

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 21-0690.02 Jennifer Berman x3286

SENATE BILL 21-249

SENATE SPONSORSHIP

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Senate Committees

Agriculture & Natural Resources
Finance
Appropriations

House Committees

Energy & Environment
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A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF AN OPTIONAL DISCOUNTED PARKS AND**
102 **PUBLIC LANDS ACCESS PASS THAT IS PURCHASED AT THE TIME A**
103 **MOTOR VEHICLE IS REGISTERED, AND, IN CONNECTION**
104 **THEREWITH, USING THE PASS FEES TO FINANCE A NUMBER OF**
105 **GOALS OF THE DIVISION OF PARKS AND WILDLIFE RELATED TO**
106 **INCREASED CONSERVATION OF, SAFETY AT, AND ACCESS TO**
107 **STATE PARKS AND PUBLIC LANDS; AND MAKING AN**
108 **APPROPRIATION.**

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

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.

SENATE
3rd Reading Unamended
May 19, 2021

SENATE
Amended 2nd Reading
May 18, 2021

<http://leg.colorado.gov>.)

Section 1 of the bill creates the keep Colorado wild pass (wild pass) for entry into state parks and other participating public lands. Commencing no earlier than January 1, 2023, but no later than January 1, 2024, each resident with one of the following motor vehicles that is not a commercial vehicle is assessed a fee for the wild pass (wild pass fee) when registering the motor vehicle:

- A passenger motor vehicle;
- A light-weight truck with an empty vehicle weight of less than or equal to 16,000 pounds;
- A motorcycle; or
- A recreational vehicle.

A resident may decline to pay the wild pass fee when registering the resident's motor vehicle, and nonpayment of the wild pass fee does not affect the resident's ability to register the motor vehicle.

The parks and wildlife commission in the department of natural resources (commission) is required to adopt rules to set the wild pass fee and, for income-eligible households, a reduced wild pass fee and may establish a process for applying existing discounts or free entry to persons eligible for the discount or free entry to the wild pass. The commission may also adopt rules establishing a separate fee for a pass, including a separate fee for passes for nonresidents, residents who decline to pay the wild pass fee when registering the resident's motor vehicle, and residents who do not possess one of the motor vehicles listed above.

For each state fiscal year, the division of parks and wildlife in the department of natural resources (division) will use the wild pass fees collected to achieve stated goals such as providing affordable access to state parks and public lands; managing state parks; supporting search and rescue and avalanche safety efforts; conserving vulnerable species and habitats; funding equity, diversity, and inclusion programs; and financing regional outdoor partnerships for community-driven planning and projects.

The division is required to:

- Develop language to notify motor vehicle registrants of their option to decline to pay the wild pass fee, which notice must be conspicuously placed on registration documents and on the division's and the division of motor vehicle's websites; and
- Implement a public outreach campaign to educate the public about the availability of the wild pass through the motor vehicle registration process and about access to state parks and public lands that the wild pass will provide.

Section 2 requires, on or before March 1, 2025, and on or before March 1, 2030, the division to make a presentation regarding its most

recent annual written report on the number of wild passes sold in the previous 12 months, an accounting of the expenditures made with the increased revenue generated from sales of the wild pass, and a summary of the effect that those increased expenditures have had on the achievement of the stated goals to a joint session of the legislative committees with jurisdiction over agriculture matters. The division is required to send the annual reports to the legislative committees with jurisdiction over natural resources and to make the reports available to the public.

Section 3 repeals limitations on the amount that the commission may increase fees for daily and annual park passes purchased by individuals who do not purchase the discounted wild pass.

Section 4 authorizes the division to enter into cooperative agreements with other land management agencies and requires the division to develop a program for seeking, accepting, and expending gifts, grants, or donations.

Section 5 establishes that a person's decision to decline to pay for the wild pass fee does not affect the person's ability to register a motor vehicle.

Sections 6 through 8 make technical changes.

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

SECTION 1. In Colorado Revised Statutes, **add** 33-12-108 as follows:

33-12-108. Keep Colorado wild pass - assess with vehicle registration - option to decline to pay - rules - short title - legislative declaration - definitions. (1) **Short title.** THE SHORT TITLE OF THIS SECTION IS THE "KEEP COLORADO WILD PASS ACT".

