

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO  
UNOFFICIAL PREAMENDED VERSION

ELS NO. 17-1088.01 Jennifer Berman x3286

HOUSE BILL 17-1321

HOUSE SPONSORSHIP

Arndt and Wilson, Catlin, McLachlan, Mitsch Bush, Rankin

SENATE SPONSORSHIP

Coram and Fenberg,

House Committees  
Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE PARKS AND WILDLIFE COMMISSION'S AUTHORITY TO  
102 SET CERTAIN CHARGES ASSESSED ON PEOPLE ENGAGING IN  
103 ACTIVITIES REGULATED BY THE DIVISION OF PARKS AND  
104 WILDLIFE, AND, IN CONNECTION THEREWITH, SETTING CERTAIN  
105 HUNTING, FISHING, PARKS, AND RECREATION FEES AND FINES,  
106 CREATING AN AQUATIC NUISANCE SPECIES STICKER AND  
107 ASSOCIATED FEE STRUCTURE, AND REQUIRING REPORTING BY  
108 THE DIVISION OF PARKS AND WILDLIFE ON FEE AMOUNTS AND  
109 THE USE OF DIVISION-MANAGED LANDS BY NONCONSUMPTIVE  
110 USERS.

Bill Summary

*(Note: This summary applies to this bill as introduced and does*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

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*not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

**Section 1** of the bill provides a nonstatutory legislative declaration.

**Section 2** adds "voucher" and "preference point" to the documents listed under the definition of "license".

**Sections 3 and 17** add "sponsorships" and "donations" to the list of money transfers that the parks and wildlife commission (commission) is authorized to receive and expend.

**Section 4** prohibits the commission from using revenue generated from increased license fee amounts authorized by the bill for the purchase of any fee title interest in real property or any interest in water.

**Section 6** clarifies that the Colorado outdoor recreation search and rescue card fee is nonrefundable.

**Sections 7, 14, 15, and 18** raise the maximum fee amounts that the commission may assess by rule for certain licenses, permits, and passes. Sections 7, 14, 15, and 18 also authorize the commission to apply a consumer price index adjustment to a fee that has been set at the maximum fee amount allowed, which fee adjustment does not count toward the maximum fee amounts set.

**Section 8** allows the division of parks and wildlife (division) to grant up to 25% of the money derived from sales of the state migratory waterfowl stamp to nonprofit organizations implementing the North American waterfowl management plan.

**Section 9** removes references to the fee assessed for the youth small game hunting license since the maximum fee amount for the license is listed in another part of statute. Section 9 also authorizes the commission to establish by rule a special licensing program for young adult hunters and anglers and requires that, if the commission establishes such a licensing program by rule, the commission must define "young adult" in a manner that does not include adults 26 years of age or older.

**Section 10** changes the name of the wildlife management public education advisory council to the wildlife council.

**Section 11** requires the division to prepare reports on the status of certain license fee increases that the commission is authorized to promulgate pursuant to the bill and nonconsumptive users' use of division-managed land, and to present the reports to the agriculture committees in the house of representatives and the senate.

**Section 12** increases the fine imposed against a person who violates a wildlife statute or rule that does not have a specific penalty listed for the violation from \$50 to \$100.

**Section 13** raises the penalty for a number of wildlife-license-related offenses to an amount equal to twice the cost of

the most expensive license for the species. Section 13 also clarifies that engaging in conduct that requires a license without a license is a violation subject to an assessment of 10 license suspension points and a fine amount equal to twice the cost of the most expensive license issued for the activity that the person unlawfully engaged in without the requisite license; except that a violation based on fishing without a license is subject to a \$125 fine and an assessment of 10 license suspension points.

**Section 23** requires a person to purchase an aquatic nuisance species sticker to operate or use a vessel on the waters of the state or possess a vessel at a vessel staging area. The fees collected on the sale of aquatic nuisance species stickers are credited to the division of parks and wildlife aquatic nuisance species fund to help fund inspections of vessels and associated conveyances for the presence of aquatic nuisance species, decontamination of vessels or conveyances with the presence of aquatic nuisance species, lake monitoring for the presence of aquatic nuisance species, and outreach efforts.

Under current law, "pass" or "registration" is defined as a document issued by the division authorizing the use of land or water under the division's control. **Section 16** adds "sticker" to the definition to encompass the aquatic nuisance species sticker created in section 23.

**Section 19** establishes that a violation of the requirement to obtain an aquatic nuisance species sticker is a class 2 petty offense, punishable by a fine equal to twice the cost of a nonresident motorboat or sailboat aquatic nuisance species sticker.

**Section 20** repeals the division of wildlife aquatic nuisance species fund and renames the division of parks and outdoor recreation aquatic nuisance species fund as the division of parks and wildlife aquatic nuisance species fund, combining the 2 existing funds into one fund. **Sections 5 and 26** make conforming amendments regarding the combining of the 2 funds into one renamed fund.

**Section 21** removes the \$5 cap on the fee that the division may charge a person for replacement of a lost or destroyed pass or registration. The fee is set at 50% of the cost of the original pass or registration.

**Section 22** defines "nonmotorboat".

**Section 24** changes the penalty for a violation of statutes and rules concerning parks and recreation for which a specific penalty is not listed from a class 2 petty offense to a misdemeanor and raises the fine from \$50 to \$100.

**Section 25** establishes that engaging in conduct that requires a permit, pass, or sticker issued by the division without a permit, pass, or sticker is a violation subject to a fine amount equal to twice the cost of the most expensive permit, pass, or sticker issued for the activity that the person unlawfully engaged in without the requisite permit, pass, or sticker.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and determines that:

4 (a) The people of Colorado value and seek to preserve the state's  
5 unique wildlife, park, recreational, and water resources;

6 (b) Outdoor recreation significantly impacts Colorado's economy,  
7 including the following total economic benefits: \$919 million from  
8 hunting; \$1.9 billion from fishing; \$2.3 billion from wildlife viewing; and  
9 \$1 billion from state park visitors;

10 (c) The division of parks and wildlife and the parks and wildlife  
11 commission require additional funding from user fees to ensure the  
12 agency's financial sustainability and to maintain its current operations and  
13 services; and

14 (d) As an enterprise agency, the division and commission have  
15 identified goals and objectives that can only be achieved with increased  
16 funding from user fees, including:

17 (I) Enhancing access and services on public and private lands for  
18 sportsmen and women and for nonconsumptive users;

19 (II) Increasing youth and adult hunter and angler recruitment  
20 through education and outreach programs;

21 (III) Increasing and improving big game populations through  
22 habitat improvement programs;

23 (IV) Preventing the listing of state trust species under the federal  
24 "Endangered Species Act of 1973", 16 U.S.C. sec. 1531 et seq., as  
25 amended, through species distribution and abundance monitoring, disease  
26 prevention, and partnerships with private landowners;

1 (V) Reducing renovation and maintenance backlogs for fish  
2 hatcheries and the more than one hundred dams owned and operated by  
3 the division;

4 (VI) Implementing law enforcement program upgrades, including  
5 upgrades to equipment and to new communications technologies, to  
6 maintain compatibility with other law enforcement agencies;

7 (VII) Recruiting and retaining qualified employees to manage  
8 wildlife, park, recreational, and aquatic resources;

9 (VIII) Maintaining park infrastructure under the pressure of  
10 increasing visitation; and

11 (IX) Ensuring that Colorado's lakes and reservoirs remain free of  
12 aquatic nuisance species and open to recreation by providing a stable,  
13 annual funding source for boat inspection stations.

