

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0870.01 Jery Payne x2157

HOUSE BILL 16-1220

HOUSE SPONSORSHIP

Willett and Vigil,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CHANGING THE LEGAL STARTING DATE FOR THE BLACK
102 BEAR HUNTING SEASON.

Bill Summary

(Note: This summary applies to this bill as introduced and does 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://www.leg.state.co.us/billsummaries>.)

The bill changes the legal starting date to hunt black bears from September 2 to August 2 of each year if the parks and wildlife commission or a law authorizes the hunt.

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

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.

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

3 (a) Human-bear conflicts are increasing in Colorado on average
4 by four percent each year, more than doubling since 1995. These conflicts
5 have led to destruction (euthanasia) of bears, property damage, dangerous
6 situations, and people being mauled.

7 (b) Since 1995, Colorado's human population has grown by an
8 average of less than two percent per year, so the number of conflicts has
9 increased at a greater rate than population growth.

10 (c) The division of parks and wildlife and federal authorities kill
11 bears that have caused bodily harm to people or livestock, broken into
12 homes or structures, or otherwise exhibited aggressive behavior. The
13 prohibitions against taking bears out of season or by using dogs do not
14 apply to the division, so human-bear conflicts lead to bears being hunted
15 by the division using dogs and bear traps.

16 (d) The number of bears the division has needed to destroy has
17 spiked over the last few years. This causes a drain on division resources,
18 stress to officials, and is inefficient use of resources.

19 (e) Currently, fifteen "Bear Aware" teams educate the public
20 about bear behavior to minimize conflicts.

21 (f) Hunting is the primary management tool used by the division
22 and other wildlife management agencies to regulate black bears.

23 (g) Hunting, so far, has been ineffective at reducing specific
24 human-bear conflicts. Black bear harvest occurs in the fall, but
25 human-bear conflicts often peak in mid to late summer. Most incidents
26 occur after August 1. Changes to hunting regulations that address this
27 mismatch may increase the effectiveness of hunting as a tool for reducing

1 conflict.

2 (h) Press reports of conflicts were common in 2015, including
3 four reports of people being injured. Bears have killed people in 1971,
4 1993, and 2009. Seventy-five percent of all recorded human injuries
5 caused by bears have occurred in the last thirteen years.

6 (2) House Bill 15-1304 directed the division to study the issue of
7 human-bear conflicts. As a result, the division issued a report titled
8 "Human-Bear Conflicts". The report supports the findings of this
9 declaration and suggests that hunting bears in August is a way to address
10 this issue.

11 (3) The Colorado general assembly hereby declares that:

12 (a) Methods of reducing human-bear conflicts, such as education
13 and hazing, have a place in the tools used by the division but have limited
14 ability to address the problem; and

15 (b) Authorizing the parks and wildlife commission to allow
16 hunting during August has the potential to reduce dangerous human-bear
17 conflicts.

18 **SECTION 2.** In Colorado Revised Statutes, 33-4-101.3, **amend**
19 (2) as follows:

20 **33-4-101.3. Black bears - declaration of intent - spring season**
21 **hunting prohibited - prohibited means of taking - penalty.** (2) During
22 the period from March 1 through ~~September~~ AUGUST 1 of any calendar
23 year, it is unlawful for any person to take a black bear by any means,
24 including ~~but not limited to~~ firearm or bow and arrow. FROM AUGUST 2
25 TO SEPTEMBER 1 OF EACH CALENDAR YEAR, A BLACK BEAR MAY BE TAKEN
26 ONLY IF AUTHORIZED BY COMMISSION RULE OR STATUTE.

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.