(2) **Legislative declaration.** THE GENERAL ASSEMBLY:

(a) FINDS AND DETERMINES THAT:

(I) COLORADO'S GREAT OUTDOORS AND WILDLIFE ARE AMONG THE STATE'S MOST TREASURED RESOURCES, ENHANCING COLORADANS' QUALITY OF LIFE, BRINGING PROSPERITY TO THE STATE AND ITS RESIDENTS, AND REPRESENTING THE FABRIC OF THE STATE;

(II) RAPID GROWTH IN DEMAND FOR, AND EFFECTS OF, OUTDOOR

1 RECREATION IS CHALLENGING THE DIVISION'S CAPACITY TO DELIVER ON ITS
2 MISSION TO ENSURE THAT THE BENEFITS OF COLORADO'S OUTDOORS AND
3 WILDLIFE ARE SUSTAINED FOR FUTURE GENERATIONS, WHILE
4 RECREATIONISTS HAVE FEW OPPORTUNITIES TO FINANCIALLY SUPPORT
5 WILDLIFE CONSERVATION AND THE TRAILS AND OTHER OUTDOOR
6 RECREATIONAL INFRASTRUCTURE THAT ARE IN HIGH DEMAND IN
7 COLORADO;

8 (III) DESPITE GROWTH IN OUTDOOR RECREATION, MANY
9 COLORADO FAMILIES LACK ACCESS TO THE EXPERIENCE, EQUIPMENT, AND
10 RESOURCES NECESSARY TO VISIT OUR STATE PARKS AND PUBLIC LANDS
11 AND NEW STRATEGIES ARE NEEDED TO REDUCE BARRIERS FOR THOSE
12 FAMILIES WITH LIMITED RESOURCES TO ACCESS THE OUTDOORS;

13 (IV) THE DIVISION AND THE COMMISSION HAVE IDENTIFIED GOALS
14 AND OBJECTIVES TO ACHIEVE THEIR MISSION, INCLUDING THE FOLLOWING
15 GOALS AND OBJECTIVES:

16 (A) PROVIDING A SIMPLE AND AFFORDABLE STATE PARKS AND
17 PUBLIC LANDS ACCESS PASS TO ENSURE THAT COLORADO'S OUTDOORS ARE
18 WELCOMING AND ACCESSIBLE TO ALL AND THAT ALL USERS CONTRIBUTE
19 TO KEEPING COLORADO WILD;

20 (B) ENSURING SUFFICIENT STAFFING AND RESOURCES TO MANAGE
21 AND PROTECT COLORADO'S FORTY-TWO EXISTING STATE PARKS;

22 (C) SUPPORTING THE THOUSANDS OF SEARCH AND RESCUE
23 VOLUNTEERS IN COLORADO THAT RISK THEIR LIVES RESPONDING TO
24 BACKCOUNTRY EMERGENCIES AND DEVELOPING EDUCATIONAL PROGRAMS
25 AND CAMPAIGNS TO PROMOTE BACKCOUNTRY SAFETY;

26 (D) PROTECTING WINTER RECREATIONISTS BY SUPPORTING
27 BACKCOUNTRY AVALANCHE SAFETY AND AWARENESS;

1 (E) BUILDING AND MAINTAINING NEW STATE PARKS ON A REGULAR
2 BASIS IN PARTNERSHIP WITH LOCAL GOVERNMENTS, CONSERVATIONISTS,
3 RECREATIONISTS, AND OTHER LAND MANAGEMENT AGENCIES;

4 (F) GROWING THE DIVISION'S CAPACITY TO ADDRESS OUTDOOR
5 RECREATION BEYOND STATE PARKS, INCLUDING ON FEDERAL LANDS;

6 (G) INCREASING STATE TRAILS PROGRAM FUNDS FOR TRAIL
7 STEWARDSHIP, NEW TRAILS, AND RIVER RECREATION PROJECTS;

8 (H) DEDICATING RESOURCES FOR THE DIVISION'S STATE WILDLIFE
9 ACTION PLAN TO CONSERVE VULNERABLE SPECIES AND HABITATS;

10 (I) SUPPORTING THE DIVISION'S INITIATIVES THAT ARE FOCUSED ON
11 EQUITY, DIVERSITY, AND INCLUSION IN THE OUTDOORS; AND

12 (J) FUNDING COLORADO REGIONAL OUTDOOR PARTNERSHIPS TO
13 SUPPORT COMMUNITY-DRIVEN CONSERVATION AND RECREATION
14 PLANNING AND PROJECTS; AND

