

CHAPTER 407

NATURAL RESOURCES

SENATE BILL 03-114

BY SENATOR(S) Hanna, Fitz-Gerald, Groff, Grossman, Phillips, and Tupa;
 also REPRESENTATIVE(S) Miller, Cerbo, Cloer, Frangas, Marshall, McFadyen, Plant, Ragsdale, Romano ff, and Weddig.

AN ACT**CONCERNING INCREASED PENALTIES FOR ILLEGAL FEEDING OF WILD BEARS.**

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

SECTION 1. Part 1 of article 6 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

33-6-131. Knowingly luring bears. (1) UNLESS OTHERWISE PERMITTED BY COMMISSION RULE, IT IS UNLAWFUL FOR ANY PERSON TO PLACE FOOD OR EDIBLE WASTE IN THE OPEN WITH THE INTENT OF LURING A WILD BEAR TO SUCH FOOD OR EDIBLE WASTE.

(2) (a) THIS SECTION SHALL NOT APPLY TO ACTS RELATED TO AGRICULTURE, AS DEFINED IN SECTION 35-1-102 (1), C.R.S.

(b) FOR THE PURPOSES OF THIS SECTION, "FOOD OR EDIBLE WASTE" SHALL NOT INCLUDE LIVE ANIMALS OR FOOD THAT IS GROWN IN THE OPEN PRIOR TO SUCH FOOD BEING HARVESTED.

(3) ANY PERSON WHO VIOLATES THIS SECTION SHALL BE GIVEN A WARNING. UPON A SECOND OR SUBSEQUENT VIOLATION OF THIS SECTION, SUCH PERSON IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE NOT TO EXCEED:

- (a) ONE HUNDRED DOLLARS FOR A FIRST OFFENSE;
- (b) FIVE HUNDRED DOLLARS FOR A SECOND OFFENSE;
- (c) ONE THOUSAND DOLLARS FOR A THIRD OR SUBSEQUENT OFFENSE.

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

SECTION 2. Applicability. This act shall apply to acts committed on or after the effective date of this act.

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: June 5, 2003