

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0403.01 Richard Sweetman x4333

SENATE BILL 25-174

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SENATE SPONSORSHIP

Roberts and Simpson, Catlin, Marchman

HOUSE SPONSORSHIP

Lukens and Soper,

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Senate Committees

Agriculture & Natural Resources

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE REGULATION OF  
102 OUTFITTERS, AND, IN CONNECTION THEREWITH, IMPLEMENTING  
103 THE RECOMMENDATIONS CONTAINED IN THE 2024 SUNSET  
104 REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

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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/>.)*

**Sunset Process - Senate Agriculture and Natural Resources Committee.** The bill implements the recommendations of the department of regulatory agencies (DORA) in its sunset review and report concerning

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.

the regulation of outfitters and guides by the division of professions and occupations (division) within DORA. Specifically:

- **Sections 1 and 2** of the bill continue the regulation of outfitters and guides for 9 years, until 2034;
- **Sections 3 and 4** allow the director of the division to take disciplinary action against an owner of an outfitter entity regardless of the owner's ownership share percentage;
- **Section 5** credits one-half of the money that is collected as fines to the general fund rather than to the division;
- **Section 6** exempts motor carriers and third-party booking agencies from regulation under the outfitters act; and
- **Sections 4 and 7** add provisions prohibiting an individual from working as a guide or receiving or renewing a registration as an outfitter if the individual has a license or registration suspended by the division of parks and wildlife or by an agency of any member state of the "Wildlife Violator Compact" for a violation of a law concerning wildlife.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 12-145-118  
3 as follows:

4 **12-145-118. Repeal of article - review of functions.** This article  
5 145 is repealed, effective ~~September 1, 2025~~ SEPTEMBER 1, 2034. Before  
6 the repeal, ~~the powers, duties, and functions of the division specified in~~  
7 this article 145 ~~are~~ IS scheduled for review in accordance with section  
8 24-34-104.

9 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**  
10 (26)(a)(III); and **add** (35)(a)(VI) as follows:

11 **24-34-104. General assembly review of regulatory agencies**  
12 **and functions for repeal, continuation, or reestablishment - legislative**  
13 **declaration - repeal.** (26) (a) The following agencies, functions, or both,  
14 are scheduled for repeal on September 1, 2025:

15 (III) ~~The regulation of outfitters by the director of the division of~~

1 ~~professions and occupations in accordance with article 145 of title 12;~~

2 (35) (a) The following agencies, functions, or both, are scheduled  
3 for repeal on September 1, 2034:

4 (VI) THE REGULATION OF OUTFITTERS BY THE DIRECTOR OF THE  
5 DIVISION OF PROFESSIONS AND OCCUPATIONS IN ACCORDANCE WITH  
6 ARTICLE 145 OF TITLE 12.

7 **SECTION 3.** In Colorado Revised Statutes, 12-145-109, **amend**  
8 (6)(b)(I) as follows:

9 **12-145-109. Disciplinary actions - grounds for discipline.**

10 (6) The director may discipline an applicant or registrant under this  
11 section for the acts of a person who:

12 (b) (I) Is an officer, director, member, ~~or partner, of,~~ or owner of  
13 ~~at least a ten-percent interest in,~~ the applicant or registrant;

14 **SECTION 4.** In Colorado Revised Statutes, 12-145-108, **amend**  
15 (2); and **add** (1)(b.5) as follows:

16 **12-145-108. Issuance of registration - violations.** (1) Except as  
17 otherwise provided in this article 145, the director shall issue an initial or  
18 renewed registration as an outfitter to an individual who pays the required  
19 fee and furnishes evidence satisfactory to the director that the individual:

20 (b.5) DOES NOT HAVE A LICENSE OR REGISTRATION THAT IS  
21 SUSPENDED BY THE DIVISION OF PARKS AND WILDLIFE CREATED IN SECTION  
22 33-9-104 OR BY AN AGENCY OF ANY MEMBER STATE OF THE "WILDLIFE  
23 VIOLATOR COMPACT", PART 26 OF ARTICLE 60 OF TITLE 24, FOR A  
24 VIOLATION OF A LAW CONCERNING WILDLIFE;

