

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

INTRODUCED

LLS NO. 24-0324.02 Jery Payne x2157

HOUSE BILL 24-1375

HOUSE SPONSORSHIP

Story, Garcia, Hernandez, Lindsay, Mabrey

SENATE SPONSORSHIP

Priola,

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING NATIVE WILD CARNIVORES' NONLETHAL COEXISTENCE**
102 **WITH LIVESTOCK BUSINESSES IN COLORADO.**

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>.)

Current law authorizes a livestock owner (owner) to be compensated when a game animal or a gray wolf kills livestock, a livestock guard, or a herding animal. To receive compensation for native carnivore depredation under current law, the bill requires the owner to:

- Employ nonlethal coexistence strategies; and
- Appropriately dispose of a livestock carcass in a manner

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.*

that makes the livestock carcass inedible for native carnivores.

If an owner fails to appropriately dispose of a livestock carcass in violation of the bill and this failure results in depredation, the division of parks and wildlife (division) may not issue a permit to kill the native carnivore.

For the purposes of receiving compensation under current law, the bill also changes the definition of a working animal from "livestock guard or herding animal" to "livestock guardian dog", and the effect of this change is to stop compensation for herding animals and guard animals that are not dogs. In addition, the livestock guardian dog must be trained and working when depredated.

When native carnivores establish a presence in an area, the parks and wildlife commission must create a conflict prevention plan, which must include appropriate nonlethal measures. The bill sets standards for the plan. Then, the division must coordinate with and educate owners within the area to implement proactive nonlethal coexistence strategies. The division will hire native-carnivore coexistence officers to implement the bill.

The division must keep records of the claims and their disposition and issue a report to the relevant legislative committees.

The division and the department of agriculture must coordinate and cooperate with each other to implement the bill.

The division may seek and expend gifts, grants, and donations for native-carnivore nonlethal coexistence.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Native-carnivore Nonlethal Coexistence Act".

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

6 (a) Native carnivores, such as the black bear, mountain lion, and
7 gray wolf, play a critical role in maintaining ecosystem health and
8 resilience;

9 (b) Recovery efforts are working to restore these species in
10 suitable habitats within their historical ranges in the continental United
11 States; however, additional action is needed to ensure that these species

1 regain a viable population for the long term; and

2 (c) The division of parks and wildlife within department of natural
3 resources has entered into a memorandum of understanding with the
4 department of agriculture to coordinate and collaborate in assisting
5 agricultural producers in preventing livestock-carnivore conflict.

6 (2) The general assembly declares that:

7 (a) This act is intended to support and enhance the coordination
8 and cooperation embodied in the memorandum of understanding between
9 the division of parks and wildlife and the department of agriculture;

10 (b) Restoration of native carnivores and the use of nonlethal
11 coexistence strategies with these species facilitate the conservation of the
12 state's wildlife as a public trust resource with intrinsic and ecological
13 value; and

14 (c) The trained native-carnivore coexistence officers employed
15 pursuant to this act are intended to:

16 (I) Be knowledgeable in the implementation of the science of
17 beneficial nonlethal coexistence measures between native carnivores and
18 livestock; and

19 (II) Have expertise with implementing proactive nonlethal
20 coexistence techniques based on the best scientific practices for native
21 carnivore conflict prevention with livestock and livestock guardian dogs.

22 **SECTION 3.** In Colorado Revised Statutes, 33-1-128, **amend**
23 (1)(c), (1)(d), (3)(a), (3)(b), (4)(a) introductory portion, (4)(a)(II), (4)(b),
24 (5)(a)(I), and (5)(a)(IX); and **add** (4)(c), (5)(a)(XI), (5)(a)(XII), and
25 (5)(a)(XIII) as follows:

26 **33-1-128. Compensation for damages - wolf depredation**
27 **compensation fund - definitions - rules - repeal.** (1) As used in this

1 section, unless the context otherwise requires:

2 (c) "~~Livestock guard or herding animal~~" means an animal whose
3 ~~primary purpose is protecting livestock from depredation or herding~~
4 ~~livestock~~ GUARDIAN DOG" MEANS AN ANIMAL THAT IS OF THE SPECIES
5 CANIS FAMILIARIS AND THAT IS USED TO PROTECT LIVESTOCK FROM WOLF
6 DEPREDATION.