15 (V) THE GOALS AND OBJECTIVES IDENTIFIED IN SUBSECTION
16 (2)(a)(IV) OF THIS SECTION CAN ONLY BE ACCOMPLISHED THROUGH
17 IMPLEMENTATION OF A FEE STRUCTURE THAT INCREASES PARTICIPATION;
18 PROVIDES CONSISTENT, RELIABLE FINANCIAL CONTRIBUTIONS; AND IS
19 OFFERED AT A DISCOUNTED PRICE FROM THE PRICE OF AN EXISTING
20 ANNUAL STATE PARK PASS; AND

21 (b) DECLARES THAT:

22 (I) THE PASS FEE IS NOT INTENDED AS A REGISTRATION FEE OR
23 OTHER CHARGE WITH RESPECT TO THE OPERATION OF ANY MOTOR VEHICLE
24 UPON ANY PUBLIC HIGHWAY IN THE STATE;

25 (II) THE COLLECTION OF THE PASS FEE WITH AN ANNUAL MOTOR
26 VEHICLE REGISTRATION IS INTENDED TO CREATE AN ADMINISTRATIVE
27 CONVENIENCE; AND

1 (III) AN INDIVIDUAL'S CHOICE NOT TO PAY THE PASS FEE IS NOT
2 INTENDED TO AFFECT THE INDIVIDUAL'S ABILITY TO REGISTER THE
3 INDIVIDUAL'S MOTOR VEHICLE.

4 (3) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
5 OTHERWISE REQUIRES:

6 (a) "AUTHORIZED AGENT" HAS THE MEANING SET FORTH IN
7 SECTION 42-1-102 (5).

8 (b) "COMMERCIAL VEHICLE" HAS THE MEANING SET FORTH IN
9 SECTION 42-1-102 (17.5).

10 (c) "DIVISION OF MOTOR VEHICLES" MEANS THE DIVISION OF
11 MOTOR VEHICLES IN THE DEPARTMENT OF REVENUE.

12 (d) "KEEP COLORADO WILD PASS" OR "PASS" MEANS THE KEEP
13 COLORADO WILD PASS CREATED IN SUBSECTION (4)(a) OF THIS SECTION.

14 (e) "LIGHT-WEIGHT TRUCK" MEANS A TRUCK WITH A DECLARED
15 EMPTY VEHICLE WEIGHT OF LESS THAN OR EQUAL TO SIXTEEN THOUSAND
16 POUNDS.

17 (f) "MOTORCYCLE" HAS THE MEANING SET FORTH IN SECTION
18 42-1-102 (55).

19 (g) "MOTOR VEHICLE" HAS THE MEANING SET FORTH IN SECTION
20 42-1-102 (58).

21 (h) "PARKS AND OUTDOOR RECREATION CASH FUND" MEANS THE
22 PARKS AND OUTDOOR RECREATION CASH FUND CREATED IN SECTION
23 33-10-111 (1).

24 (i) (I) "PASS FEE" MEANS THE ANNUAL PASS FEE OR FEES THAT THE
25 COMMISSION, BY RULE, SETS PURSUANT TO SUBSECTION (5)(a)(I)(A) OF
26 THIS SECTION.

27 (II) "PASS FEE" INCLUDES THE REDUCED PASS FEE OR FEES THAT

1 THE COMMISSION, BY RULE, SETS PURSUANT TO SUBSECTION (5)(a)(I)(B)
2 OF THIS SECTION.

3 (j) "RECREATIONAL VEHICLE" HAS THE SAME MEANING AS
4 "NONCOMMERCIAL OR RECREATIONAL VEHICLE" AS SET FORTH IN SECTION
5 42-1-102 (61).

6 (k) "REGISTRATION" REFERS TO THE REGISTRATION OF A VEHICLE
7 WITH THE DEPARTMENT OF REVENUE, AS REQUIRED BY SECTION 42-3-103.

8 (l) "TRUCK" HAS THE MEANING SET FORTH IN SECTION 42-1-102
9 (108).

10 (m) "WILDLIFE CASH FUND" MEANS THE WILDLIFE CASH FUND
11 CREATED IN SECTION 33-1-112 (1)(a).

12 (4) (a) THE DIVISION SHALL DEVELOP A KEEP COLORADO WILD
13 PASS AS AN ANNUAL STATE PARKS AND PUBLIC LANDS PASS FOR A MOTOR
14 VEHICLE AND THAT PROVIDES ACCESS TO ANY COLORADO STATE PARK OR
15 OTHER PARTICIPATING PUBLIC LANDS.