14 (2) The general assembly therefore determines and declares that  
15 statutes affecting the division's and commission's financial sustainability  
16 should be updated to afford them additional financial resources to reach  
17 and maintain their identified goals and objectives.

18 **SECTION 2.** In Colorado Revised Statutes, 33-1-102, **amend** the  
19 introductory portion and (27) as follows:

20 **33-1-102. Definitions.** As used in this title TITLE 33, unless the  
21 context otherwise requires:

22 (27) "License" means a permit, stamp, card, certificate, tag, seal,  
23 \_\_\_\_\_PREFERENCE POINT, or other document provided for by statute or  
24 commission rule or regulation and issued or required by the division  
25 authorizing the hunting, fishing, trapping, taking, transportation, or  
26 possession of wildlife or other activity for which express authorization is  
27 required by articles 1 to 6 of this title TITLE 33.

1           **SECTION 3.** In Colorado Revised Statutes, 33-1-105, amend  
2 (1)(f)(I)(A) and (2) as follows:

3           **33-1-105. Powers of commission.** (1) The commission has  
4 power to:

5           (f) (I) Receive and expend:

6           (A) Grants, gifts, SPONSORSHIPS, CONTRIBUTIONS, DONATIONS,  
7 and bequests, including federal moneys MONEY, made available for the  
8 purposes for which the commission is authorized; and

9           (2) Nothing in articles 1 to 6 of this title shall be construed as  
10 authorizing TITLE 33 AUTHORIZES the commission to change any penalty  
11 prescribed by law for the A violation of the provisions ANY PROVISION of  
12 articles 1 to 6 of this title or to change the amount of any license fee  
13 established by statute TITLE 33.

14           **SECTION 4.** In Colorado Revised Statutes, 33-1-105.5, add (11)  
15 as follows:

16           **33-1-105.5. Acquisition of property - procedure.** (11) THE  
17 COMMISSION SHALL NOT USE REVENUE GENERATED FROM ANY INCREASED  
18 LICENSE FEE AMOUNTS AUTHORIZED BY HOUSE BILL 17-\_\_\_, ENACTED IN  
19 2017, FOR THE PURCHASE OF ANY FEE TITLE INTEREST IN REAL PROPERTY,  
20 INCLUDING WATER.

21           **SECTION 5.** In Colorado Revised Statutes, 33-1-112, amend  
22 (3.5)(a) and (3.5)(b); and repeal (1)(b) as follows:

23           **33-1-112. Funds - cost accounting - definition - repeal.**  
24 (1) (b) For the fiscal year commencing July 1, 2008, there shall be  
25 transferred one million two hundred fifty thousand dollars from the  
26 wildlife cash fund to the division of wildlife aquatic nuisance species  
27 fund, created in section 33-10.5-108.

1 (3.5) (a) There is hereby created the wildlife management public  
2 education fund. ~~Moneys MONEY in such THE fund shall consist~~ CONSISTS  
3 of the surcharge authorized by section 33-4-102 (8.5), ~~such moneys as~~  
4 ANY MONEY the general assembly allocates to the fund, and moneys  
5 MONEY collected from gifts, donations, contributions, bequests, grants,  
6 and funds or reimbursements made from other sources to the wildlife  
7 management public education advisory council created in section  
8 33-4-120.

9 (b) ~~Moneys MONEY in the wildlife management public education~~  
10 fund shall be IS subject to annual appropriation and shall be used by the  
11 wildlife management public education advisory council for carrying out  
12 its duties as set forth in section 33-4-120, including but not limited to, the  
13 reasonable and necessary expenses incurred by council members in  
14 fulfilling their duties, as approved by the director.

15 SECTION 6. In Colorado Revised Statutes, 33-1-112.5, amend  
16 (2)(a), (2)(b), and (2)(c)(II) as follows:

17 33-1-112.5. Search and rescue fund. (2) (a) A NONREFUNDABLE  
18 surcharge of twenty-five cents shall be assessed on each license listed in  
19 section 33-4-102 (1) and (1.4) that is sold by the division or one of its  
20 license agents pursuant to section 33-4-101. Receipts and interest from  
21 the surcharge shall be deposited in the search and rescue fund created in  
22 subsection (1) of this section.

23 (b) A NONREFUNDABLE surcharge of twenty-five cents shall be  
24 assessed on each vessel, each snowmobile, and each off-highway vehicle  
25 registration that is sold by the division or one of its agents pursuant to  
26 section 33-13-103, 33-14-102, or 33-14.5-102. Receipts and interest from  
27 the surcharge shall be deposited in the search and rescue fund created in

1 subsection (1) of this section. To coincide with annual registration  
 2 renewal schedules, the surcharge shall be assessed on an annual basis  
 3 beginning on October 1, 1992, for snowmobile registrations, January 1,  
 4 1993, for vessel registrations, and April 1, 1993, for off-highway vehicle  
 5 registrations.

6 (c) (II) The Colorado outdoor recreation search and rescue card  
 7 ~~shall cost~~ COSTS three dollars, and ~~shall be~~ IS valid for one year from the  
 8 date of purchase, AND IS NONREFUNDABLE. The department shall charge  
 9 vendors two dollars for each Colorado outdoor recreation search and  
 10 rescue card, which shall be transmitted to the state treasurer, who shall  
 11 credit the amount to the search and rescue fund created in subsection (1)  
 12 of this section. The VENDOR SHALL RETAIN THE remaining one dollar shall  
 13 be retained by the vendor as the vendor's fee.

14 SECTION 7. In Colorado Revised Statutes, 33-4-102, amend (1),  
 15 (1.4), (1.6), (2), (3), (8), (8.5)(a), and (11); and repeal (1.8) and (14)(c);  
 16 and recreate and reenact, with amendments, (1.5) as follows:

17 33-4-102. Types of licenses and fees - rules. (1) Except as  
 18 otherwise provided in subsection (1.6) of this section, the division is  
 19 ~~authorized to~~ MAY issue the following resident and nonresident licenses  
 20 and shall collect ~~the following~~ fees, ~~therefor~~ AS ESTABLISHED BY RULE BY  
 21 THE COMMISSION, FOR THE ISSUED LICENSES IN AMOUNTS NOT TO EXCEED  
 22 THE FOLLOWING AMOUNTS:

	Fees	
	Resident	Nonresident
23		
24		
25	(a) to (p) Repealed.	
26	(q) Bonus trout stamps	\$11.00
27	(r) to (u) Repealed.	



