

## CHAPTER 153

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**NATURAL RESOURCES**

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**SENATE BILL 07-195**

BY SENATOR(S) McElhany, Kester, Kopp, May R., Mitchell S., Penry, Shaffer, Spence, Taylor, and Tochtrop;  
also REPRESENTATIVE(S) Rice, Butcher, Curry, Gallegos, Gardner B., Gardner C., Hicks, Kerr J., Lambert, Looper, Lundberg,  
Massey, McFadyen, McNulty, Merrifield, Roberts, Rose, Soper, Stafford, Stephens, Todd, and Witwer.

**AN ACT****CONCERNING THE ELIGIBILITY OF RESIDENT MILITARY PERSONNEL TO PARTICIPATE IN LIMITED  
LICENSE PREFERENCE PROGRAMS ESTABLISHED BY THE WILDLIFE COMMISSION.**

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

**SECTION 1.** 33-1-102 (38) (c) and (38) (e), Colorado Revised Statutes, are amended to read:

**33-1-102. Definitions.** As used in this title, unless the context otherwise requires:

(38) (c) A person who is a resident of this state does not terminate residency upon entering the armed services of the United States. A member of the armed services on active duty who resided in Colorado at the time the person entered military service and the person's dependents are presumed to retain their status as residents of Colorado throughout the member's active duty in the service, regardless of where stationed or for how long ~~OR OF THE FACTORS LISTED IN PARAGRAPH (e) OF THIS SUBSECTION (38), unless the member changes his or her home of record to some state other than Colorado OR FAILS TO COMPLY WITH THE REQUIREMENTS ESTABLISHED BY ARTICLE 22 OF TITLE 39, C.R.S., AND RULES PROMULGATED BY THE DEPARTMENT OF REVENUE CONCERNING THE FILING OF A COLORADO INCOME TAX RETURN.~~

(e) Except as provided in paragraph ~~(d) or (d.5)~~ (c), (d), OR (d.5) of this subsection (38), a person is deemed, for the purposes of this title, to have terminated his or her Colorado residence if the person applies for, purchases, or accepts a resident hunting, fishing, or trapping license issued by another state or foreign country; registers to vote in another state or foreign country; or accepts a driver's

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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.*

license that shows an address other than in Colorado.

**SECTION 2.** 33-4-104 (4), Colorado Revised Statutes, is amended to read:

**33-4-104. Free licenses issued - when - rules.** (4) The commission may adopt appropriate rules to establish a preference for active duty members of THE United States armed forces WHO ARE stationed at any military facility located in Colorado OR ARE COLORADO RESIDENTS upon their return from service outside of the United States for licenses left over after completion of the division's annual limited license draw. The preference may allow for such a member of the United States armed forces to apply for preference points for any limited license draw that occurred during the member's absence.

**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: April 19, 2007