16 (b) COMMENCING NO EARLIER THAN JANUARY 1, 2023, BUT NO
17 LATER THAN JANUARY 1, 2024, A KEEP COLORADO WILD PASS FEE SHALL
18 BE ASSESSED AT THE TIME OF REGISTERING A MOTOR VEHICLE THAT:

- 19 (I) IS NOT A COMMERCIAL VEHICLE; AND
- 20 (II) IS A PASSENGER MOTOR VEHICLE, LIGHT-WEIGHT TRUCK,
21 MOTORCYCLE, OR RECREATIONAL VEHICLE.

22 (c) (I) A PERSON REGISTERING A TYPE OF MOTOR VEHICLE LISTED
23 IN SUBSECTION (4)(b)(II) OF THIS SECTION WHO HAS BEEN ASSESSED THE
24 PASS FEE MAY DECLINE TO PURCHASE THE PASS AND NOT PAY THE FEE
25 WHEN MAKING PAYMENT DURING THE MOTOR VEHICLE REGISTRATION
26 PROCESS. NONPAYMENT OF THE PASS FEE DOES NOT AFFECT A PERSON'S
27 ABILITY TO REGISTER THE MOTOR VEHICLE.

1 (II) IF A PERSON DECLINES TO PAY THE PASS FEE OR OTHERWISE
2 FAILS TO PAY THE PASS FEE, IT SHALL BE PRESUMED THAT THE PERSON
3 WILL DECLINE TO PAY THE PASS FEE IN FUTURE YEARS IN WHICH THE
4 PERSON REGISTERS THE MOTOR VEHICLE, AND THE DIVISION, IN
5 COLLABORATION WITH THE DIVISION OF MOTOR VEHICLES IN THE
6 DEPARTMENT OF REVENUE, SHALL DEVELOP AN OPT-IN PROVISION TO BE
7 DISPLAYED ON ANY SUBSEQUENT NOTIFICATIONS SENT TO THE PERSON
8 REGARDING THAT MOTOR VEHICLE.

9 (III) IF A PERSON DECLINES TO PAY THE PASS FEE OR OTHERWISE
10 FAILS TO PAY THE PASS FEE, THE PERSON MAY OBTAIN A STATE PARKS PASS
11 FROM THE DIVISION OR, PURSUANT TO SECTION 33-12-104, FROM A PASS
12 AND REGISTRATION AGENT TO ENTER A STATE PARK.

13 (d) (I) THE PASS FEE SHALL BE ASSESSED WHEN ONE OF THE MOTOR
14 VEHICLES LISTED IN SUBSECTION (4)(b)(II) OF THIS SECTION IS REGISTERED
15 AS REQUIRED BY ARTICLE 3 OF TITLE 42. EACH AUTHORIZED AGENT SHALL
16 REMIT TO THE DEPARTMENT OF REVENUE NO LESS FREQUENTLY THAN
17 ONCE A MONTH ALL PASS FEES COLLECTED BY THE AUTHORIZED AGENT.
18 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL
19 TRANSMIT ALL PASS FEES REMITTED BY AUTHORIZED AGENTS PLUS ANY
20 PASS FEES COLLECTED DIRECTLY BY THE DEPARTMENT OF REVENUE, MINUS
21 THE DIRECT AND INDIRECT COSTS FOR THE COLLECTION AND
22 TRANSMISSION OF THE PASS FEE AS INCURRED BY THE DEPARTMENT OF
23 REVENUE AND ITS AUTHORIZED AGENTS AND AS ANNUALLY APPROPRIATED
24 BY THE GENERAL ASSEMBLY, TO THE STATE TREASURER NO LESS
25 FREQUENTLY THAN ONCE A MONTH, AND THE STATE TREASURER SHALL
26 CREDIT THE FEES TO THE SPECIFIED FUNDS IN ACCORDANCE WITH
27 SUBSECTION (4)(e) OF THIS SECTION.