7 (d) "Wolf depredation" means that a gray wolf has caused direct
8 physical trauma resulting in the death of or injury to livestock or to a
9 ~~livestock guard or herding animal~~ GUARDIAN DOG.

10 (3) (a) Subject to annual appropriation by the general assembly,
11 the division may expend money from the fund to compensate owners of
12 livestock or TRAINED AND WORKING ~~livestock guard or herding animals~~
13 GUARDIAN DOGS that suffer damages due to wolf depredation. IF A
14 TRAINED AND WORKING LIVESTOCK GUARDIAN DOG INCURS DIRECT
15 PHYSICAL TRAUMA WHILE IN THE ACT OF PROTECTING LIVESTOCK,
16 VETERINARIAN FEES TO TREAT THE TRAUMA ARE DAMAGES FOR WHICH
17 THE OWNER MAY BE COMPENSATED.

18 (b) For an owner of livestock or OF a TRAINED AND WORKING
19 ~~livestock guard or herding animal~~ GUARDIAN DOG to be compensated
20 from the fund:

21 (I) One or more gray wolves must have killed or injured livestock
22 or a TRAINED AND WORKING ~~livestock guard or herding animal~~ GUARDIAN
23 DOG owned by the claimant, as determined by the division; ~~and~~

24 (II) The claimant must be eligible for compensation under the gray
25 wolf restoration and management plan, created in accordance with section
26 33-2-105.8, or in any rules promulgated by the commission; AND

27 (III) THE CLAIMANT MUST BE QUALIFIED IN ACCORDANCE WITH

1 SECTION 33-2-202.

2 (4) (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(c) OF THIS
3 SECTION, the division shall expend any unexpended and unencumbered
4 money in the fund that exceeds the following amounts for the purposes
5 described in subsection (4)(b) of this section:

6 (II) For state fiscal year 2025-26 and subsequent fiscal years, an
7 amount equal to the amount of money expended from the fund for
8 compensation of owners of livestock or livestock ~~guard or herding~~
9 ~~animals~~ GUARDIAN DOGS during the immediately preceding state fiscal
10 year plus twenty percent of this amount.

11 (b) The division shall expend the money described in subsection
12 (4)(a) of this section to:

13 (I) Implement the gray wolf restoration and management plan,
14 created in accordance with section 33-2-105.8, as amended by the
15 commission; AND

16 (II) PROVIDE FINANCIAL SUPPORT TO RURAL COMMUNITIES FOR
17 PROACTIVE, NONLETHAL, AND BEST-SCIENCE-BASED CONFLICT
18 PREVENTION AND COEXISTENCE STRATEGIES BETWEEN WOLVES AND
19 LIVESTOCK OR LIVESTOCK GUARDIAN DOGS. TO QUALIFY FOR
20 REIMBURSEMENT, THE LIVESTOCK OWNER MUST PROVIDE
21 DOCUMENTATION OF COSTS INCURRED AND OF PRICE. THE FINANCIAL
22 SUPPORT MUST BE USED TO PROVIDE:

23 (A) EXPERTISE AND GRANTS FOR BUYING, TRAINING, AND
24 PROTECTING LIVESTOCK GUARDIAN DOGS;

25 (B) GRANTS FOR CONSTRUCTING AND MAINTAINING
26 CARNIVORE-PROOF FENCING;

27 (C) TRAINING AND GRANTS FOR OTHER DETERRENTS, SUCH AS

1 FLADRY AND FOX LIGHTS;

2 (D) TRAINING IN THE APPLICATION OF ANIMAL HUSBANDRY
3 PRACTICES THAT MINIMIZE THE RISK OF WOLF DEPREDATION;

4 (E) COMPENSATION FOR RANGE RIDERS; OR

5 (F) EDUCATIONAL BEST-SCIENCE-BASED PROGRAMS FOR THE
6 PUBLIC.

