

## CHAPTER 148

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**NATURAL RESOURCES**


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**SENATE BILL 09-182**

BY SENATOR(S) Penry;  
 also REPRESENTATIVE(S) Stephens, Baumgardner, Fischer, Gerou, Kerr J., King S., Labuda, Lambert, Loooper, Marostica,  
 Massey, McNulty, Murray, Nikkel, Priola, Schafer S., Todd, Waller, Carroll T.

**AN ACT****CONCERNING THE USE OF STATE PARKS BY CERTAIN SEARCH AND RESCUE ORGANIZATIONS FOR TRAINING ACTIVITIES.**

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

**SECTION 1.** 33-10-107 (1) (h), Colorado Revised Statutes, is amended to read:

**33-10-107. Powers of board.** (1) The board has power to:

(h) Establish by rules pursuant to section 33-10-111 (5) the amounts of fees for certificates, permits, licenses, and passes and any other special charges in order to provide for cash revenues necessary for the continuous operation of the state park and recreation system, SUBJECT TO SECTION 33-10-115; except that no such fees shall be used for capital construction other than controlled maintenance activities. Except as provided in section 33-10-111 (1), ~~such~~ fees and charges COLLECTED PURSUANT TO THIS PARAGRAPH (h) shall be credited to the division of parks and outdoor recreation cash fund.

**SECTION 2.** Article 10 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**33-10-115. Use of parks and recreational areas by nonprofit search and rescue organizations - rules.** (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO SEARCH AND RESCUE STATE PARKS USAGE ACT".

(2) AS USED IN THIS SECTION:

(a) "PARK, RECREATION AREA, OR FACILITY" MEANS:

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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.*

(I) A STATE PARK;

(II) A STATE RECREATION AREA; OR

(III) A STATE-OWNED FACILITY THAT IS OPEN TO THE PUBLIC AND RELATED TO OR ADJOINING A STATE PARK OR A STATE RECREATION AREA.

(b) "PUBLIC OR NONPROFIT SEARCH AND RESCUE ORGANIZATION" MEANS A NOT-FOR-PROFIT ENTITY THAT PERFORMS SEARCH AND RESCUE, DISASTER RELIEF, OR NATIONAL DEFENSE MISSIONS IN COLORADO. THE TERM INCLUDES, WITHOUT LIMITATION, THE COLORADO CIVIL AIR PATROL, GOVERNMENTAL SEARCH AND RESCUE ORGANIZATIONS, AND THE COLORADO SEARCH AND RESCUE BOARD.

(c) "TRAINING ACTIVITIES" MEANS OFFICIAL DRILLS, EXERCISES, LIVE MISSIONS, OR OTHER SUCH ACTIVITIES THAT PROVIDE INSTRUCTION TO SEARCH AND RESCUE PERSONNEL, THAT ARE CONDUCTED AT ANY TIME OF THE DAY, INCLUDING, WITHOUT LIMITATION, OVERNIGHT OR OVER SEVERAL DAYS AND NIGHTS.

(3) A PUBLIC OR NONPROFIT SEARCH AND RESCUE ORGANIZATION SHALL BE EXEMPT FROM ALL PARK FEES WHEN THE ORGANIZATION IS USING A PARK, RECREATION AREA, OR FACILITY TO CONDUCT TRAINING ACTIVITIES.

(4) THE BOARD SHALL PROMULGATE RULES AS ARE REASONABLY NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

**SECTION 3.** 33-12-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**33-12-106. Park entrance privileges - identified veterans - search and rescue organizations conducting training activities.** (3) PURSUANT TO SECTION 33-10-115, A PUBLIC OR NONPROFIT SEARCH AND RESCUE ORGANIZATION SHALL BE ALLOWED FREE ENTRANCE TO ANY STATE PARK OR RECREATION AREA ON ANY DAY OF THE YEAR SUCH PARK OR AREA IS OPEN, SUBJECT TO AVAILABILITY.

**SECTION 4. 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 20, 2009