

CHAPTER 136

NATURAL RESOURCES

SENATE BILL 01-054

BY SENATOR(S) McElhany;
also REPRESENTATIVE(S) Rippy, Coleman, Jameson, Larson, Mace, Plant, Stengel, and Tochtrop.

AN ACT

CONCERNING A LIMITATION ON THE STATE'S LIABILITY FOR DAMAGE TO LIVESTOCK.

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

SECTION 1. 33-3-104 (1) (a), Colorado Revised Statutes, is amended to read:

33-3-104. State shall be liable - when. (1) Subject to the limitations contained in section 33-3-103 and in part 2 of this article, the state shall be liable only for:

(a) Damages to ~~real or personal property~~ LIVESTOCK OR PERSONAL PROPERTY USED IN THE PRODUCTION OF RAW AGRICULTURAL PRODUCTS, WHICH UNDER THIS ARTICLE SHALL BE NO MORE THAN FIVE THOUSAND DOLLARS PER HEAD OF LIVESTOCK INJURED OR KILLED, caused by ~~bear and mountain lion~~; BIG GAME; EXCEPT THAT DAMAGES TO LIVESTOCK SHALL BE LIMITED TO PHYSICAL TRAUMA RESULTING IN INJURY OR DEATH;

SECTION 2. Effective date - applicability. (1) 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.

(2) This act shall apply to claims for damages to property caused by wildlife for which the state is liable under part 1 of article 3 of title 33, Colorado Revised Statutes, filed on or after the applicable effective date of this act.

Approved: April 19, 2001

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