1	(v) 3-year possession/hunting		
2	raptor license	\$100.00	Not available
3		\$150.00	
4	(w) Annual possession/hunting		
5	raptor license	Not available	\$55.00
6			\$82.50
7	(x) Repealed.		
8	(y) Peregrine falcon		
9	capture license	\$200.00	Not available
10		\$300.00	

11           (1.4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.6) OF  
12 THIS SECTION, the division is ~~authorized to~~ MAY issue the following  
13 resident and nonresident licenses and shall collect ~~the following~~ fees,  
14 ~~therefor, except as otherwise provided pursuant to subsection (1.6) of this~~  
15 ~~section~~ AS ESTABLISHED BY RULE BY THE COMMISSION, FOR THE ISSUED  
16 LICENSES IN AMOUNTS NOT TO EXCEED THE FOLLOWING AMOUNTS:

17		Fees	
18		Resident	Nonresident
19	(a) Extra rod stamp	\$5.00	\$5.00
20		\$7.50	\$7.50
21	(b) Fishing - 1 day	<del>8.00</del>	<del>8.00</del>
22		12.00	15.00
23	(c) Fishing - 5 days	Not available	<del>20.00</del>
24			32.00
25	(d) Fishing - annual	<del>25.00</del>	55.00
26		37.50	100.00
27	(e) Senior annual fishing	Free	Not available

1		18.75	
2	(f) Small game hunting	<del>20.00</del>	<del>55.00</del>
3		30.00	82.50
4	(g) Small game - 1 day	<del>10.00</del>	<del>10.00</del>
5		15.00	15.00
6	(h) Furbearer license	<del>25.00</del>	<del>200.00</del>
7		37.50	300.00
8	(i) (Deleted by amendment, L. 94, p. 1220, § 3, effective May 22,		
9	1994.)		
10	(j) Turkey, fall	15.00	100.00
11		22.50	150.00
12	(j.3) Turkey, spring	<del>20.00</del>	<del>100.00</del>
13		30.00	150.00
14	(j.6) Turkey (youth)	<del>10.00</del>	<del>75.00</del>
15		15.00	112.50
16	(k) Combination fishing and		
17	small game hunting	<del>40.00</del>	Not available
18		60.00	
19	(l) Pronghorn	30.00	<u>270.00</u>
20		45.00	<u>385.00</u>
21	(m) Bear, fall	40.00	<u>450.00</u>
22		60.00	<u>640.00</u>
23	(n) Repealed.		
24	(o) Deer	30.00	<u>270.00</u>
25		45.00	<u>385.00</u>
26	(p) Elk	45.00	<u>450.00</u>
27		67.50	<u>640.00</u>

1	(q) Mountain goat	250.00	<u>1,500.00</u>
2		375.00	<u>2,145.00</u>
3	(r) Moose	250.00	<u>1,500.00</u>
4		375.00	<u>2,145.00</u>
5	(s) Mountain lion	40.00	<u>450.00</u>
6		60.00	<u>640.00</u>
7	(t) Rocky mountain bighorn		
8	sheep	250.00	<u>1,500.00</u>
9		375.00	<u>2,145.00</u>
10	(u) Desert bighorn sheep	250.00	<u>1,000.00</u>
11		375.00	<u>2,145.00</u>
12	(v) (I) Resident low-income		
13	senior lifetime fishing	Free	Not available
14	(II) (Deleted by amendment, L. 97, p. 766, § 1, effective May 1,		
15	1997.)		
16	(w) Youth big game (deer,		
17	elk, pronghorn)	<del>10.00</del> each	100.00 each
18		15.00 each	
19	(x) Youth small game hunting	<del>1.00</del>	<del>1.00</del>
20		1.50	1.50
21	(y) Repealed.		
22	(z) Colorado wildlife habitat		
23	stamp, purchased in		
24	conjunction with the		
25	purchase of a hunting		
26	or fishing license	<del>10.00</del>	<del>10.00</del>
27		15.00	15.00

1	(aa) "Lifetime" Colorado		
2	wildlife habitat stamp	300.00	300.00
3		450.00	450.00
4	(bb) Migratory waterfowl		
5	stamp	10.00	10.00

6           (1.5) WITH RESPECT TO LICENSES AUTHORIZED UNDER SUBSECTION  
7 (1.4) OF THIS SECTION, THE COMMISSION SHALL CONSIDER OFFERING  
8 DISCOUNTED LICENSES OR LICENSE COMBINATIONS FOR WILDLIFE  
9 MANAGEMENT OR HUNTING AND FISHING RECRUITMENT PURPOSES,  
10 INCLUDING CONSIDERATION OF THE CREATION OF A RESIDENT  
11 LOW-INCOME LICENSE.

12           (1.6) (a) By promulgation of appropriate rule, the commission  
13 may, from time to time, ~~authorize the issuance of any of the licenses~~  
14 ~~provided for in this section for~~ REDUCE a fee less than that specified in  
15 this section and may, by promulgation of appropriate rule, later raise such  
16 THE license fee up to AN AMOUNT NOT TO EXCEED the statutory limit,  
17 when, in the judgment of the commission, one of the following conditions  
18 applies:

19           (I) When the commission determines that it would be beneficial  
20 to issue such THE license in conjunction with another type of license and  
21 creates a combination license;

22           (II) When the commission determines it is proper for management  
23 of the division or otherwise beneficial to the management of state wildlife  
24 resources. Licenses so discounted may be limited to certain geographic  
25 areas, by sex, or as otherwise deemed appropriate by the commission.

26           (III) When the commission determines that an activity is regulated  
27 at both the state and federal levels and that issuance of a multi-year state

1 license or collection of a reduced state annual license fee, or both, would  
2 help to coordinate such state and federal regulation and reflect the  
3 administrative cost savings realized through such coordination.

4 (IV) ~~When the commission determines pursuant to section~~  
5 ~~24-75-402 (3), C.R.S., that a reduction in the amount of the fee is~~  
6 ~~necessary to reduce the uncommitted reserves of the fund to which all or~~  
7 ~~any portion of the fee is credited. After the uncommitted reserves of the~~  
8 ~~cash fund are sufficiently reduced, the commission by rule or as otherwise~~  
9 ~~provided by law may increase the amount of the fee as provided in section~~  
10 ~~24-75-402 (4), C.R.S.~~

11 (b) ~~The nonresident big game fees IFA FEE described in subsection~~  
12 ~~(1.4) of this section shall annually be adjusted in accordance with~~  
13 ~~ARTICLES 1 TO 6 OF THIS TITLE 33 IS SET AT THE MAXIMUM FEE AMOUNT~~  
14 ~~AUTHORIZED IN ARTICLES 1 TO 6 OF THIS TITLE 33, THEN THE COMMISSION~~  
15 ~~MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE TOTAL AMOUNT~~  
16 ~~REFLECTED BY THE CHANGES MADE IN THE United States bureau of labor~~  
17 ~~statistics consumer price index for the Denver-Boulder-Greeley~~  
18 ~~consolidated metropolitan statistical area for all urban consumers and all~~  
19 ~~goods or its successor index AFTER THE EFFECTIVE DATE OF THIS~~  
20 ~~SUBSECTION (1.6)(b), AS AMENDED. Such THE adjustment shall IS NOT BE~~  
21 ~~effective until the commission notifies the joint budget committee of such~~  
22 ~~THE adjustment. THE ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE~~  
23 ~~MAXIMUM FEE AMOUNTS ALLOWED FOR FEES SET IN ACCORDANCE WITH~~  
24 ~~ARTICLES 1 TO 6 OF THIS TITLE 33.~~

25 (c) Repealed.

26 (1.8) ~~Any moneys realized as a result of the fee increases related~~  
27 ~~to fishing specified in subsection (1.4) of this section shall be allocated~~

1 for use in the fisheries and hatcheries presently operated by the division.

