

## CHAPTER 89

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**NATURAL RESOURCES**


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**HOUSE BILL 08-1200**

BY REPRESENTATIVE(S) Soper, Casso, Curry, Fischer, Frangas, Gallegos, Green, Kerr A., King, Loooper, Madden, McFadyen, Merrifield, Rose, Solano, Stafford, and Todd;  
also SENATOR(S) Tochtrop.

**AN ACT****CONCERNING A PROHIBITION ON COMPUTER-ASSISTED REMOTE HUNTING.**

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

**SECTION 1.** 33-1-102, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

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

(6.4) "COMPUTER-ASSISTED REMOTE HUNTING" MEANS THE USE OF A COMPUTER OR ANY OTHER DEVICE, EQUIPMENT, OR SOFTWARE TO REMOTELY CONTROL THE AIMING AND DISCHARGE OF A WEAPON, INCLUDING, BUT NOT LIMITED TO, FIREARMS OR ARCHERY EQUIPMENT, AT WILDLIFE WHILE THE PERSON ENGAGED IN THE ACTION IS NOT PHYSICALLY PRESENT WITH, OR IN THE IMMEDIATE VICINITY OF, THE WILDLIFE.

(6.5) "COMPUTER-ASSISTED REMOTE HUNTING FACILITIES" MEANS REAL PROPERTY AND IMPROVEMENTS ON THE PROPERTY ASSOCIATED WITH COMPUTER-ASSISTED REMOTE HUNTING. "COMPUTER-ASSISTED REMOTE HUNTING FACILITIES" ALSO INCLUDES, BUT IS NOT LIMITED TO, HUNTING BLINDS, WEAPONS, OFFICES, AND ROOMS, EQUIPPED TO FACILITATE COMPUTER-ASSISTED REMOTE HUNTING.

**SECTION 2.** Part 1 of article 6 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**33-6-132. Computer-assisted remote hunting prohibited.** (1) IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN COMPUTER-ASSISTED REMOTE HUNTING IN

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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.*

COLORADO. THIS SUBSECTION (1) SHALL APPLY IF EITHER THE WILDLIFE HUNTED OR ANY DEVICE, EQUIPMENT, OR SOFTWARE, INCLUDING, WITHOUT LIMITATION, THE PERSON'S OWN COMPUTER, USED TO REMOTELY CONTROL THE WEAPON IS LOCATED IN COLORADO.

(2) IT IS UNLAWFUL FOR ANY PERSON TO ESTABLISH OR OPERATE COMPUTER-ASSISTED REMOTE HUNTING FACILITIES IN COLORADO.

(3) ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF:

(a) FOR A FIRST OFFENSE, SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS NOR MORE THAN TEN THOUSAND DOLLARS AND AN ASSESSMENT OF TWENTY LICENSE POINTS;

(b) FOR ANY SUBSEQUENT OFFENSES, SHALL BE PUNISHED BY A FINE OF NOT LESS THAN TEN THOUSAND DOLLARS NOR MORE THAN ONE HUNDRED THOUSAND DOLLARS OR BY IMPRISONMENT IN THE COUNTY JAIL FOR NOT MORE THAN ONE YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT. IN ADDITION TO IMPOSING SUCH PUNISHMENTS, THE COMMISSION MAY SUSPEND ANY WILDLIFE PRIVILEGES OF THE PERSON FOR A MINIMUM OF ONE YEAR TO A MAXIMUM OF A LIFETIME SUSPENSION.

(4) THIS SECTION SHALL NOT APPLY TO PERSONS WHO PROVIDE ONLY:

(a) GENERAL-PURPOSE EQUIPMENT, INCLUDING COMPUTERS, CAMERAS, AND FENCING AND BUILDING MATERIALS;

(b) GENERAL-PURPOSE COMPUTER SOFTWARE, INCLUDING OPERATING SYSTEMS AND COMMUNICATION PROGRAMS; OR

(c) GENERAL-PURPOSE TELECOMMUNICATIONS HARDWARE OR NETWORKING SERVICES FOR COMPUTERS, INCLUDING ADAPTERS, MODEMS, SERVERS, ROUTERS, AND OTHER FACILITIES ASSOCIATED WITH INTERNET ACCESS.

(5) NOTHING IN THIS SECTION SHALL PRECLUDE THE DIVISION OF WILDLIFE FROM ESTABLISHING A SPECIAL LICENSING PROGRAM FOR MOBILITY-IMPAIRED HUNTERS PURSUANT TO SECTION 33-4-119 AND RULES ADOPTED PURSUANT TO SECTION 33-4-119 OR FROM GRANTING REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES IN ACCORDANCE WITH THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ.

**SECTION 3. Effective date - applicability.** (1) 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 6, 2008, if adjournment sine die is on May 7, 2008); 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.

(2) The provisions of this act shall apply to offenses committed on or after the applicable effective date of this act.

Approved: April 3, 2008