1 (II) ANY MONEY THAT THE DEPARTMENT OF REVENUE RECEIVES
2 AND TRANSMITS TO THE STATE TREASURER PURSUANT TO SUBSECTION
3 (4)(d)(I) OF THIS SECTION AND THE STATE TREASURER CREDITS TO THE
4 PARKS AND OUTDOOR RECREATION CASH FUND, THE WILDLIFE CASH FUND,
5 OR THE SEARCH AND RESCUE FUND PURSUANT TO SUBSECTIONS
6 (4)(e)(I)(A), (4)(e)(II), AND (4)(e)(I)(B) OF THIS SECTION:

7 (A) IS COLLECTED FOR THE DIVISION, WHICH IS AN ENTERPRISE
8 PURSUANT TO SECTION 33-9-105;

9 (B) IS CUSTODIAL MONEY INTENDED FOR THE DIVISION AND HELD
10 TEMPORARILY BY THE DEPARTMENT OF REVENUE AND THE STATE
11 TREASURER SOLELY FOR THE PURPOSE OF CREDITING THE MONEY TO THE
12 PARKS AND OUTDOOR RECREATION CASH FUND, THE WILDLIFE CASH FUND,
13 AND THE SEARCH AND RESCUE FUND ADMINISTERED BY THE DIVISION; AND

14 (C) BASED ON THE DIVISION'S STATUS AS AN ENTERPRISE, IS NOT
15 SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION AT
16 ANY TIME DURING ITS COLLECTION, TRANSMISSION, OR USE.

17 (e) THE STATE TREASURER SHALL CREDIT THE PASS FEES THAT THE
18 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE TRANSMITS
19 PURSUANT TO SUBSECTION (4)(d) OF THIS SECTION IN EACH STATE FISCAL
20 YEAR AS FOLLOWS:

21 (I) THE FIRST THIRTY-SIX MILLION DOLLARS SHALL BE ALLOCATED
22 AS FOLLOWS:

23 (A) THIRTY-TWO MILLION FIVE HUNDRED THOUSAND DOLLARS TO
24 THE PARKS AND OUTDOOR RECREATION CASH FUND FOR STATE PARKS
25 MAINTENANCE IN FURTHERANCE OF THE GOALS SET FORTH IN SUBSECTIONS
26 (2)(a)(IV)(A) AND (2)(a)(IV)(B) OF THIS SECTION;

27 (B) TWO MILLION FIVE HUNDRED THOUSAND DOLLARS TO THE

1 SEARCH AND RESCUE FUND CREATED IN SECTION 33-1-112.5 (1) IN
2 FURTHERANCE OF THE GOAL SET FORTH IN SUBSECTION (2)(a)(IV)(C) OF
3 THIS SECTION; AND

4 (C) ONE MILLION DOLLARS TO THE COLORADO AVALANCHE
5 INFORMATION CENTER FUND CREATED IN SECTION 24-33-116 (2)(c) IN
6 FURTHERANCE OF THE GOAL SET FORTH IN SUBSECTION (2)(a)(IV)(D) OF
7 THIS SECTION; AND

8 (II) AFTER MAKING THE ALLOCATIONS UNDER SUBSECTION
9 (4)(e)(I) OF THIS SECTION, THE STATE TREASURER SHALL CREDIT ONE-HALF
10 OF ANY REMAINING MONEY TO THE WILDLIFE CASH FUND AND ONE-HALF
11 OF ANY REMAINING MONEY TO THE PARKS AND OUTDOOR RECREATION
12 CASH FUND IN FURTHERANCE OF THE GOALS SET FORTH IN SUBSECTIONS
13 (2)(a)(IV)(E) TO (2)(a)(IV)(J) OF THIS SECTION.

14 (f) ON AN ANNUAL BASIS AFTER THE FIRST YEAR IN WHICH THE
15 PASS IS OFFERED, THE COMMISSION SHALL DETERMINE AND INFORM THE
16 STATE TREASURER OF AN INCREASED ALLOCATION OF THE MONEY
17 COLLECTED FROM THE PASS FEE TO BE CREDITED PURSUANT TO
18 SUBSECTION (4)(e) OF THIS SECTION TO THE FOLLOWING FUNDS TO
19 REFLECT AN ADJUSTMENT BASED ON A CHANGE TO THE UNITED STATES
20 DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE
21 INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN
22 CONSUMERS, OR ITS SUCCESSOR INDEX:

23 (I) THE PARKS AND OUTDOOR RECREATION CASH FUND TO WHICH
24 FEES ARE CREDITED PURSUANT TO SUBSECTION (4)(e)(I)(A) OF THIS
25 SECTION;

26 (II) THE SEARCH AND RESCUE FUND TO WHICH FEES ARE CREDITED
27 PURSUANT TO SUBSECTION (4)(e)(I)(B) OF THIS SECTION; AND

1 (III) THE COLORADO AVALANCHE INFORMATION CENTER FUND TO
2 WHICH FEES ARE CREDITED PURSUANT TO SUBSECTION (4)(e)(I)(C) OF THIS
3 SECTION.

