

CHAPTER 198

**NATURAL RESOURCES**

HOUSE BILL 06-1355

BY REPRESENTATIVE(S) McKinley, Rose, Berens, Crane, Curry, McFadyen, Ragsdale, and Stengel;  
also SENATOR(S) Isgar, Entz, Taylor, and Tochtrop.

**AN ACT**

**CONCERNING THE CONSOLIDATION OF PROCEDURES REGULATING THE AUCTION OF CERTAIN BIG GAME HUNTING LICENSES, AND, IN CONNECTION THEREWITH, CONSOLIDATING THE PROCEDURES REGULATING THE RAFFLE OF HUNTING LICENSES FOR SHEEP, GOATS, MOOSE, DEER, ELK, AND PRONGHORN.**

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

**SECTION 1.** 33-4-116, Colorado Revised Statutes, is amended to read:

**33-4-116. Big game hunting licenses - auction or raffle - use of proceeds - rules.** (1) (a) The division is authorized to issue up to two ~~male~~ EITHER-SEX rocky mountain ~~big horn~~ BIGHORN sheep licenses, two ~~male or female~~ EITHER-SEX rocky mountain goat licenses, ~~and two male~~ EITHER-SEX shiras moose licenses, FOUR EITHER-SEX MULE OR WHITE-TAILED DEER LICENSES, FOUR EITHER-SEX ROCKY MOUNTAIN ELK LICENSES, AND FOUR EITHER-SEX PRONGHORN LICENSES each year through a competitive auction or raffle. ~~The commission shall promulgate rules pertaining to the license and the conduct of the auction or raffle.~~

(b) ~~(f)~~ A nonprofit organization DIRECTLY involved in the conservation of ~~rocky mountain big horn sheep~~ WILDLIFE IN COLORADO OR THE DIVISION may be authorized by the commission to conduct the license auction or raffle. ALL SUCH AUCTIONS AND RAFFLES SHALL BE CONDUCTED PURSUANT TO COLORADO LAW.

~~(H) A nonprofit organization involved in the conservation of rocky mountain goats may be authorized by the commission to conduct the license auction or raffle for the rocky mountain goats.~~

~~(HH) A nonprofit organization involved in the conservation of shiras moose may be authorized by the commission to conduct the license auction or raffle for the~~

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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.*

shiras moose:

~~(c) If the auction or raffle is conducted by such organization, the organization may retain proceeds of the sale, not to exceed ten percent of such proceeds, to cover expenses. Such auction or raffle shall be conducted pursuant to the provisions of Colorado law.~~

(2) (a) ~~(f)~~ EXCEPT AS SPECIFIED IN THIS SUBSECTION (2), all proceeds **remaining** from the auction or raffle of rocky mountain ~~big horn~~ BIGHORN sheep, ROCKY MOUNTAIN GOAT, AND SHIRAS MOOSE licenses ~~whether conducted by the commission or as otherwise authorized by the commission,~~ shall be used **only** BY THE DIVISION for the benefit of rocky mountain ~~big horn~~ BIGHORN OR DESERT sheep, ~~research, habitat development, or for education projects~~ ROCKY MOUNTAIN GOATS, AND SHIRAS MOOSE IN COLORADO, AND ALL PROCEEDS FROM THE AUCTION OR RAFFLE OF MULE AND WHITE-TAILED DEER, ROCKY MOUNTAIN ELK, AND PRONGHORN LICENSES SHALL BE USED BY THE DIVISION FOR THE BENEFIT OF MULE AND WHITE-TAILED DEER, ROCKY MOUNTAIN ELK, AND PRONGHORN IN COLORADO.