2 (2) Except as otherwise provided in subsection (1.6) of this  
3 section, the division is authorized to MAY issue the following special  
4 licenses and shall collect the following fees, therefor AS ESTABLISHED BY  
5 RULE BY THE COMMISSION, FOR THE ISSUED LICENSES IN AMOUNTS NOT TO  
6 EXCEED THE FOLLOWING AMOUNTS:

7 Fees

8 (a) Scientific collecting license for the collection of wildlife  
9 species outside of established seasons and bag limits. . \$ 20.00 \$ 30.00

10 (b) Importation license, issued for the purpose of importing  
11 wildlife into the state. . . . . 50.00 75.00

12 (c) Field trial license. . . . . 15.00 22.50

13 (d) Commercial lake license, issued for the operation of privately  
14 owned lakes for purposes of charging customers to fish; no live fish or  
15 viable gametes may be sold or transported from the premises  
16 . . . . . 150.00 225.00

17 (e) Private lake license, issued for the operation of privately  
18 owned lakes for the purpose of fishing when no fee is charged; no fish or  
19 gametes may be sold or live fish or viable gametes transported from the  
20 premises. . . . . 10.00 15.00

21 (f) Commercial wildlife park license, issued for the operation of  
22 privately owned wildlife parks and for related buying, selling, or trading  
23 of lawfully acquired wildlife or for charging customers to hunt on such  
24 a AT THE park. . . . . 100.00 150.00

25 (g) Noncommercial park license, issued to persons who wish to  
26 keep lawfully acquired native birds except raptors as pets. 20.00 30.00

27 (h) (Deleted by amendment, L. 91, p. 199, § 4, effective June 7,

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1 1991.)

2 (i) Wildlife sanctuary license..... ~~100.00~~ 150.00

3 (3) Any license issued by the division for which a fee is not  
4 provided in subsection (1), (1.4), or (2) of this section ~~shall not~~ CANNOT  
5 exceed ~~forty~~ ONE HUNDRED dollars.

6 (8)        In the event of the loss, theft, or destruction of a small  
7 game, fishing, furbearer, or combination small game and fishing license,  
8 the person to whom the license was issued may purchase a new license  
9 from any license agency or may obtain a duplicate license from the  
10 division upon payment of a fee ~~not to exceed five dollars, to be~~  
11 ~~established by the commission by rule and regulation~~ OF FIFTY PERCENT  
12 OF THE COST OF THE ORIGINAL LICENSE, NOT TO EXCEED TWENTY-FIVE  
13 DOLLARS, and completion of an affidavit as set forth below.        In the  
14 event of the loss, theft, or destruction of any other license issued by the  
15 division, the person to whom the license was issued may receive a  
16 duplicate license from the division upon payment of a fee of fifty percent  
17 of the cost of the original license, not to exceed twenty-five dollars, and  
18 completion of an affidavit stating where and by whom ~~said~~ THE license  
19 was issued and the circumstances under which ~~said~~ THE license was lost,  
20 stolen, or destroyed. In the event the division determines that the original  
21 license has been lost or destroyed in the mail, the person to whom the  
22 license was issued may obtain a duplicate license from the division  
23 without charge by submitting to the division a signed affidavit stating that  
24 ~~such~~ THE license was never received.

25 (8.5) (a) (I) Except for the annual Colorado wildlife habitat stamp,  
26 and the lifetime Colorado wildlife stamp, AND THE YOUTH SMALL GAME  
27 HUNTING LICENSE, THE COMMISSION SHALL, BY RULE, ASSESS a surcharge

1 of ~~seventy-five~~ IN AN AMOUNT NOT TO EXCEED ONE DOLLAR AND FIFTY  
2 cents shall be assessed on each license listed in subsection SUBSECTIONS  
3 (1) AND (1.4) of this section that is sold by the division or one of its  
4 license agents pursuant to section 33-4-101. Revenues derived from the  
5 assessment of such THE surcharge, together with any interest earned  
6 ~~thereon~~ ON THE REVENUES DERIVED, shall be deposited in INTO the  
7 wildlife management public education fund created in section 33-1-112  
8 (3.5)(a).

9 (II) IF THE SURCHARGE DESCRIBED IN SUBSECTION (8.5)(a)(I) OF  
10 THIS SECTION IS SET AT THE MAXIMUM SURCHARGE AMOUNT AUTHORIZED  
11 IN SUBSECTION (8.5)(a)(I) OF THIS SECTION, THEN THE COMMISSION MAY,  
12 BY RULE, ADJUST THE SURCHARGE BY AN AMOUNT UP TO THE TOTAL  
13 AMOUNT REFLECTED BY THE CHANGES MADE IN THE UNITED STATES  
14 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE  
15 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL  
16 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR  
17 INDEX AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (8.5)(a)(II). THE  
18 ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE  
19 JOINT BUDGET COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL  
20 NOT BE COUNTED TOWARD THE MAXIMUM SURCHARGE AMOUNT ALLOWED  
21 IN THIS SUBSECTION (8.5).

22 (11) With respect to licenses ~~which~~ THAT are issued in limited  
23 numbers for the taking of game wildlife, the division is authorized to MAY  
24 collect from each license applicant a nonrefundable processing fee not to  
25 exceed ~~three~~ TWENTY dollars, WHICH FEE THE COMMISSION SHALL  
26 ESTABLISH BY RULE.

27 (14)(c) The annual fee for a license for a wildlife sanctuary shall



1 not exceed one hundred dollars.

2 SECTION 8. In Colorado Revised Statutes, 33-4-102.5, amend  
3 (3) and (5) as follows:

4 33-4-102.5. Issuance of migratory waterfowl stamp -  
5 prohibition against hunting without stamp. (3) (a) The fee for each  
6 stamp shall be five dollars, and The stamp shall remain REMAINS valid  
7 through the last day of June following its issuance. Each stamp shall be  
8 validated by the signature of the licensee written across the face of the  
9 stamp.

10 (b) Notwithstanding the amount specified for the fee in paragraph  
11 (a) of this subsection (3), the commission by rule or as otherwise provided  
12 by law may reduce the amount of the fee if necessary pursuant to section  
13 24-75-402 (3), C.R.S., to reduce the uncommitted reserves of the fund to  
14 which all or any portion of the fee is credited. After the uncommitted  
15 reserves of the fund are sufficiently reduced, the commission by rule or  
16 as otherwise provided by law may increase the amount of the fee as  
17 provided in section 24-75-402 (4), C.R.S. THE DIVISION MAY GRANT UP  
18 TO TWENTY-FIVE PERCENT OF THE FUNDS DERIVED FROM THE SALE OF  
19 STATE MIGRATORY WATERFOWL STAMPS TO APPROPRIATE NONPROFIT  
20 ORGANIZATIONS FOR IMPLEMENTATION OF THE NORTH AMERICAN  
21 WATERFOWL MANAGEMENT PLAN. THE NONPROFIT ORGANIZATIONS SHALL  
22 USE THE FUNDS FOR THE DEVELOPMENT OF WATERFOWL PROPAGATION  
23 AREAS WITHIN THE DOMINION OF CANADA OR THE UNITED STATES THAT  
24 SPECIFICALLY PROVIDE WATERFOWL FOR THE CENTRAL FLYWAY, PACIFIC  
25 FLYWAY, OR BOTH.

26 (5) All moneys MONEY received pursuant to the issuance of the  
27 migratory waterfowl stamp shall be used for the sole benefit of migratory

1 waterfowl habitats HABITAT CONSERVATION AND RELATED CAPITAL  
2 IMPROVEMENTS and shall be subject to an annual appropriation.

3 **SECTION 9.** In Colorado Revised Statutes, 33-4-117, **amend** (1);  
4 and **add** (7) as follows:

5 **33-4-117. Youth licenses - terminally ill hunters - special**  
6 **restrictions and privileges - rules.** (1) A person under the age of  
7 eighteen years may obtain a youth small game hunting license, issued  
8 pursuant to section 33-4-102 (1.4)(x), ~~for a fee of one dollar~~ upon  
9 showing a hunter education certificate as required by section 33-6-107  
10 (8). ~~The one-dollar fee~~ FOR THE LICENSE, AS ESTABLISHED IN SECTION  
11 33-4-102 (1.4)(x), includes the search and rescue fund surcharge imposed  
12 under section 33-1-112.5 (2)(a).