4 (5) (a) (I) THE COMMISSION SHALL ADOPT RULES REGARDING THE
5 PASS, INCLUDING RULES:

6 (A) SETTING THE PASS FEE AT AN AMOUNT THAT IS NO MORE THAN
7 ONE-HALF OF THE FEE THAT THE COMMISSION SETS FOR AN ANNUAL STATE
8 PARKS PASS FOR A MOTOR VEHICLE PURSUANT TO SECTION 33-10-107
9 (1)(h);

10 (B) ESTABLISHING A REDUCED PASS FEE FOR INCOME-ELIGIBLE
11 HOUSEHOLDS IN CONSULTATION WITH ORGANIZATIONS THAT REPRESENT
12 HOUSEHOLDS AND COMMUNITIES WITH LIMITED RESOURCES AND
13 DEVELOPING A PROCESS FOR DEMONSTRATING INCOME ELIGIBILITY TO THE
14 DIVISION; AND

15 (C) ESTABLISHING A PROCESS TO ALLOW A PERSON WHO ENTERS
16 A STATE PARK OR OTHER PARTICIPATING PUBLIC LAND BY MEANS OTHER
17 THAN BY A MOTOR VEHICLE TO DEMONSTRATE THAT THE PERSON IS A PASS
18 HOLDER.

19 (II) THE PASS FEE AND REDUCED PASS FEE AND INSTRUCTIONS ON
20 HOW TO APPLY FOR THE REDUCED PASS FEE, ESTABLISHED BY RULE
21 PURSUANT TO SUBSECTION (5)(a)(I) OF THIS SECTION, MUST BE POSTED ON
22 THE DIVISION'S PUBLIC WEBSITE AND ON THE DIVISION OF MOTOR
23 VEHICLE'S PUBLIC WEBSITE.

24 (b) THE COMMISSION MAY ALSO SET BY RULE:

25 (I) A PROCESS FOR APPLYING TO THE PASS ONE OR MORE
26 DISCOUNTS OR FEE WAIVERS AUTHORIZED IN STATUTE OR BY COMMISSION
27 RULE, INCLUDING THE PASSES AUTHORIZED UNDER SECTIONS 33-12-103

1 (1)(a) AND 33-12-103.5 (2) AND THE FREE ENTRY AUTHORIZED UNDER
2 SECTIONS 33-12-103.5 (2.5), 33-12-103.7, AND 33-12-106; AND

3 (II) A SEPARATE FEE THAT IS NOT SUBJECT TO THE LIMITATION SET
4 FORTH IN SUBSECTION (5)(a)(I)(A) OF THIS SECTION FOR A PASS THAT MAY
5 BE PURCHASED FROM THE DIVISION, AND NOT THROUGH MOTOR VEHICLE
6 REGISTRATION, INCLUDING A SEPARATE PASS FEE FOR:

7 (A) NONRESIDENTS;

8 (B) RESIDENTS WHO DECLINE TO PURCHASE THE PASS PURSUANT
9 TO SUBSECTION (4)(c) OF THIS SECTION; AND

10 (C) RESIDENTS WHO DO NOT POSSESS A TYPE OF MOTOR VEHICLE
11 LISTED IN SUBSECTION (4)(b)(II) OF THIS SECTION.

12 (6) IN COLLABORATION WITH THE DEPARTMENT OF REVENUE, THE
13 DIVISION SHALL DEVELOP LANGUAGE TO NOTIFY A PERSON ABOUT THE
14 PASS AND THE PASS FEE, INCLUDING EXPLICIT LANGUAGE REGARDING A
15 PERSON'S ABILITY TO DECLINE TO PAY THE PASS FEE AND THE FACT THAT
16 NONPAYMENT OF THE PASS FEE WILL NOT AFFECT THE PERSON'S ABILITY
17 TO REGISTER A MOTOR VEHICLE. THE NOTIFICATION LANGUAGE
18 DEVELOPED MUST BE CONSPICUOUSLY PLACED:

19 (a) ON NOTIFICATIONS REGARDING REGISTRATION OF A MOTOR
20 VEHICLE OF A TYPE LISTED IN SUBSECTION (4)(b) OF THIS SECTION;

21 (b) ON THE DIVISION'S PUBLIC WEBSITE; AND

22 (c) ON THE DIVISION OF MOTOR VEHICLE'S PUBLIC WEBSITE.