7 (c) THE DIVISION MAY EXPEND ANY GIFT, GRANT, OR DONATION
8 RECEIVED PURSUANT TO SECTION 33-2-209.

9 (5) (a) On or before January 31, 2025, and on or before January
10 31 of each year thereafter, the director shall submit a written report to the
11 appropriate committees of reference as determined in accordance with
12 section 2-7-203 (1). For the immediately preceding state fiscal year, the
13 report must include:

14 (I) The number of livestock and TRAINED AND WORKING livestock
15 ~~guard or herding animals killed by gray wolves~~ GUARDIAN DOGS LOST TO
16 WOLF DEPREDATION;

17 (IX) The activity of the gray wolf packs, including dates,
18 determined from gray wolves being tracked; and

19 (XI) THE NUMBER AND GENERAL LOCATION OF LIVESTOCK
20 OWNERS USING COEXISTENCE STRATEGIES FOR AT LEAST NINE MONTHS OF
21 THE PREVIOUS CALENDAR YEAR;

22 (XII) THE TOTAL NUMBER OF LIVESTOCK FOR EACH OF THE
23 OWNERS USING COEXISTENCE STRATEGIES FOR AT LEAST NINE MONTHS OF
24 THE PREVIOUS CALENDAR YEAR; AND

25 (XIII) THE TYPES OF COEXISTENCE STRATEGIES USED BY EACH
26 LIVESTOCK OWNER USING COEXISTENCE STRATEGIES FOR AT LEAST NINE
27 MONTHS OF THE PREVIOUS CALENDAR YEAR.

1 (c) AN APEX CARNIVORE.

2 (7) "NONLETHAL COEXISTENCE STRATEGY" MEANS THE OWNER OF
3 THE LIVESTOCK OR A LIVESTOCK GUARDIAN DOG USES THE CURRENT
4 BEST-SCIENCE-BASED AND NONLETHAL PRACTICES AND MEASURES TO
5 PREVENT CONFLICT.

6 **33-2-202. Compensation for loss - qualification for**
7 **compensation - nonlethal conflict prevention measures required.**

8 (1) TO QUALIFY FOR COMPENSATION FOR THE LOSS OF LIVESTOCK OR A
9 LIVESTOCK GUARDIAN DOG UNDER SECTION 33-1-128 OR PART 1 OF
10 ARTICLE 3 OF THIS TITLE 33, THE OWNER MUST USE NONLETHAL
11 COEXISTENCE STRATEGIES WHEN NECESSARY TO PREVENT OR REDUCE
12 CONFLICT. THESE MEASURES MAY INCLUDE THE USE OF:

13 (a) LIVESTOCK GUARDIAN DOGS;

14 (b) FLADRY;

15 (c) RANGE RIDERS AND HERDERS;

16 (d) SCARE DEVICES OR TACTICS, INCLUDING FOX LIGHTS AND
17 ALARMS;

18 (e) NATIVE-CARNIVORE-PROOF FENCING; OR

19 (f) CARCASS REMOVAL AS DETAILED IN SECTION 33-2-203.

20 (2) TO QUALIFY FOR COMPENSATION, A LIVESTOCK OWNER MUST
21 HAVE THE SITE AND THE DEPREDATED LIVESTOCK OR LIVESTOCK
22 GUARDIAN DOG INSPECTED BY A NATIVE-CARNIVORE COEXISTENCE
23 OFFICER TO VERIFY THAT:

24 (a) THE OWNER USED NONLETHAL COEXISTENCE STRATEGIES; AND

25 (b) THE DEPREDATION WAS CAUSED BY A NATIVE CARNIVORE.

