

CHAPTER 88

NATURAL RESOURCES

HOUSE BILL 08-1304

BY REPRESENTATIVE(S) Solano, Benefield, Ferrandino, Hodge, Kerr J., Looper, Madden, Massey, Peniston, Primavera, Todd, Weissmann, Curry, Fischer, Frangas, Gardner B., Kerr A., Labuda, McFadyen, McNulty, and Stafford;
 also SENATOR(S) Schwartz, Bacon, Boyd, Brophy, Cadman, Gibbs, Gordon, Hagedorn, Harvey, Isgar, Johnson, Keller, Kester, Kopp, McElhany, Mitchell S., Morse, Penry, Romer, Sandoval, Schultheis, Shaffer, Spence, Takis, Tapia, Taylor, Tochtrop, Tupa, Veiga, Ward, Wiens, Williams, and Windels.

AN ACT

CONCERNING PROTECTION OF THE BALD EAGLE BY SETTING THE LEVEL OF PUNISHMENT FOR OFFENSES RELATED TO THE BALD EAGLE.

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

SECTION 1. The introductory portion to 33-6-109 (3) and 33-6-109 (3) (b), Colorado Revised Statutes, are amended to read:

33-6-109. Wildlife - illegal possession. (3) ~~Any~~ A person who violates subsection (1) or (2) of this section is guilty of a misdemeanor and, depending upon the wildlife involved, shall be punished upon conviction by a fine or imprisonment, or both, and license suspension points or suspension or revocation of license privileges as follows:

(b) For each BALD EAGLE, golden eagle, rocky mountain goat, desert bighorn sheep, American peregrine falcon, or rocky mountain bighorn sheep, a fine of not less than one thousand dollars and not more than one hundred thousand dollars, or by imprisonment for not more than one year in the county jail, or both such fine and such imprisonment, and an assessment of twenty points. Upon conviction, the commission may suspend any or all license privileges of the person for a period of ~~from~~ one year to life. A PERSON WHO POSSESSES ALL OR A PART OF A BALD EAGLE OR GOLDEN EAGLE SHALL NOT BE IN VIOLATION OF THIS SECTION IF THE POSSESSION IS AUTHORIZED BY 50 CFR PART 22.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2008, and shall apply to offenses committed on or after said date.

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 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 3, 2008