



# Legislative Council Staff

## Research Note

Version: Final

Date: 10/31/2016

### Bill Number

**Senate Bill 16-137**

### Sponsors

***Senators Johnston & Senator  
Sonnenberg  
Representative Dore***

### Short Title

***Parks & Wildlife Commission &  
Landowner Agreement***

### Research Analyst

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### Status

This research note reflects the final version of the bill. The bill was signed by the Governor on May 4, 2016, and took effect on August 10, 2016.

### Summary

This bill clarifies that the Landowner Preference Program does not prohibit the Colorado Parks and Wildlife Commission from entering into an agreement with a private landowner for public hunting and fishing areas or to include the issuance of a hunting license in such an agreement. It also clarifies the commission's authority to include waivers of compensation for game damage in such agreements.

### Background

***Landowner Preference Program.*** Under the Landowner Preference Program (LPP), large agricultural landowners in Colorado receive big game hunting license vouchers as an incentive to allow hunting on their land and to relieve hunting pressure on public lands. A voucher is a document that enables the landowner, or anyone to whom the document is lawfully transferred, to purchase a hunting license for the unit, species, sex, and season printed on the document. To participate in the program, landowners must own at least 160 acres of agricultural land that is also inhabited by the species for which the landowner is seeking a hunting license. For example, landowners seeking an elk hunting license must also own land that provides elk habitat. The agricultural land must also be located in a game management unit where big game licenses are totally limited. A game management unit is a geographic area designated by the Wildlife

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Commission for the management of wildlife. Units that are totally limited are areas where hunter demand exceeds the available licenses. Random draws are used to allocate hunting licenses in these areas.

LPP vouchers may be transferred to any person who is eligible to purchase a big game license in Colorado. LLP vouchers may be used to purchase a hunting license that may only be used within the LLP applicant's game management unit. The number of voucher applications allocated under LPP is based on the number of acres of agricultural lands that are owned. One application is allocated for owners of 160 acres of agricultural land, to a maximum of 19 applications for owners of up to 11,440 acres of agricultural land. A random draw is used to allocate hunting licenses among qualified landowners. If a landowner's application is drawn, he or she is provided a voucher for the purchase of a hunting license. Up to 10 percent of the big game licenses in a game management unit west of Interstate Highway 25 (I-25), and up to 15 percent of such licenses in units east of I-25, where game licenses are totally limited, are reserved for agricultural landowners of at least 160 contiguous acres.

**Game damage liability.** The Game Damage Program compensates ranchers, farmers and landowners for damage caused by big game animals native to Colorado. It also provides fencing and other materials to such owners to prevent future game damage. The law limits the state's liability for game damage if claimants unreasonably restrict hunting on their land or restrict access across their land. When determining whether such restrictions are unreasonable, the division is only allowed to consider whether or not the restrictions have significantly and adversely reduced a necessary harvest of wildlife. Division regulation further limits the state's liability by specifying that the claimant may not restrict hunting for the species causing the damage.

## Senate Action

**Senate Agriculture, Natural Resources, and Energy Committee (March 24, 2016).** At the hearing, representatives from Colorado Department of Natural Resources and the Division of Parks and Wildlife spoke in favor of the bill. The committee referred the bill without amendment to the Senate Committee of the Whole and recommended that it be placed on the consent calendar.

**Senate second reading (March 29, 2016).** The Senate passed the bill on second reading with no amendments.

**Senate third reading (March 30, 2016).** The Senate passed the bill on third reading with no amendments.

## House Action

**House Agriculture, Livestock, and Natural Resources Committee (April 13, 2016).** There was no testimony on the bill. The committee approved the bill without amendment.

**House second reading (April 15, 2016).** The House passed the bill on second reading with no amendments.

**House third reading (April 18, 2016).** The House passed the bill on third reading with no amendments.