13 (7) THE COMMISSION MAY ESTABLISH BY RULE A SPECIAL  
14 LICENSING PROGRAM FOR YOUNG ADULT HUNTERS AND ANGLERS. IF THE  
15 COMMISSION ESTABLISHES A SPECIAL LICENSING PROGRAM, THE  
16 COMMISSION SHALL DEFINE "YOUNG ADULT" BY RULE, BUT SHALL NOT  
17 DEFINE "YOUNG ADULT" IN A MANNER THAT INCLUDES ADULTS  
18 TWENTY-SIX YEARS OF AGE OR OLDER.

19 **SECTION 10.** In Colorado Revised Statutes, 33-4-120, **amend**  
20 (1)(a) as follows:

21 **33-4-120. Wildlife council - creation.** (1) (a) The director of the  
22 division shall appoint nine individuals, at least three of ~~which~~ WHOM are  
23 from the western slope, to act as the ~~wildlife management~~ public  
24 education advisory council, referred to in this section as the "council".  
25 The council ~~shall have~~ HAS statewide responsibility and authority.

26 **SECTION 11.** In Colorado Revised Statutes, **add** 33-4-121 as  
27 follows:

1           **33-4-121. Reporting by division - license fee increases -**  
2           **division-managed lands - definitions - repeal.** (1) (a) (I) COMMENCING  
3           ON OR BEFORE SEPTEMBER 1, 2018, AND ON OR BEFORE SEPTEMBER 1 OF  
4           EACH YEAR THEREAFTER, THE DIVISION SHALL PREPARE A WRITTEN  
5           REPORT ON:

6           (A) THE STATUS OF ANY LICENSE FEE INCREASES PROMULGATED  
7           BY THE COMMISSION AFTER THE EFFECTIVE DATE OF THIS SECTION;

8           (B) THE IMPACT THAT THOSE INCREASED FEES HAVE HAD ON THE  
9           TOTAL NUMBER OF SALES OF UNLIMITED LICENSES; AND

10          (C) AN ACCOUNTING OF PROGRAM EXPENDITURES MADE WITH THE  
11          INCREASED FEES AND THE IMPACT OF THOSE EXPENDITURES.

12          (II) THE DIVISION SHALL MAKE THE WRITTEN REPORTS AVAILABLE  
13          TO THE PUBLIC AND SHALL SEND THE REPORTS TO THE AGRICULTURE,  
14          LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF  
15          REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND  
16          ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

17          (b) ON OR BEFORE MARCH 1, 2020, THE DIVISION SHALL PRESENT  
18          ITS FINDINGS FROM, AND A SUMMARY OF, ITS MOST RECENT REPORT  
19          PREPARED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO A JOINT  
20          SESSION OF THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES  
21          COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE,  
22          NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE, OR THEIR  
23          SUCCESSOR COMMITTEES.

24          (2) (a) ON OR BEFORE DECEMBER 31, 2018, THE DIVISION SHALL  
25          PREPARE A WRITTEN REPORT ON:

26          (I) NONCONSUMPTIVE USERS' USE OF DIVISION-MANAGED LANDS;  
27          AND

1 (II) RECOMMENDATIONS ON HOW NONCONSUMPTIVE USERS COULD  
2 HELP COVER THE DIVISION'S COSTS FOR MAINTAINING THE LANDS,  
3 INCLUDING ANY LEGISLATIVE RECOMMENDATIONS.

4 (b) ON OR BEFORE MARCH 1, 2019, THE DIVISION SHALL PRESENT  
5 ITS FINDINGS AND A SUMMARY OF THE REPORT PREPARED PURSUANT TO  
6 SECTION (2)(a) OF THIS SECTION TO A JOINT SESSION OF THE AGRICULTURE,  
7 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF  
8 REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND  
9 ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

10 (3) AS USED IN THIS SECTION:

11 (a) "NONCONSUMPTIVE USER" MEANS AN INDIVIDUAL WHO  
12 ENGAGES IN RECREATIONAL OR EDUCATIONAL ACTIVITIES THAT DO NOT  
13 INVOLVE THE TAKING OF WILDLIFE, AND INCLUDES HIKERS, MOUNTAIN  
14 BIKERS, AND WILDLIFE WATCHERS.

15 (b) "UNLIMITED LICENSE" MEANS A CATEGORY OF LICENSE THAT  
16 IS NOT SUBJECT TO ANY LIMITATION ON THE NUMBER OF LICENSE SALES  
17 THAT MAY BE MADE.

18 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

19 SECTION 12. In Colorado Revised Statutes, 33-6-104, amend  
20 (1) as follows:

21 33-6-104. Imposition of penalty - procedures. (1) Any person  
22 who violates any of the provisions of articles 1 to 6 of this title TITLE 33  
23 or any rule of the commission that does not have a specific penalty listed  
24 is guilty of a misdemeanor and, upon conviction thereof, shall be  
25 punished by a fine of fifty ONE HUNDRED dollars, a surcharge as described  
26 in section 24-33.5-415.6, ~~C.R.S.~~, and an assessment of five license  
27 suspension points.

1           **SECTION 13.** In Colorado Revised Statutes, 33-6-107, amend  
2 (1)(a), (5), and (6); and add (11) as follows:

3           **33-6-107. Licensing violations - penalties - rule.** (1) (a) Except  
4 as otherwise provided in articles 1 to 6 of this title TITLE 33 or by rule of  
5 the commission, a person shall not procure or use more than one license  
6 of a certain type in a calendar year. A person who violates this subsection  
7 (1) is guilty of a misdemeanor and, upon conviction thereof, shall, with  
8 respect to wildlife other than big game, be punished by a fine of fifty  
9 dollars EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE LICENSE FOR  
10 THE SPECIES and an assessment of ten license suspension points or shall,  
11 with respect to big game, be punished by a fine of two-hundred dollars  
12 EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE LICENSE FOR THE  
13 SPECIES and an assessment of fifteen license suspension points.

14           (5) Any person who possesses live wildlife in this state and who  
15 is required by commission rule or regulation to have a license for such  
16 possession OF LIVE WILDLIFE shall have the required license at the site  
17 where the wildlife is kept. Any person who violates this subsection (5) is  
18 guilty of a misdemeanor and, upon conviction thereof, shall be punished  
19 by a fine of fifty dollars EQUAL TO TWICE THE COST OF THE MOST  
20 EXPENSIVE LICENSE FOR SUCH POSSESSION and an assessment of ten  
21 license suspension points.

22           (6) A person sixteen years of age or over OLDER who fishes for or  
23 takes fish, amphibians, mollusks, or crustaceans in this state shall have a  
24 proper and valid fishing license on his or her person. Persons under  
25 sixteen years of age are not required to have a fishing license and shall be  
26 entitled to the full bag or possession limit set by the commission. A  
27 person who violates this subsection (6) is guilty of a misdemeanor and,

1 upon conviction thereof, shall be punished by a fine of fifty ONE  
2 HUNDRED TWENTY-FIVE dollars and an assessment of ten license  
3 suspension points.