~~(H) All proceeds remaining from the auction or raffle of rocky mountain goat licenses, whether conducted by the commission or as otherwise authorized by the commission, shall be used only for the benefit of rocky mountain goat research, habitat development, or for education projects.~~

~~(H) All proceeds remaining from the auction or raffle of shiras moose licenses, whether conducted by the commission or as otherwise authorized by the commission, shall be used only for the benefit of shiras moose research, habitat development, or for educational projects.~~

(b) ~~The proceeds from the auctions or raffles shall be used for special projects and shall be in addition to any other funds used for the management of rocky mountain big horn sheep, rocky mountain goats, or moose. IF AN AUCTION OR RAFFLE IS CONDUCTED BY A NONPROFIT ORGANIZATION, THE ORGANIZATION MAY RETAIN UP TO TWENTY-FIVE PERCENT OF THE PROCEEDS OF THE AUCTION OR RAFFLE TO COVER AUCTION OR RAFFLE COSTS AND TO FUND PROJECTS OF ITS OWN CHOOSING THAT BENEFIT WILDLIFE IN COLORADO.~~

(c) THE PROCEEDS FROM THE AUCTIONS AND RAFFLES SHALL BE IN ADDITION TO ANY MONEYS OTHERWISE PROVIDED FOR THE MANAGEMENT OF ROCKY MOUNTAIN BIGHORN OR DESERT SHEEP, ROCKY MOUNTAIN GOATS, SHIRAS MOOSE, MULE AND WHITE-TAILED DEER, ROCKY MOUNTAIN ELK, AND PRONGHORN.

(3) ~~(Deleted by amendment, L. 93, p. 507, § 2, effective April 26, 1993.)~~ THE COMMISSION MAY PROMULGATE RULES PERTAINING TO AUCTION AND RAFFLE LICENSES, THE CONDUCT OF THE AUCTIONS AND RAFFLES, RECORD-KEEPING REQUIREMENTS, THE EXPENDITURE OF PROCEEDS, INCLUDING REQUIRING CONSULTATION BY THE DIVISION WITH ADVISORY COMMITTEES COMPRISED OF REPRESENTATIVES OF THE PARTICIPATING NONPROFIT ORGANIZATIONS PRIOR TO THE EXPENDITURE OF ANY PROCEEDS, AND ANY OTHER RULES NECESSARY TO IMPLEMENT THE AUCTION AND RAFFLE PROGRAM.

**SECTION 2. Repeal.** 33-4-116.5, Colorado Revised Statutes, is repealed as

follows:

**33-4-116.5. Auction or raffle of deer, elk, and pronghorn licenses - use of proceeds.** ~~(1)(a) The division is authorized to issue up to four male or female deer licenses, four male or female elk licenses, and four male or female pronghorn licenses each year through a competitive auction or raffle. The commission shall promulgate rules pertaining to the license and the conduct of the auction or raffle:~~

~~(b) (I) A nonprofit organization involved in the conservation of deer may be authorized by the commission to conduct the license auction or raffle for the deer:~~

~~(II) A nonprofit organization involved in the conservation of elk may be authorized by the commission to conduct the license auction or raffle for the elk:~~

~~(III) A nonprofit organization involved in the conservation of pronghorn may be authorized by the commission to conduct the license auction or raffle for the pronghorn:~~

~~(c) If the auction or raffle is conducted by a nonprofit organization, the organization may retain proceeds of the sale, not to exceed eighty percent of such proceeds, to be used only for the purposes specified in subsection (2) of this section. The organization shall account for all proceeds retained by the organization and shall present such accounting to the commission no less frequently than annually, either at the commission's first meeting of each calendar year or at such other times as the commission shall direct. Such auction or raffle shall be conducted pursuant to the provisions of Colorado law:~~

~~(2) (a) (I) All proceeds remaining from the auction or raffle of deer licenses, whether conducted by the commission or as otherwise authorized by the commission, shall be used only for the benefit of deer research, educational projects, management, or habitat development, except that habitat development shall not include land acquisitions:~~

~~(II) All proceeds remaining from the auction or raffle of elk licenses, whether conducted by the commission or as otherwise authorized by the commission, shall be used only for the benefit of elk research, educational projects, management, or habitat development, except that habitat development shall not include land acquisitions:~~

~~(III) All proceeds remaining from the auction or raffle of pronghorn licenses, whether conducted by the commission or as otherwise authorized by the commission, shall be used only for the benefit of pronghorn research, educational projects, management, or habitat development, except that habitat development shall not include land acquisitions:~~

~~(b) The proceeds from the auctions or raffles shall be used for special projects and shall be in addition to any other moneys used for the management of deer, elk, or pronghorn:~~

**SECTION 3. 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 (August 9, 2006, if adjournment sine die is on May 10, 2006); 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: May 11, 2006