25 (2) An individual or entity may register as an outfitter. An  
26 application for registration of an entity ~~shall~~ **MUST** include the names of  
27 all officers, directors, members, partners, AND owners of ~~at least ten~~

1 ~~percent~~ of the entity, and other persons who have managing or controlling  
2 authority in the entity. The entity shall designate on the application for  
3 outfitter registration one of its officers, directors, members, partners, or  
4 other controlling or managing individuals to be the responsible party and  
5 agent for the entity for all communications with the division. If the entity  
6 changes its responsible party and agent, it shall notify the division within  
7 ten working days after the name change and provide contact information  
8 for the new responsible party and agent. If the responsible party and agent  
9 does not provide guide services, ~~he or she shall~~ THE RESPONSIBLE PARTY  
10 AND AGENT IS not ~~be~~ required to comply with subsection (1)(b) of this  
11 section.

12 **SECTION 5.** In Colorado Revised Statutes, 12-145-110, **amend**  
13 (3)(b) as follows:

14 **12-145-110. Penalties - distribution of fines.** (3) All fines  
15 collected pursuant to this article 145 shall be distributed as follows:

16 (b) Fifty percent to the ~~division for the cost of administering this~~  
17 ~~article 145~~ GENERAL FUND.

18 **SECTION 6.** In Colorado Revised Statutes, 12-145-104, **add** (3)  
19 as follows:

20 **12-145-104. Applicability.** (3) THIS ARTICLE 145 DOES NOT  
21 APPLY TO:

22 (a) A MOTOR CARRIER, AS DEFINED IN SECTION 40-10.1-101 (10),  
23 THAT TRANSPORTS ONE OR MORE CLIENTS TO OR FROM AN OUTFITTER BUT  
24 DOES NOT:

25 (I) ASSIST A CLIENT IN THE TAKING OR ATTEMPTED TAKING OF  
26 WILDLIFE; OR

27 (II) PROVIDE ANY OUTFITTING SERVICE OTHER THAN

1 TRANSPORTATION TO A CLIENT; OR

2 (b) A TRAVEL AGENCY, A BOOKING AGENCY, OR OTHER PERSON  
3 THAT IDENTIFIES POTENTIAL CLIENTS FOR AN OUTFITTER, OR THAT DIRECTS  
4 POTENTIAL CLIENTS TO AN OUTFITTER, IN EXCHANGE FOR A FEE BUT THAT  
5 PROVIDES NO OUTFITTING SERVICES TO SUCH CLIENTS.

6 **SECTION 7.** In Colorado Revised Statutes, 12-145-106, **amend**  
7 (1) as follows:

8 **12-145-106. Guide qualifications - violations - penalty.**

9 (1) (a) An individual who works as a guide must:

10 (I) Be eighteen years of age or older; **and**

11 (II) Hold either a valid first aid or first aid instructor's card issued  
12 by the American Red Cross or evidence of equivalent training as  
13 approved by the director; **AND**

14 (III) **NOT HAVE A LICENSE OR REGISTRATION THAT IS SUSPENDED**  
15 **BY THE DIVISION OF PARKS AND WILDLIFE CREATED IN SECTION 33-9-104**  
16 **OR BY AN AGENCY OF ANY MEMBER STATE OF THE "WILDLIFE VIOLATOR**  
17 **COMPACT", PART 26 OF ARTICLE 60 OF TITLE 24, FOR A VIOLATION OF A**  
18 **LAW CONCERNING WILDLIFE.**

19 (b) An individual who violates this subsection (1) commits a civil  
20 infraction.

21 **SECTION 8. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly; except  
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
25 of the state constitution against this act or an item, section, or part of this  
26 act within such period, then the act, item, section, or part will not take  
27 effect unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.