23 (7) IN COLLABORATION WITH THE DEPARTMENT OF REVENUE,
24 COUNTY CLERKS, AND OTHER STAKEHOLDERS AND BEGINNING AT LEAST
25 SIX MONTHS BEFORE IMPLEMENTING THE PASS, THE DIVISION SHALL
26 CONDUCT A PUBLIC OUTREACH CAMPAIGN TO EDUCATE THE PUBLIC
27 ABOUT:

1 (a) THE AVAILABILITY OF THE PASS THROUGH THE MOTOR VEHICLE
2 REGISTRATION PROCESS; AND

3 (b) THE ACCESS TO STATE PARKS AND OTHER PUBLIC LANDS THAT
4 THE PASS WILL PROVIDE TO PASS HOLDERS.

5 **SECTION 2.** In Colorado Revised Statutes, 24-4-109, **as added**
6 **by House Bill 21-1266 add (4)** as follows:

7 **24-4-109. State engagement of disproportionately impacted**
8 **communities - definition - repeal.** (4) THE DIVISION OF PARKS AND
9 WILDLIFE CREATED IN SECTION 33-9-104 SHALL, IN CONDUCTING PUBLIC
10 OUTREACH REGARDING THE KEEP COLORADO WILD PASS PURSUANT TO
11 SECTION 33-12-108 (7):

12 (a) INCLUDE OUTREACH TO AND ENGAGEMENT OF
13 DISPROPORTIONATELY IMPACTED COMMUNITIES WITH A GOAL TO BUILD
14 TRUST AND TRANSPARENCY, PROVIDE MEANINGFUL OPPORTUNITIES TO
15 INFLUENCE PUBLIC POLICY, AND MODIFY PROPOSED STATE ACTION IN
16 RESPONSE TO PUBLIC INPUT RECEIVED TO DECREASE ENVIRONMENTAL
17 BURDENS OR INCREASE ENVIRONMENTAL BENEFITS FOR EACH
18 DISPROPORTIONATELY IMPACTED COMMUNITY; AND

19 (b) ENGAGE DISPROPORTIONATELY IMPACTED COMMUNITIES IN
20 ACCORDANCE WITH THE PROCEDURES SET FORTH IN SUBSECTION (3) OF
21 THIS SECTION.

22 **SECTION 3.** In Colorado Revised Statutes, **amend** 33-4-121 as
23 follows:

24 **33-4-121. Reporting by division - license fee increases -**
25 **division-managed lands - keep Colorado wild pass - repeal.**

26 (1) (a) (I) By November 1, 2019, and by November 1 of each year
27 thereafter, the division shall prepare a written report on:

1 (A) The impact that license fee increases, as established on
2 August 8, 2018, or by the commission pursuant to section 33-4-102
3 (1.5)(a), have had on the total number of sales of licenses;

4 (B) An accounting of program expenditures made with the
5 increased fees and the impact of those expenditures on the achievement
6 of the division's goals and objectives as set forth in section 2 of Senate
7 Bill 18-143, enacted in 2018; and

8 (C) A list of nonprofit organizations that, in the previous twelve
9 months, received grant money from the sale of state migratory waterfowl
10 stamps for implementation of the North American waterfowl management
11 plan pursuant to section 33-4-102.5 (3)(b) and an explanation of each
12 grant award made.

13 (II) ON OR BEFORE NOVEMBER 1, 2024, AND ON OR BEFORE
14 NOVEMBER 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL PREPARE
15 A WRITTEN REPORT TO BE ATTACHED TO THE WRITTEN REPORT PREPARED
16 PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION REGARDING:

17 (A) THE NUMBER OF KEEP COLORADO WILD PASSES SOLD IN THE
18 PRIOR FISCAL YEAR PURSUANT TO SECTION 33-12-108;

19 (B) AN ACCOUNTING OF PROGRAM EXPENDITURES MADE WITH THE
20 INCREASED ENTERPRISE REVENUE GENERATED FROM THE SALE OF THE
21 KEEP COLORADO WILD PASSES; AND

22 (C) A SUMMARY OF THE EFFECT THAT THOSE INCREASED
23 EXPENDITURES HAVE HAD ON THE ACHIEVEMENT OF THE DIVISION GOALS
24 SET FORTH IN SECTION 33-12-108 (2)(a)(IV).

25 ~~(H)~~ (III) The division shall make the report available to the public
26 and, NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), shall send ~~each~~ THE
27 report to the agriculture, livestock, and ~~natural resources~~ WATER

1 committee in the house of representatives and the agriculture AND natural
2 resources ~~and energy~~ committee in the senate, or their successor
3 committees.