4 (11) A PERSON MUST HAVE A VALID LICENSE TO ENGAGE IN THE  
5 ACTIVITIES AUTHORIZED BY A LICENSE ISSUED PURSUANT TO ARTICLES 1  
6 TO 6 OF THIS TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT  
7 TO ARTICLES 1 TO 6 OF THIS TITLE 33. EXCEPT FOR A PERSON WHOSE  
8 VIOLATION IS PUNISHABLE UNDER SUBSECTION (6) OF THIS SECTION AND  
9 UNLESS SPECIFIED ELSEWHERE IN ARTICLES 1 TO 6 OF THIS TITLE 33, ANY  
10 PERSON WHO VIOLATES THIS SUBSECTION (11) IS GUILTY OF A  
11 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY:

12 (a) A FINE EQUAL TO TWICE THE COST OF THE MOST EXPENSIVE  
13 LICENSE ISSUED FOR THE ACTIVITY THAT THE PERSON UNLAWFULLY  
14 ENGAGED IN WITHOUT A LICENSE; AND

15 (b) AN ASSESSMENT OF FIVE LICENSE SUSPENSION POINTS.

16 SECTION 14. In Colorado Revised Statutes, 33-6-114, amend  
17 (4) as follows:

18 33-6-114. Transportation, importation, exportation, and  
19 release of wildlife. (4) Any person who violates this section is guilty of  
20 a misdemeanor and, upon conviction, thereof, shall be punished by a fine  
21 of ONE HUNDRED fifty dollars for violations involving native wildlife and  
22 by a fine of not less than two hundred fifty dollars nor more than one  
23 thousand dollars for violations involving nonnative or exotic wildlife. In  
24 addition, for violations involving either native wildlife or nonnative or  
25 exotic wildlife, five license suspension points per incident may be  
26 assessed by the division against an individual's license privileges.

27 SECTION 15. In Colorado Revised Statutes, 33-9-102, amend

1 (4)(b) as follows:

2 **33-9-102. Powers and duties of commission - rules.**

3 (4) (b) (I) The commission may, BY RULE, raise or lower park fees and  
4 charges described in paragraph (a) of this subsection (4) if the  
5 commission reasonably anticipates that the total annual revenues realized  
6 from such fees and charges will not increase by more than twenty percent  
7 over the annual amount earned from fees and charges as they existed on  
8 July 1, 2011. THIS SUBSECTION (4)(b), BUT SHALL NOT RAISE PARK FEES  
9 AND CHARGES BY AN AMOUNT GREATER THAN FIFTY PERCENT OF THE FEES  
10 AND CHARGES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS  
11 SUBSECTION (4)(b), AS AMENDED.

12 (II) IF A PARK FEE OR CHARGE IS SET BY THE COMMISSION AT THE  
13 MAXIMUM FEE OR CHARGE AMOUNT AUTHORIZED IN SUBSECTION (4)(b)(I)  
14 OF THIS SECTION, THEN THE COMMISSION MAY, BY RULE, ADJUST THE PARK  
15 FEE OR CHARGE BY AN AMOUNT UP TO THE TOTAL AMOUNT REFLECTED BY  
16 THE CHANGES MADE IN THE UNITED STATES BUREAU OF LABOR STATISTICS  
17 CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY  
18 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN  
19 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX AFTER THE  
20 EFFECTIVE DATE OF THIS SUBSECTION (4)(b)(II). THE ADJUSTMENT IS NOT  
21 EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET  
22 COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE  
23 COUNTED TOWARD THE MAXIMUM FEE OR CHARGE AMOUNT ALLOWED  
24 PURSUANT TO SUBSECTION (4)(b)(I) OF THIS SECTION.

25 **SECTION 16.** In Colorado Revised Statutes, 33-10-101, amend  
26 (2)(d) as follows:

27 **33-10-101. Legislative declaration.** (2) In implementing the

1 policy set forth in subsection (1) of this section, the state shall:

2 (d) (I) Charge a fee for required passes or permits for the use of  
3 any state park or state recreation area where appropriate supervision and  
4 maintenance is required and when certain facilities, as determined by the  
5 ~~parks and wildlife~~ commission, are maintained at any such area. THE  
6 COMMISSION MAY RAISE OR LOWER FEES FOR PASSES OR PERMITS, BUT  
7 SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER THAN FIFTY PERCENT  
8 OF THE FEES AS THEY EXISTED ON THE EFFECTIVE DATE OF THIS  
9 SUBSECTION (2)(d), AS AMENDED.

10 (II) IF A FEE FOR A PASS OR PERMIT IS SET BY THE COMMISSION AT  
11 THE MAXIMUM FEE AMOUNT AUTHORIZED IN ARTICLES 10 TO 15 OF THIS  
12 TITLE 33 OR COMMISSION RULES PROMULGATED PURSUANT TO ARTICLES  
13 10 TO 15 OF THIS TITLE 33, THEN THE COMMISSION MAY, BY RULE, ADJUST  
14 THE FEE BY AN AMOUNT UP TO THE TOTAL AMOUNT REFLECTED BY THE  
15 CHANGES MADE IN THE UNITED STATES BUREAU OF LABOR STATISTICS  
16 CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-GREELEY  
17 CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN  
18 CONSUMERS AND ALL GOODS OR ITS SUCCESSOR INDEX AFTER THE  
19 EFFECTIVE DATE OF THIS SUBSECTION (2)(d)(II). THE ADJUSTMENT IS NOT  
20 EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE JOINT BUDGET  
21 COMMITTEE OF THE ADJUSTMENT. THE ADJUSTMENT SHALL NOT BE  
22 COUNTED TOWARD THE MAXIMUM FEE AMOUNTS ALLOWED PURSUANT TO  
23 ARTICLES 10 TO 15 OF THIS TITLE 33 OR COMMISSION RULES  
24 PROMULGATED PURSUANT TO ARTICLES 10 TO 15 OF THIS TITLE 33.

25 **SECTION 17.** In Colorado Revised Statutes, 33-10-102, amend  
26 the introductory portion and (16) as follows:

27 **33-10-102. Definitions.** As used in articles 10 to 15 of this title



1 TITLE 33, unless the context otherwise requires:

2 (16) "Pass", or "registration", OR "STICKER" means a document  
3 issued by the division authorizing the use of land, and water, OR BOTH,  
4 under the control of the division or the use of vessels or snowmobiles  
5 within this state. The term "pass" shall include INCLUDES a permit or card,  
6 and the term "registration" shall include INCLUDES decals issued by the  
7 division.

8 SECTION 18. In Colorado Revised Statutes, 33-10-107, amend  
9 (1)(e)(I)(A) as follows:

10 33-10-107. Powers of commission - rules - definitions. (1) The  
11 commission has power to:

12 (e) (I) Receive and expend:

13 (A) Grants, gifts, SPONSORSHIPS, DONATIONS, and bequests,  
14 including federal moneys MONEY, made available for the purposes for  
15 which the commission is authorized; and

16 SECTION 19. In Colorado Revised Statutes, 33-10-111, amend  
17 (5)(a) introductory portion; and repeal (5)(c) as follows:

18 33-10-111. Parks and outdoor recreation cash fund - parks for  
19 future generations trust fund - created - fees - accounting  
20 expenditures for roads and highways - definition. (5) (a) Subject to  
21 this subsection (5), the commission may set fees by rule for the use of  
22 facilities and programs of the division, including discounts for marketing  
23 purposes. THE COMMISSION MAY RAISE OR LOWER FEES FOR FACILITIES  
24 AND PROGRAMS, BUT SHALL NOT RAISE THE FEES BY AN AMOUNT GREATER  
25 THAN FIFTY PERCENT OF THE FEES AS THEY EXISTED ON THE EFFECTIVE  
26 DATE OF THIS SUBSECTION (5)(a), AS AMENDED. IF A FEE FOR A FACILITY  
27 OR PROGRAM IS SET BY THE COMMISSION AT THE MAXIMUM FEE AMOUNT

