

HB1066_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Water & Natural Resources.

HB23-1066 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** 33-1-127 as
4 follows:

5 **33-1-127. Public land access task force - report - definitions -**
6 **repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "PRIVATELY OWNED LAND" MEANS REAL PROPERTY NOT
9 OWNED BY A GOVERNMENT ENTITY.

10 (b) "PUBLIC LAND" MEANS REAL PROPERTY OWNED BY A
11 GOVERNMENT ENTITY.

12 (c) "TASK FORCE" MEANS THE PUBLIC LAND ACCESS TASK FORCE
13 CREATED IN SUBSECTION (2) OF THIS SECTION.

14 (2) THERE IS HEREBY CREATED IN THE DIVISION THE PUBLIC LAND
15 ACCESS TASK FORCE TO STUDY THE ISSUE OF ACCESS TO PUBLIC LAND
16 THAT SHARES A BORDER WITH PUBLIC LAND BUT TO WHICH ACCESS IS
17 BLOCKED BY PRIVATELY OWNED LAND.

18 (3)(a) THE TASK FORCE CONSISTS OF EIGHT MEMBERS APPOINTED
19 AS FOLLOWS:

20 (I) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE NONVOTING, EX
21 OFFICIO MEMBER WHO REPRESENTS THE DIVISION;

22 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
23 APPOINT:

24 (A) ONE MEMBER WHO REPRESENTS A STATEWIDE HUNTING
25 ORGANIZATION;

26 (B) ONE MEMBER WHO REPRESENTS A STATEWIDE AGRICULTURAL
27 ORGANIZATION;

28 (C) ONE MEMBER WHO IS A LAWYER WHO PRACTICES CIVIL
29 LITIGATION IN THE AREA DESCRIBED IN SUBSECTION (8)(a) OF THIS
30 SECTION; AND

31 (D) ONE MEMBER WHO IS AN OUTDOOR RECREATIONAL
32 ENTHUSIAST; AND

33 (III) THE PRESIDENT OF THE SENATE SHALL APPOINT:

34 (A) ONE MEMBER WHO REPRESENTS OWNERS OF PRIVATELY
35 OWNED LAND THAT BLOCKS ACCESS TO PUBLIC LAND;

36 (B) ONE MEMBER WHO REPRESENTS A STATEWIDE OUTDOOR
37 RECREATIONAL ASSOCIATION; AND

38 (C) ONE MEMBER WHO IS A HUNTER OR ANGLER.

39 (b) EACH APPOINTING AUTHORITY SHALL MAKE THE INITIAL
40 APPOINTMENTS TO THE TASK FORCE NO LATER THAN SEPTEMBER 1, 2023.

1 (4) EACH MEMBER OF THE TASK FORCE WHO IS APPOINTED IN
2 ACCORDANCE WITH THIS SECTION SERVES AT THE PLEASURE OF THE
3 OFFICIAL WHO APPOINTED THE MEMBER.

4 (5) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT
5 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES FROM THE
6 STATE; EXCEPT THAT MEMBERS WHO ARE STATE EMPLOYEES MAY BE
7 COMPENSATED AS STATE EMPLOYEES.

8 (6)(a) THE EXECUTIVE DIRECTOR SHALL ORGANIZE AND CALL THE
9 FIRST MEETING OF THE TASK FORCE BY SEPTEMBER 15, 2023.

10 (b) THE TASK FORCE SHALL ELECT A CHAIR FROM AMONG ITS
11 MEMBERS.

12 (c) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES BY
13 NOVEMBER 15, 2023. THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS
14 AS ARE NECESSARY FOR THE TASK FORCE TO COMPLETE ITS DUTIES.

15 (7) THE TASK FORCE MAY SEEK INFORMATION AND OPINIONS FROM
16 AND TAKE TESTIMONY FROM RELEVANT GOVERNMENT AGENCIES AND
17 INTERESTED INDIVIDUALS, BUSINESSES, GROUPS, AND ASSOCIATIONS.

18 (8) THE TASK FORCE SHALL:

19 (a) STUDY THE ISSUE OF PRIVATELY OWNED LAND BLOCKING
20 ACCESS TO PUBLIC LAND, PARTICULARLY WHEN TWO PARCELS OF PUBLIC
21 LAND SHARE A BORDER, USUALLY AT THE CORNERS;

22 (b) ALLOW INTERESTED PARTIES TO GIVE ORAL OR WRITTEN
23 TESTIMONY AS TO THE ISSUES DESCRIBED IN THIS SUBSECTION (8) AND
24 SUBSECTION (9) OF THIS SECTION; AND

25 (c) MAKE LEGISLATIVE RECOMMENDATIONS, IN ACCORDANCE
26 WITH SUBSECTION (11) OF THIS SECTION, DESIGNED TO ALLOW THE PUBLIC
27 TO ACCESS PUBLIC LAND THAT IS BLOCKED AS DESCRIBED IN SUBSECTION
28 (8)(a) OF THIS SECTION.

29 (9) THE TASK FORCE SHALL CONSIDER THE FOLLOWING ISSUES:

30 (a) THE RIGHT OF THE PUBLIC TO HAVE ACCESS TO AND USE PUBLIC
31 LAND;

32 (b) THE RIGHTS OF LANDOWNERS TO THEIR PRIVATELY OWNED
33 LAND;

34 (c) THE RELATIVE COST AND DIFFICULTY OF COMPLIANCE WITH
35 ANY LEGISLATIVE RECOMMENDATIONS MADE BY THE TASK FORCE; AND

36 (d) THE LEGAL FRAMEWORK RELEVANT TO ANY LEGISLATIVE
37 RECOMMENDATIONS MADE BY THE TASK FORCE AND TO THE ISSUES
38 DESCRIBED IN THIS SUBSECTION (9) AND SUBSECTION (8) OF THIS SECTION.

39 (10) UPON REQUEST BY THE TASK FORCE, THE DEPARTMENT SHALL
40 PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY BE
41 NECESSARY TO IMPLEMENT THIS SECTION.

42 (11) ON OR BEFORE NOVEMBER 15, 2023, THE TASK FORCE SHALL
43 TRANSMIT A REPORT TO THE HOUSE OF REPRESENTATIVES AGRICULTURE,
44 WATER, AND NATURAL RESOURCES COMMITTEE AND THE SENATE
45 AGRICULTURE AND NATURAL RESOURCES COMMITTEE, OR ANY SUCCESSOR

1 COMMITTEES. THE REPORT MUST INCLUDE THE TASK FORCE'S LEGISLATIVE
2 RECOMMENDATIONS.

3 (12) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2024 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor."

13 Page 1, strike line 103 and substitute "**CORNERS, AND, IN CONNECTION**
14 **THEREWITH, CREATING A TASK FORCE TO STUDY THE ISSUE OF ACCESS**
15 **TO PUBLIC LANDS THAT ARE BLOCKED BY PRIVATELY OWNED LANDS.**".

** *** ** *** **