



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

BILL 3: PROTECT WILD BISON

Prime Sponsors:

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Published for: Bill Request

Version: Interim Fiscal Note

Drafting number: LLS 25-0204

Date: September 24, 2024

Fiscal note status: The fiscal note reflects the bill draft requested by the American Indian Affairs Interim Study Committee.

Summary Information

Overview. The bill classifies bison as big game wildlife unless the bison is livestock, and makes it illegal to hunt bison unless authorized by the state.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures

Appropriations. For FY 2025-26, the bill requires an appropriation of \$75,000 to the Department of Natural Resources.

Table 1
State Fiscal Impacts

| Type of Impact ¹ | Budget Year FY 2025-26 | Out Year FY 2026-27 |
|---|---------------------------|------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures (Wildlife Cash Fund) | \$75,000 | \$25,000 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |

Summary of Legislation

The bill changes the definitions of “wildlife” and “big game” to include bison, unless the bison are privately owned livestock. By classifying bison as wildlife and big game, the bill makes it illegal to hunt bison unless authorized by the Colorado Parks and Wildlife (CPW).

Background

The majority of bison in Colorado are in captive herds and classified as livestock, or maintained by the state in fenced areas for conservation. However, CPW has observed wild bison crossing from Utah into the northwest corner of the state. These wild bison are not currently defined in Colorado statutes and not managed by the state.

Under the bill, CPW would manage these bison as wildlife when they enter the state. When CPW manages big game wildlife, they attempt to maintain the health of the overall wildlife population while providing opportunities for hunters when appropriate. Additionally, CPW compensates private landowners, ranchers and farmers for damage to property caused by big game wildlife.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior Conviction Data

This bill creates a new factual basis for the existing offense of unlawfully taking, hunting, or possessing certain wildlife that is property of the state by making it illegal to hunt wild bison. To form an estimate on the prevalence of illegally hunting bison, the fiscal note analyzed the existing offense of illegally hunting or taking certain big game as a comparable crime. From FY 2020-21 to FY 2022-23, 9 have been convicted and sentenced for this existing offense. Of the persons convicted, all were male. Demographically, 2 were White, 3 were classified as "Other," and 4 did not have a race identified.

Assumptions

The fiscal note assumes most hunters will comply with new regulations and that adding wild bison to the definition of “big game” will have a minimal increase in the number of case filings and convictions for illegally hunting big game. Because the bill is not expected to have a tangible impact on criminal justice related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Expenditures

The bill increases state expenditures in CPW in the Department of Natural Resources by \$75,000 and FY 2025-26 and \$25,000 in FY 2026-27 and ongoing years, paid from the Wildlife Cash Fund. Expenditures are shown in Table 2 and detailed below.

Table 2
State Expenditures
Colorado Parks and Wildlife

| Cost Component | Budget Year FY 2025-26 | Out Year FY 2026-27 |
|-----------------------|-----------------------------------|--------------------------------|
| Aerial Surveys | \$25,000 | \$25,000 |
| Consultant | \$50,000 | \$0 |
| Total Costs | \$75,000 | \$25,000 |

Colorado Parks and Wildlife

The bill increases expenditures in CPW to survey and assess wild bison in Colorado.

Aerial Surveys

Beginning in FY 2025-26, the bill increases expenditures by \$25,000 annually for CPW to locate and classify bison in the northwest region of the state. Aerial surveys of northwest Colorado will allow CPW to determine the overall health of the wild bison herd and develop a plan to manage these bison in the future. To conduct these surveys, CPW requires 10 hours of helicopter flight time at \$2,200/hour and 10 hours to transport the helicopter to a desired location prior to flight at \$300/hour.

Consultant

CPW requires \$50,000 in FY 2025-26 only to hire a consultant specialized in range management assessments to provide a range status report on bison. CPW will use the range management assessment to determine habitat carrying capacity, estimate bison use of the range, and anticipate conflicts with other wild and domestic species.

Bison Management

After CPW has collected baseline data on bison in Colorado, it may incur additional costs to manage bison as wildlife, such as through game damage and Habitat Partnership Program projects. CPW will request any required funding through the legislative annual budget process.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2025-26, the bill requires an appropriation of \$75,000 from the Wildlife Cash Fund to the Department of Natural Resources.

State and Local Government Contacts

Agriculture

Judicial

Natural Resources

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the General Assembly website.