1 AUTHORIZED PURSUANT TO THIS SUBSECTION (5)(a), THEN THE  
2 COMMISSION MAY, BY RULE, ADJUST THE FEE BY AN AMOUNT UP TO THE  
3 TOTAL AMOUNT REFLECTED BY THE CHANGES MADE IN THE UNITED  
4 STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE  
5 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL  
6 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR  
7 INDEX AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (5)(a), AS  
8 AMENDED. THE ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION  
9 NOTIFIES THE JOINT BUDGET COMMITTEE OF THE ADJUSTMENT. THE  
10 ADJUSTMENT SHALL NOT BE COUNTED TOWARD THE MAXIMUM FEE  
11 AMOUNTS ALLOWED UNDER THIS SUBSECTION (5)(a). The commission  
12 shall:

13 (c) ~~This subsection (5) is repealed, effective September 1, 2017.~~

14 **SECTION 20.** In Colorado Revised Statutes, 33-10.5-105, add  
15 (3) as follows:

16 **33-10.5-105. Prohibition of aquatic nuisance species -**  
17 **penalties.** (3) A PERSON WHO VIOLATES SECTION 33-13-103 (6) IS GUILTY  
18 OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED  
19 BY A FINE EQUAL TO TWICE THE COST OF THE FEE FOR A NONRESIDENT  
20 MOTORBOAT OR SAILBOAT AQUATIC NUISANCE SPECIES STICKER, WHICH  
21 FEE IS SET FORTH IN SECTION 33-13-103 (6)(c).

22 **SECTION 21.** In Colorado Revised Statutes, amend 33-10.5-108  
23 as follows:

24 **33-10.5-108. Division of parks and wildlife aquatic nuisance**  
25 **species fund - creation - repeal.** (1) (a) (I) There is hereby created in the  
26 state treasury the division of parks and ~~outdoor recreation~~ WILDLIFE  
27 aquatic nuisance species fund, ALSO REFERRED TO IN THIS SECTION AS THE

1 "FUND", which shall be administered by the division. of parks and wildlife  
2 in the department of natural resources and shall consist THE FUND  
3 CONSISTS of all moneys MONEY transferred by the STATE treasurer as  
4 specified in section SECTIONS 39-29-109.3 (2)(m) C.R.S. AND 33-13-103  
5 (6). All moneys MONEY in the fund are IS continuously appropriated to the  
6 division of parks and wildlife for the purpose of implementing the  
7 provisions of this article THIS ARTICLE 10.5. All moneys MONEY in the  
8 fund at the end of each fiscal year shall remain REMAINS in the fund and  
9 shall DOES not revert to the general fund or any other fund.

10 (II) ON THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), THE  
11 STATE TREASURER SHALL TRANSFER THE UNOBLIGATED BALANCE OF THE  
12 DIVISION OF WILDLIFE AQUATIC NUISANCE SPECIES FUND, AS IT EXISTED  
13 PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), TO THE  
14 FUND. THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE JULY 1, 2018.

15 (b) In the use of such moneys THE MONEY IN THE FUND, priority  
16 shall be given to containment and eradication of aquatic nuisance species  
17 in the waters of the state in which such AQUATIC NUISANCE species have  
18 been detected and prevention of the introduction of AQUATIC nuisance  
19 species in areas determined to be most vulnerable to such an introduction.

20 (2) (a) ~~There is hereby created in the state treasury the division of~~  
21 ~~wildlife aquatic nuisance species fund, which shall be administered by the~~  
22 ~~division of parks and wildlife in the department of natural resources and~~  
23 ~~shall consist of all moneys transferred by the treasurer as specified in~~  
24 ~~sections 33-1-112 and 39-29-109.3(2)(m), C.R.S. All moneys in the fund~~  
25 ~~are continuously appropriated to the division of parks and wildlife for the~~  
26 ~~purpose of implementing the provisions of this article. All moneys in the~~  
27 ~~fund at the end of each fiscal year shall remain in the fund and shall not~~

1 ~~revert to the general fund or any other fund.~~

2 ~~(b) In the use of such moneys, priority shall be given to~~  
3 ~~containment and eradication of aquatic nuisance species in the waters of~~  
4 ~~the state in which such species have been detected and prevention of the~~  
5 ~~introduction of nuisance species in areas determined to be most~~  
6 ~~vulnerable to such an introduction.~~

7 **SECTION 22.** In Colorado Revised Statutes, 33-12-101, **amend**  
8 **(3)** as follows:

9 **33-12-101. Passes and registrations - rules - definition.** (3) In  
10 the event of loss or destruction of a pass or registration, the person to  
11 whom the document was issued, upon payment of a fee of fifty percent  
12 of the cost of the original document, ~~but not to exceed five dollars,~~ may  
13 obtain a replacement pass or registration by signing an affidavit stating  
14 where and by whom ~~said~~ THE document was issued and the circumstances  
15 under which the document was lost or destroyed. If the division  
16 determines that a pass or registration has been lost or destroyed in the  
17 mail, the person to whom the document was issued may obtain a  
18 replacement pass or registration without charge by signing an affidavit  
19 stating that ~~such~~ THE document was never received. The division shall  
20 supply agents selling ~~such~~ documents with affidavit forms for obtaining  
21 a replacement pass or registration.

22 **SECTION 23.** In Colorado Revised Statutes, **amend 33-12-105**  
23 **as follows:**

24 **33-12-105. Licensing violations.** (1) Except as otherwise  
25 provided in section 33-12-104, it is unlawful for any person to transfer,  
26 sell, or assign any pass, PERMIT, STICKER, LICENSE, or registration issued  
27 under articles 10 to 15 AND 32 of this title TITLE 33 to another person.

1 Any person who violates this subsection (1) is guilty of a class 2 petty  
2 offense MISDEMEANOR and, upon conviction, shall be punished by a fine  
3 of two hundred dollars.

4 (2) Any person who makes any false statement or gives any false  
5 information in connection with purchasing or selling a pass, PERMIT,  
6 STICKER, LICENSE, or registration or who makes any alteration of a pass,  
7 PERMIT, STICKER, LICENSE, or registration is guilty of a class 2 petty  
8 offense MISDEMEANOR and, upon conviction, shall be punished by a fine  
9 of two hundred dollars, and any such statement, information, or alteration  
10 shall render such RENDERS THE pass, PERMIT, STICKER, LICENSE, or  
11 registration void.

12 (3) Any person who fails to obtain or make readily available for  
13 inspection by a parks and recreation officer or other peace officer an  
14 appropriate and valid pass, PERMIT, STICKER, LICENSE, OR REGISTRATION  
15 is guilty of a class 2 petty offense MISDEMEANOR and, upon conviction,  
16 shall be punished by a fine of twenty-five TWO HUNDRED dollars.

17 **SECTION 24.** In Colorado Revised Statutes, 33-13-102, amend  
18 the introductory portion and (4); and add (1.5) and (4.5) as follows:

19 **33-13-102. Definitions.** As used in this article ARTICLE 13, unless  
20 the context otherwise requires:

21 (1.5) (a) "NONMOTORBOAT" MEANS A VESSEL THAT IS PROPELLED  
22 BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR WIND IN ANY  
23 MANNER.