26 (3) TO QUALIFY FOR COMPENSATION FOR THE LOSS OF LIVESTOCK
27 OR A LIVESTOCK GUARDIAN DOG UNDER SECTION 33-1-128 OR PART 1 OF

1 ARTICLE 3 OF THIS TITLE 33, AN OWNER THAT GRAZES LIVESTOCK ON
2 PUBLIC LAND OR THAT KEEPS LIVESTOCK ON PRIVATE LAND MUST COMPLY
3 WITH SECTION 33-2-203.

4 **33-2-203. Livestock carcass burial, removal, or destruction.**

5 (1) DURING CALVING OR LAMBING SEASON, AN OWNER SHALL BURY OR
6 REMOVE THE CARCASS OF DEAD LIVESTOCK OR OF A LIVESTOCK GUARDIAN
7 DOG OR RENDER THE CARCASS INEDIBLE TO NATIVE CARNIVORES WITHOUT
8 USING A SUBSTANCE THAT IS TOXIC TO WILDLIFE WITHIN THIRTY-SIX
9 HOURS AFTER THE OWNER LEARNS OF THE DEATH OF THE LIVESTOCK OR OF
10 THE LIVESTOCK GUARDIAN DOG.

11 (2) THE DIVISION SHALL NOT ISSUE A PERMIT TO KILL A NATIVE
12 CARNIVORE IF AN OWNER FAILS TO COMPLY WITH SUBSECTION (1) OF THIS
13 SECTION AND THE FAILURE RESULTS IN A NATIVE CARNIVORE
14 DEPREDATING LIVESTOCK OR A LIVESTOCK GUARDIAN DOG.

15 **33-2-204. Areas of known native carnivore activity - conflict**

16 **prevention plan.** (1) WHEN NATIVE CARNIVORES ESTABLISH A PRESENCE
17 IN AN AREA, THE COMMISSION SHALL DESIGNATE THE AREA AS AN AREA OF
18 KNOWN ACTIVITY FOR THE NATIVE CARNIVORE AND CREATE A CONFLICT
19 PREVENTION PLAN, WHICH MUST INCLUDE THE APPROPRIATE NONLETHAL
20 COEXISTENCE STRATEGIES THAT ARE MOST LIKELY TO BE EFFECTIVE IN THE
21 AREA. THE CONFLICT PREVENTION PLAN MUST INCLUDE CONSIDERATION
22 OF:

23 (a) THE CHARACTER OF LIVESTOCK OPERATIONS, HABITATS, AND
24 LANDSCAPE CONDITIONS;

25 (b) THE TIME OF THE YEAR OR PERIODS OF LIVESTOCK
26 PRODUCTION; AND

27 (c) THE MOST RECENT SCIENTIFIC RESEARCH.

1 (2) WHEN AN AREA IS DESIGNATED AS AN AREA OF KNOWN
2 ACTIVITY FOR A NATIVE CARNIVORE, THE DIVISION SHALL COORDINATE
3 WITH AND EDUCATE OWNERS WITHIN THE AREA TO IMPLEMENT
4 NONLETHAL COEXISTENCE STRATEGIES, INCLUDING:

5 (a) EDUCATION ABOUT THE NATIVE CARNIVORE'S BEHAVIOR AND
6 CONSERVATION;

7 (b) PROCEDURES FOR DOCUMENTING AND REPORTING THE
8 APPROPRIATE NATIVE CARNIVORE ACTIVITY TO THE DIVISION, INCLUDING
9 LIVESTOCK LOSSES AND LIVESTOCK GUARDIAN DOG LOSSES DUE TO
10 DEPREDATION; AND

11 (c) PROACTIVE, BEST-SCIENCE-BASED, NONLETHAL CONFLICT
12 DETERRENCE, INCENTIVES, AND AVAILABLE ASSISTANCE INTENDED TO
13 MINIMIZE DEPREDATION OF LIVESTOCK OR LIVESTOCK GUARDIAN DOGS IN
14 THE AREA OF KNOWN ACTIVITY FOR THE NATIVE CARNIVORE.

