

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0527.01 Megan Waples x4348

HOUSE BILL 18-1351

HOUSE SPONSORSHIP

Valdez and Covarrubias,

SENATE SPONSORSHIP

Crowder and Garcia, Guzman

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SIGNAGE FOR THE OLD SPANISH TRAIL.**

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://leg.colorado.gov>.)

Section 1 of the bill recognizes the significance of the old Spanish national historic trail as a historic resource in Colorado. The bill requires the executive director of the department of transportation to erect signs marking portions of the trail that travel along or cross highways in Colorado.

Section 2 amends existing law that makes it a misdemeanor to deface or destroy monuments or markers on the Santa Fe trail to include monuments marking any historic trail.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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 declares that:

4 (a) The old Spanish trail was an east to west trail that connected
5 Santa Fe, New Mexico, and Los Angeles, California, from 1829 to 1848.
6 The trail utilized an existing network of trails formed and used by
7 American Indian tribes in the modern-day New Mexico, Colorado, and
8 Utah areas.

9 (b) The trail, which skirted around the Grand Canyon, crossed
10 large sand dunes, and led into harsh deserts, was mainly used as an
11 extensive trade route. Sheep and high quality woolen goods from New
12 Mexico were traded for a surplus supply of horses and mules raised in
13 California.

14 (c) The trail was also used by travelers in search of wealth and
15 fertile lands. Travel along the old Spanish trail allowed for increased
16 cultural interaction in the region. Spanish missions used the trail to help
17 strengthen their influence.

18 (d) Among these travelers, traders, and missionaries were also
19 outlaws and raiders who captured the vulnerable and sold them into
20 slavery. At that time, all ethnicities in the region participated in the forced
21 labor market.

22 (e) The history of this region is rich and includes both negative
23 and positive impacts that should not be forgotten or ignored, but should
24 be studied and understood.

25 (2) Now, therefore, it is the intent of the general assembly to
26 recognize the complex history of the old Spanish trail and present the full

1 history to the public for educational purposes.

2 **SECTION 2.** In Colorado Revised Statutes, **add** 24-80-803 as
3 follows:

4 **24-80-803. Old Spanish trail - marking - legislative**
5 **declaration.** (1) THE GENERAL ASSEMBLY HEREBY RECOGNIZES AND
6 COMMENDS THE DESIGNATION BY THE CONGRESS OF THE UNITED STATES
7 OF THE OLD SPANISH TRAIL AS A NATIONAL HISTORIC TRAIL. THE GENERAL
8 ASSEMBLY FINDS AND DECLARES THAT THE PORTIONS OF THE OLD SPANISH
9 TRAIL OCCURRING IN THE STATE OF COLORADO ARE A VALUABLE AND
10 NOTEWORTHY HISTORIC RESOURCE THAT SHOULD BE IDENTIFIED FOR THE
11 TRAVELING PUBLIC WHERE THEY TRAVEL ON OR CROSS THE HIGHWAYS OF
12 THE STATE OF COLORADO.

13 (2) **SUBJECT TO THE AVAILABILITY OF FUNDING FROM GIFTS,**
14 **GRANTS, OR DONATIONS, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT**
15 **OF TRANSPORTATION SHALL MARK WITH SUITABLE SIGNS SIGNIFICANT**
16 **ROUTE SEGMENTS AND SITES RECOGNIZED AS ASSOCIATED WITH THE OLD**
17 **SPANISH TRAIL IN COLORADO, AS GENERALLY DEPICTED ON THE MAPS**
18 **CONTAINED IN THE UNITED STATES DEPARTMENT OF THE INTERIOR,**
19 **NATIONAL PARKS SERVICE REPORT ENTITLED "OLD SPANISH TRAIL**
20 **NATIONAL HISTORIC TRAIL FEASIBILITY STUDY AND ENVIRONMENTAL**
21 **ASSESSMENT", DATED JULY 2001, AND AS FURTHER REFINED BY THE**
22 **SECRETARY OF THE INTERIOR OF THE UNITED STATES, WHERE THOSE**
23 **ROUTES TRAVEL ON AND CROSS THE HIGHWAYS OF THE STATE. THE**
24 **DEPARTMENT OF TRANSPORTATION MAY SEEK, ACCEPT, AND EXPEND**
25 **GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR**
26 **THE PURPOSES OF THIS SECTION.**

27 **SECTION 3.** In Colorado Revised Statutes, **amend** 24-80-801 as

1 follows:

2 **24-80-801. Penalty for damaging monuments.** Any person who
3 destroys, defaces, removes, or injures the monuments or marks erected to
4 mark ~~the Santa Fe Trail~~ A HISTORIC TRAIL UNDER THIS PART 8 in the state
5 of Colorado is guilty of a misdemeanor and, upon conviction thereof,
6 shall be punished by a fine of one hundred dollars, or by imprisonment in
7 the county jail for not less than thirty nor more than ninety days, or by
8 both such fine and imprisonment.

9 **SECTION 4. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2018 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.