- 24 (b) "NONMOTORBOAT" DOES NOT INCLUDE:
- 25 (I) A STAND-UP PADDLEBOARD; OR
  - 26 (II) A VESSEL THAT IS LESS THAN TEN FEET IN LENGTH AND IS
  - 27 PROPELLED BY HUMAN POWER AND NOT PROPELLED BY MACHINERY OR

1 WIND IN ANY MANNER.

2 (4) "Sailboat" means any vessel propelled by the effect of wind on  
3 a sail. ~~including sailboards~~ EXCEPT AS PROVIDED IN SECTION 33-13-103  
4 (6)(f), "SAILBOAT" INCLUDES A SAILBOARD. For the purposes of this  
5 ~~article~~ ARTICLE 13, any vessel propelled by both sail and machinery of any  
6 sort shall be deemed a motorboat, when being so propelled.

7 (4.5) "STAND-UP PADDLEBOARD" MEANS A RIGID OR INFLATABLE  
8 BOARD THAT HAS A SIMILAR SHAPE TO A SURFBOARD AND ON WHICH THE  
9 OPERATOR STANDS UPRIGHT AND PROPELS THE BOARD USING A LONG  
10 PADDLE.

11 **SECTION 25.** In Colorado Revised Statutes, 33-13-103, **amend**  
12 (4); and **add** (6) as follows:

13 **33-13-103. Numbering of vessels required - rules - definitions.**

14 (4) (a) Any person who violates subsection (1) of this section is guilty of  
15 a class 2 petty offense and, upon conviction, shall be punished by a fine  
16 ~~of fifty dollars~~ EQUAL TO TWICE THE COST OF THE REGISTRATION FEE  
17 DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR THE TYPE OF VESSEL  
18 INVOLVED IN THE VIOLATION.

19 (b) ANY PERSON WHO VIOLATES SUBSECTION (6) OF THIS SECTION  
20 SHALL BE PUNISHED AS SET FORTH IN SECTION 33-10.5-105 (3).

21 (6) (a) COMMENCING ON JANUARY 1, 2018, IT IS UNLAWFUL FOR  
22 ANY PERSON TO OPERATE OR USE A VESSEL TEN FEET OR MORE IN LENGTH  
23 ON THE WATERS OF THIS STATE OR TO POSSESS A VESSEL AT A VESSEL  
24 STAGING AREA UNLESS AN AQUATIC NUISANCE SPECIES STICKER HAS BEEN  
25 ISSUED FOR THE VESSEL AND PLACED ON THE VESSEL.

26 (b) AN AQUATIC NUISANCE SPECIES STICKER ISSUED PURSUANT TO  
27 THIS SUBSECTION (6) REMAINS VALID FOR A PERIOD ENDING ON DECEMBER

1 31 OF THE YEAR OF ISSUANCE OF THE STICKER.

2 (c) (I) COMMENCING ON JANUARY 1, 2018, THE DIVISION MAY  
3 ISSUE THE FOLLOWING RESIDENT AND NONRESIDENT AQUATIC NUISANCE  
4 SPECIES STICKERS FOR VESSELS TEN FEET OR MORE IN LENGTH AND SHALL  
5 COLLECT FEES FOR THE STICKERS IN THE FOLLOWING AMOUNTS:

6	TYPE OF VESSEL	FEE
7	(A) RESIDENT, NONMOTORBOAT	\$15.00
8	(B) NONRESIDENT, NONMOTORBOAT	15.00
9	(C) RESIDENT, MOTORBOAT OR SAILBOAT	25.00
10	(D) NONRESIDENT, MOTORBOAT OR SAILBOAT	50.00

11 (II) THE STICKER FEES DESCRIBED IN SUBSECTION (6)(c)(I) OF THIS  
12 SECTION MAY, BY RULE, BE ADJUSTED BY AN AMOUNT UP TO THE TOTAL  
13 AMOUNT REFLECTED BY THE CHANGES MADE IN THE UNITED STATES  
14 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE  
15 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL  
16 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS OR ITS SUCCESSOR  
17 INDEX AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (6)(c)(II). THE  
18 ADJUSTMENT IS NOT EFFECTIVE UNTIL THE COMMISSION NOTIFIES THE  
19 JOINT BUDGET COMMITTEE OF THE ADJUSTMENT.

20 (d) ON OR BEFORE JANUARY 1, 2018, THE COMMISSION SHALL  
21 ESTABLISH BY RULE THE PRESCRIBED MANNER FOR DISPLAYING AN  
22 AQUATIC NUISANCE SPECIES STICKER ON A VESSEL. THE COMMISSION MAY  
23 DEVELOP AN APPLICATION FORM AND PROCESS THAT COMBINES THE  
24 APPLICATIONS FOR REGISTRATION PURSUANT TO SUBSECTION (1) OF THIS  
25 SECTION AND FOR AN AQUATIC NUISANCE SPECIES STICKER PURSUANT TO  
26 THIS SUBSECTION (6).

27 (e) ALL FEES COLLECTED PURSUANT TO THIS SUBSECTION (6)

1 SHALL BE TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT  
2 THE FEES TO THE DIVISION OF PARKS AND WILDLIFE AQUATIC NUISANCE  
3 SPECIES FUND CREATED IN SECTION 33-10.5-108 (1)(a)(I).

4 (f) AS USED IN THIS SUBSECTION (6):

5 (I) "AQUATIC NUISANCE SPECIES" HAS THE SAME MEANING AS SET  
6 FORTH IN SECTION 33-10.5-102 (1).

7 (II) "SAILBOAT" DOES NOT INCLUDE A SAILBOARD.

8 **SECTION 26.** In Colorado Revised Statutes, 33-15-102, **amend**  
9 (1) as follows:

10 **33-15-102. Imposition of penalty - procedures.** (1) Any person  
11 who violates any of the provisions of articles 10 to 15 or 32 of this title  
12 TITLE 33 or any rule of the commission that does not have a specific  
13 penalty listed is guilty of a ~~class 2 petty offense~~ MISDEMEANOR and, upon  
14 conviction, shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

15 \_\_\_\_\_  
16 **SECTION 27.** In Colorado Revised Statutes, 39-29-109.3,  
17 **amend** (2) introductory portion and (2)(m) as follows:

18 **39-29-109.3. Severance tax operational fund - repeal.**  
19 (2) Subject to the requirements of subsections (3) and (4) of this section,  
20 if the general assembly chooses not to spend up to one hundred percent  
21 of the ~~moneys~~ MONEY in the operational fund as specified in subsection  
22 (1) of this section, the state treasurer shall transfer the following:

23 (m) For the mitigation of aquatic nuisance species as specified in  
24 article 10.5 of title 33: ~~C.R.S.:~~

25 (I) Repealed.

26 (II) For the state fiscal year commencing July 1, 2009, and every  
27 state fiscal year thereafter, four million six thousand five dollars as



1 follows: Two million seven hundred one thousand four hundred sixty-one  
2 dollars to the division of parks and outdoor recreation WILDLIFE aquatic  
3 nuisance species fund created in section 33-10.5-108 (1), C.R.S., and one  
4 million three hundred four thousand five hundred forty-four dollars to the  
5 division of wildlife aquatic nuisance species fund created in section  
6 33-10.5-108 (2), C.R.S.

7           **SECTION 28. Act subject to petition - effective date.** This act  
8 takes effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly (August  
10 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
11 referendum petition is filed pursuant to section 1 (3) of article V of the  
12 state constitution against this act or an item, section, or part of this act  
13 within such period, then the act, item, section, or part will not take effect  
14 unless approved by the people at the general election to be held in  
15 November 2018 and, in such case, will take effect on the date of the  
16 official declaration of the vote thereon by the governor.