15 **33-2-205. Native-carnivore coexistence officers.** (1) THE
16 DIVISION SHALL EMPLOY AND DEPLOY A SUFFICIENT NUMBER OF
17 NATIVE-CARNIVORE COEXISTENCE OFFICERS TO IMPLEMENT SECTIONS
18 33-2-202 TO 33-2-204. THE OFFICERS MUST BE FIELD-BASED OFFICERS
19 WHO EDUCATE AND ASSIST OWNERS ON USING NONLETHAL COEXISTENCE
20 STRATEGIES AND WHO CONFIRM DEPREDATION CLAIMS FOR THE DIVISION.
21 THE OFFICERS MUST BE KNOWLEDGEABLE IN AND HAVE EXPERTISE IN THE
22 IMPLEMENTATION OF THE NONLETHAL COEXISTENCE STRATEGIES.

23 (2) THE NATIVE-CARNIVORE COEXISTENCE OFFICERS SHALL:

24 (a) CONDUCT PERIODIC ON-SITE ANALYSES OF RANCHES TO
25 DETERMINE WHAT NONLETHAL COEXISTENCE STRATEGIES ARE
26 APPROPRIATE FOR THE AREA AND TO ADVISE THE OWNERS OF LIVESTOCK
27 OR LIVESTOCK GUARDIAN DOGS ABOUT THESE STRATEGIES; AND

1 (b) DOCUMENT AND ASSESS A DEPREDATION CLAIM TO DETERMINE
2 WHETHER THE DEPREDATION WAS CAUSED BY A NATIVE CARNIVORE.

3 **33-2-206. Documentation.** THE DIVISION SHALL KEEP RECORDS
4 OF DEPREDATION CLAIMS AND EACH CLAIM'S DISPOSITION. THE RECORDS
5 MUST BE ADEQUATE TO ADVISE THE COMMISSION AND INFORM THE
6 REPORTING REQUIRED IN SECTION 33-2-207.

7 **33-2-207. Reporting to the general assembly.** (1) ON OR
8 BEFORE JANUARY 31 OF EACH YEAR, THE DIVISION SHALL ISSUE A REPORT
9 TO THE HOUSE OF REPRESENTATIVES AGRICULTURE, WATER, AND NATURAL
10 RESOURCES COMMITTEE, THE HOUSE OF REPRESENTATIVES ENERGY AND
11 ENVIRONMENT COMMITTEE, AND THE SENATE AGRICULTURE AND NATURAL
12 RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT
13 MUST INCLUDE:

14 (a) THE NUMBER OF LIVESTOCK AND LIVESTOCK GUARDIAN DOGS
15 DEPREDATED BY NATIVE CARNIVORES;

16 (b) THE NUMBER OF REQUESTS FOR NONLETHAL COEXISTENCE
17 STRATEGY ASSISTANCE;

18 (c) THE NUMBER OF REQUESTS FOR NONLETHAL COEXISTENCE
19 STRATEGY ASSISTANCE THAT WERE APPROVED AND DENIED;

20 (d) A SUMMARY OF THE REASONS FOR THE DENIAL OF ASSISTANCE
21 TO IMPLEMENT NONLETHAL COEXISTENCE STRATEGIES;

22 (e) THE AMOUNT OF MONEY PAID FOR NONLETHAL COEXISTENCE
23 STRATEGY ASSISTANCE;

24 (f) AN EXPLANATION OF THE TYPES OF NONLETHAL COEXISTENCE
25 STRATEGY ASSISTANCE RECOMMENDATIONS AND THE NUMBER OF
26 RECOMMENDATIONS PROACTIVELY IMPLEMENTED;

27 (g) A SUMMARY OF LIVESTOCK AND LIVESTOCK GUARDIAN DOG

1 LOSS TRENDS FOLLOWING IMPLEMENTATION OF NONLETHAL COEXISTENCE
2 MEASURES; AND

3 (h) ANY RECOMMENDATIONS FOR IMPROVING THIS PART 2.

