

## CHAPTER 333

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**NATURAL RESOURCES**

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**HOUSE BILL 00-1261**

BY REPRESENTATIVES Johnson, George, Plant, Saliman, Bacon, Coleman, Kaufman, and Lawrence;  
also SENATOR Anderson.

**AN ACT**

CONCERNING AUTHORIZATION FOR THE BOARD OF PARKS AND OUTDOOR RECREATION IN THE  
DEPARTMENT OF NATURAL RESOURCES TO INCREASE FEES WITHOUT STATUTORY APPROVAL.

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

**SECTION 1.** 33-10-111 (5) (b) (III), Colorado Revised Statutes, is amended, and the said 33-10-111 (5) (b) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**33-10-111. Parks and outdoor recreation cash fund created - accounting expenditures for roads and highways.** (5) (b) (III) ~~No change in fees set by the board may be effective until the July 1 following passage of a separate act other than the general appropriation act containing an appropriation specifically implementing collection of fees at such level. Such a separate act shall be required for increases to daily vehicle entrance fees, annual vehicle entrance fees, vessel registration fees, off-highway vehicle registration fees, snowmobile registration fees, or any other pass or permit over thirty dollars.~~ THE BOARD MAY INCREASE ANY FEE BY AN AMOUNT THAT DOES NOT EXCEED THE CURRENT AMOUNT OF THE FEE MULTIPLIED BY THE AVERAGE ANNUAL PERCENTAGE OF ALLOWABLE INCREASE IN STATE FISCAL YEAR SPENDING, AS DETERMINED IN ACCORDANCE WITH SECTION 24-77-103 (2) (a), C.R.S., SINCE THE FISCAL YEAR 1997-98, COMPOUNDED ANNUALLY.

(IV) SUBJECT TO THE LIMITATION ON ITS FEE SETTING AUTHORITY CONTAINED IN PARAGRAPH (a) OF THIS SUBSECTION (5), IN ORDER TO MANAGE THE PUBLIC'S DEMAND FOR SERVICES PROVIDED BY THE BOARD, ON AND AFTER JULY 1, 2001, THE BOARD MAY PROMULGATE RULES TO:

(A) SET LOWER FEES FOR PARTICULAR FACILITIES OWNED OR OPERATED BY THE BOARD BY ANY AMOUNT DEEMED NECESSARY BY THE BOARD; AND

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(B) CHARGE A PARK CAPACITY FEE ON PARTICULAR SPECIFIED DAYS OR DURING PARTICULAR SPECIFIED SEASONS OF UP TO FOUR DOLLARS AT ANY PARK AT WHICH THE BOARD HAS DETERMINED THAT VISITATION OR OTHER CAPACITY ISSUES HAVE SIGNIFICANTLY AFFECTED THE PARK'S RESOURCES AND VISITOR EXPERIENCE. THE BOARD SHALL DETERMINE WHETHER SUCH CAPACITY FEE WILL BE CHARGED IN CONJUNCTION WITH ANOTHER FEE OR FEES OR BE CHARGED INDEPENDENTLY OF ANY OTHER FEE. ONCE ESTABLISHED, THE BOARD MAY INCREASE ANY SUCH PARK CAPACITY FEE SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (b).

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 2000