

CHAPTER 26

GOVERNMENT - STATE

SENATE BILL 02-105

BY SENATOR(S) Entz, Hernandez, Isgar, and Taylor;
also REPRESENTATIVE(S) Borodkin, Larson, Mace, Mitchell, Ragsdale, Scott, Smith, Stafford, Stengel, Tapia, Weddig, and Williams S.

AN ACT

CONCERNING AVIATION IN THE STATE OF COLORADO.

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

SECTION 1. 24-10-106 (1.5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-10-106. Immunity and partial waiver. (1.5) (c) THE WAIVER OF SOVEREIGN IMMUNITY CREATED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO ANY BACKCOUNTRY LANDING FACILITY LOCATED IN WHOLE OR IN PART WITHIN ANY PARK OR RECREATION AREA MAINTAINED BY A PUBLIC ENTITY. FOR PURPOSES OF THIS PARAGRAPH (c), "BACKCOUNTRY LANDING FACILITY" MEANS ANY AREA OF LAND OR WATER THAT IS UNPAVED, UNLIGHTED, AND IN A PRIMITIVE CONDITION AND IS USED OR INTENDED FOR THE LANDING AND TAKEOFF OF AIRCRAFT, AND INCLUDES ANY LAND OR WATER APPURTENANT TO SUCH AREA.

SECTION 2. 39-21-113, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

39-21-113. Reports and returns. (13) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL PROVIDE THE AERONAUTICS DIVISION CREATED IN SECTION 43-10-103, C.R.S., WITH INFORMATION OBTAINED FROM AN AUDIT OF OR DISCLOSED IN ANY DOCUMENT, REPORT, OR RETURN FILED IN CONNECTION WITH ANY OF THE TAXES COLLECTED PURSUANT TO SECTIONS 39-26-104, 39-26-114 (1) (a) (VII), 39-26-202, 39-27-102, AND 39-27-112 ON GASOLINE OR FUEL USED IN AVIATION. THE DEPARTMENT SHALL ONLY RELEASE INFORMATION REGARDING THE PORTION OF SAID TAX REVENUES THAT WILL BE CREDITED TO THE AVIATION FUND CREATED IN SECTION 43-10-109, C.R.S. ANY

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

INFORMATION PROVIDED TO THE DIVISION PURSUANT TO THIS SUBSECTION (13) SHALL REMAIN CONFIDENTIAL, AND ALL EMPLOYEES OF THE DIVISION SHALL BE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS SECTION AND THE PENALTIES CONTAINED IN SUBSECTION (6) OF THIS SECTION.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 22, 2002