4 (2) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
5 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS
6 SECTION CONTINUES INDEFINITELY.

7 **33-2-208. Division and department of agriculture to**
8 **coordinate and cooperate.** THE DIVISION AND THE DEPARTMENT OF
9 AGRICULTURE SHALL COORDINATE AND COOPERATE WITH EACH OTHER TO
10 IMPLEMENT THIS PART 2.

11 **33-2-209. Gifts, grants, and donations.** (1) THE DIVISION MAY
12 ENTER INTO COST- AND WORK-SHARING AGREEMENTS AND SEEK AND
13 ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC
14 SOURCES, INCLUDING THE NONLETHAL INITIATIVE OF THE WILDLIFE
15 SERVICES AGENCY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE,
16 FOR NATIVE CARNIVORE CONSERVATION. THE DIVISION MAY ACCEPT
17 GIFTS, GRANTS, OR DONATIONS WITH CONDITIONS PRESCRIBED BY THE
18 DONOR, BUT THE DIVISION SHALL NOT ACCEPT A GIFT, GRANT, OR
19 DONATION THAT REQUIRES THE EXPENDITURE TO BE CONTRARY TO LAW.

20 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS
21 SECTION, THE DIVISION SHALL TRANSMIT ALL MONEY RECEIVED THROUGH
22 GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL
23 CREDIT THE MONEY TO THE WILDLIFE CASH FUND CREATED IN SECTION
24 33-1-112.

25 (b) THE DIVISION MAY REQUEST, BASED ON THE PURPOSE OF THE
26 GIFT, GRANT, OR DONATION, THAT THE MONEY BE DEPOSITED INTO ONE OF
27 THE FOLLOWING FUNDS, AND THE STATE TREASURER SHALL CREDIT THE

1 MONEY TO THE REQUESTED FUND:

2 (I) THE WOLF DEPREDATION COMPENSATION FUND, CREATED IN
3 SECTION 33-1-128;

4 (II) THE SPECIES CONSERVATION TRUST FUND, CREATED IN
5 SECTION 24-33-111; OR

6 (III) THE COLORADO NONGAME CONSERVATION AND WILDLIFE
7 RESTORATION CASH FUND, CREATED IN SECTION 33-1-125.

8 **SECTION 5.** In Colorado Revised Statutes, 33-3-103, **amend** (1)
9 introductory portion and (1)(g); and **add** (1)(h) as follows:

10 **33-3-103. No liability for damage - when.** (1) The state ~~shall~~ IS
11 not ~~be~~ liable for:

12 (g) Damages caused by wildlife, if claimant charges a fee in
13 excess of five hundred dollars per person, per season, for the purpose of
14 big game hunting access on or across claimant's property; AND

15 (h) DEPREDATION CAUSED BY NATIVE CARNIVORES, AS THOSE
16 TERMS ARE DEFINED IN SECTION 33-2-201 (2) AND (6), RESPECTIVELY, IF
17 THE CLAIMANT HAS FAILED TO COMPLY WITH PART 2 OF ARTICLE 2 OF THIS
18 TITLE 33.

19 **SECTION 6. Applicability.** This act applies to acts or omissions
20 committed, deaths of livestock and livestock guardian dogs, and carcasses
21 eaten by native carnivores on or after the effective date of this act.

22 **SECTION 7. Safety clause.** The general assembly finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety or for appropriations for
25 the support and maintenance of the departments of the state and state
26 institutions.