROUPS, AND NONPROFIT  
7 ENTITIES;
- 8 (e) RECRUIT, TRAIN, AND FACILITATE FEDERAL TRAINING FOR  
9 VOLUNTEERS, CONTRACTORS, AND STAFF TO PERFORM THE FUNCTIONS  
10 DESCRIBED IN THIS SECTION;
- 11 (f) COLLABORATE WITH GOVERNMENT AGENCIES THAT HAVE AN  
12 INTEREST IN WILD HORSES OR THAT MAY PROVIDE RESOURCES, INCLUDING  
13 PEOPLE, TO PERFORM THE FUNCTIONS DESCRIBED IN THIS SECTION;
- 14 (g) OBTAIN RESOURCES TO IMPLEMENT THE FERTILITY CONTROL  
15 PROGRAM; AND
- 16 (h) COLLABORATE WITH, COORDINATE WITH, AND SUPPORT LOCAL  
17 HERD MANAGEMENT AREA ORGANIZATIONS IN PERFORMING FERTILITY  
18 CONTROL OR OTHER ON-RANGE ACTIVITIES.
- 19 (2) FOR THE PURPOSES OF THIS SECTION AND SECTION 35-66-106,  
20 THE WILD HORSE PROJECT MAY:
- 21 (a) SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS IN  
22 ACCORDANCE WITH SECTION 35-66-104 (4);
- 23 (b) CREATE AND ADMINISTER GRANT PROGRAMS TO IMPLEMENT  
24 THE FERTILITY CONTROL PROGRAM AND THE STEWARDSHIP PROGRAM;
- 25 (c) EXERCISE THE POWERS GRANTED IN SECTIONS 35-66-102 (3)  
26 AND 35-66-106; AND
- 27 (d) FORM TECHNICAL, EXPERT, STAKEHOLDER, OR OTHER

1 ADVISORY COMMITTEES.

2 (3) IN OPERATING THE FERTILITY CONTROL PROGRAM, THE WILD  
3 HORSE PROJECT SHALL:

4 (a) USE ONLY HUMANE, PROVEN, NONLETHAL, AND SAFE FERTILITY  
5 CONTROL METHODS THAT ARE OR ARE SUBSTANTIALLY SIMILAR TO  
6 IMMUNOCONTRACEPTIVE FERTILITY CONTROL VACCINES;

7 (b) NOT USE OR AUTHORIZE LETHAL POPULATION MANAGEMENT  
8 METHODS; AND

9 (c) NOT SURGICALLY STERILIZE OR AUTHORIZE THE SURGICAL  
10 STERILIZATION OF WILD HORSES.

11 (4) (a) THE DIRECTOR SHALL ANNUALLY REPORT TO THE  
12 DEPARTMENT ON THE ACTIONS TAKEN TO MEET THE REQUIREMENTS OF  
13 THIS SECTION. THE REPORT MUST INCLUDE THE ACTIVITIES PERFORMED  
14 AND ACCOMPLISHED IN ACCORDANCE WITH THE FERTILITY CONTROL  
15 PROGRAM.

16 (b) THE DIRECTOR MAY RESCIND A GRANT FOR:

17 (I) FAILURE OF THE GRANT RECIPIENT TO PERFORM THE DUTIES TO  
18 ACCOMPLISH THE PURPOSE FOR WHICH THE GRANT WAS MADE;

19 (II) LACK OF EFFECTIVENESS OF THE GRANT RECIPIENT'S ACTIONS  
20 CONCERNING THE PURPOSES FOR WHICH THE GRANT WAS MADE; AND

21 (III) A LACK OF CONSISTENCY WITH THE EXPECTATIONS OF THE  
22 WILD HORSE PROJECT IN MAKING THE GRANT.

23 (5) THE WILD HORSE PROJECT SHALL BEGIN IMPLEMENTING THIS  
24 SECTION BY JULY 31, 2024.

25 **SECTION 3.** In Colorado Revised Statutes, **add** 35-1-119 as  
26 follows:

27 **35-1-119. Population management - repeal.** (1) SUBJECT TO



1 OBTAINING APPROVAL FROM THE UNITED STATES BUREAU OF LAND  
2 MANAGEMENT IN THE DEPARTMENT OF THE INTERIOR, THE DEPARTMENT  
3 MAY ASSIST WITH MANAGING WILD HORSE POPULATIONS USING FERTILITY  
4 CONTROL MANAGEMENT METHODS THAT ARE OR ARE SUBSTANTIALLY  
5 SIMILAR TO IMMUNOCONTRACEPTIVE FERTILITY CONTROL VACCINES. THE  
6 DEPARTMENT MAY ALSO SUPPORT ON-RANGE STEWARDSHIP AND  
7 MANAGEMENT TO ENSURE THE SUSTAINABILITY OF WILD HORSES AND WILD  
8 HORSE RANGE. IN IMPLEMENTING THIS SUBSECTION (1), THE DEPARTMENT  
9 MAY:

10 (a) ENTER INTO CONTRACTS OR INTERAGENCY AGREEMENTS WITH  
11 PRIVATE ENTITIES, INDIVIDUALS, TRIBES, LOCAL GOVERNMENTS, OR THE  
12 UNITED STATES BUREAU OF LAND MANAGEMENT IN THE DEPARTMENT OF  
13 THE INTERIOR; AND

14 (b) COOPERATE WITH:

15 (I) THE UNITED STATES BUREAU OF LAND MANAGEMENT IN THE  
16 DEPARTMENT OF THE INTERIOR;

17 (II) THE SOUTHERN UTE TRIBE;

18 (III) THE UTE MOUNTAIN UTE TRIBE;

19 (IV) LOCAL GOVERNMENTS;

20 (V) OTHER STATE AGENCIES;

21 (VI) VOLUNTEERS;

22 (VII) CONTRACTORS; AND

23 (VIII) INTERESTED GROUPS OR INDIVIDUALS.

24 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 31, 2024.

25 **SECTION 4. Appropriation.** (1) For the 2023-24 state fiscal  
26 year, \$1,654 is appropriated to the legislative department for use by the  
27 general assembly. This appropriation is from the general fund. To

1 implement this act, the general assembly may use this appropriation for  
2 legislator per diem and travel reimbursement.

3 (2) For the 2023-24 state fiscal year, \$21,148 is appropriated to  
4 the department of law. This appropriation is from the legal services cash  
5 fund created in section 24-31-108 (4), C.R.S., from revenue received  
6 from the department of agriculture that is continuously appropriated to the  
7 department of agriculture from the wild horse project fund created in  
8 section 35-66-104 (1)(b), C.R.S. The appropriation to the department of  
9 law is based on an assumption that the department of law will require an  
10 additional 0.1 FTE. To implement this act, the department of law may use  
11 this appropriation to provide legal services for the department of  
12 agriculture.

13 **SECTION 5. Safety clause.** The general assembly hereby finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, or safety.