4 (b) (I) On or before March 1, 2022, and on or before March 1,
5 2025, the division shall present its findings from, and a summary of, THE
6 PORTION OF its most recent report prepared pursuant to ~~subsection (1)(a)~~
7 SUBSECTION (1)(a)(I) of this section to a joint session of the agriculture,
8 livestock, and ~~natural resources~~ WATER committee in the house of
9 representatives and the agriculture AND natural resources ~~and energy~~
10 committee in the senate, or their successor committees.

11 (II) ON OR BEFORE MARCH 1, 2025, AND ON OR BEFORE MARCH 1,
12 2030, THE DIVISION SHALL PRESENT ITS FINDINGS FROM, AND A SUMMARY
13 OF, THE PORTION OF ITS MOST RECENT REPORT PREPARED PURSUANT TO
14 SUBSECTION (1)(a)(II) OF THIS SECTION TO A JOINT SESSION OF THE
15 AGRICULTURE, LIVESTOCK, AND WATER COMMITTEE IN THE HOUSE OF
16 REPRESENTATIVES AND THE AGRICULTURE AND NATURAL RESOURCES
17 COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

18 (2) This section is repealed, effective ~~July 1, 2025~~ SEPTEMBER 1,
19 2030; EXCEPT THAT SUBSECTIONS (1)(a)(I) AND (1)(b)(I) OF THIS SECTION
20 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2025.

21 **SECTION 4.** In Colorado Revised Statutes, 33-9-102, **repeal**
22 (4)(c) as follows:

23 **33-9-102. Powers and duties of commission - rules.** (4) (c) ~~The~~
24 ~~maximum increase in fees that the commission may approve by rule for~~
25 ~~park passes in any one year is as follows:~~

26 (I) ~~For a daily park pass, one dollar, and~~

27 (II) ~~For an annual park pass, including an aspen leaf annual pass~~

1 ~~and a columbine annual pass, ten dollars.~~

2 **SECTION 5.** In Colorado Revised Statutes, 33-10-108, **add** (4)
3 and (5) as follows:

4 **33-10-108. Duties of the division of parks and wildlife - gifts,**
5 **grants, or donations - definitions.** (4) THE DIVISION IS AUTHORIZED TO
6 ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER LAND MANAGEMENT
7 AGENCIES FOR THE PURPOSE OF IMPLEMENTING THE KEEP COLORADO WILD
8 PASS OFFERED PURSUANT TO SECTION 33-12-108 TO PROVIDE ACCESS TO
9 PARTICIPATING FEDERAL AND OTHER PUBLIC LANDS AND FOR OTHER
10 PURPOSES SET FORTH IN THIS ARTICLE 10 AND ARTICLES 10.5 TO 15 AND
11 ARTICLE 33 OF THIS TITLE 33.

12 (5) THE DIVISION SHALL DEVELOP A PROGRAM TO SEEK, ACCEPT,
13 AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC
14 SOURCES FOR THE PURPOSES SET FORTH IN THIS ARTICLE 10 AND ARTICLES
15 10.5 TO 15 AND ARTICLE 33 OF THIS TITLE 33.

16 **SECTION 6.** In Colorado Revised Statutes, 42-3-105, **add** (3.5)
17 as follows:

18 **42-3-105. Application for registration - tax - definitions.**

19 (3.5) (a) A PERSON REGISTERING A MOTOR VEHICLE THAT IS NOT A
20 COMMERCIAL VEHICLE AND IS A PASSENGER MOTOR VEHICLE,
21 LIGHT-WEIGHT TRUCK, MOTORCYCLE, OR RECREATIONAL VEHICLE MAY
22 DECLINE TO PAY THE KEEP COLORADO WILD PASS FEE ASSESSED PURSUANT
23 TO SECTION 33-12-108 (4)(b). NONPAYMENT OF THE PASS FEE DOES NOT
24 AFFECT A PERSON'S ABILITY TO REGISTER A MOTOR VEHICLE.

25 (b) AS USED IN THIS SUBSECTION (3.5), UNLESS THE CONTEXT
26 OTHERWISE REQUIRES:

27 (I) "KEEP COLORADO WILD PASS" HAS THE MEANING SET FORTH IN

1 SECTION 33-12-108 (3)(d).

2 (II) "LIGHT-WEIGHT TRUCK" HAS THE MEANING SET FORTH IN
3 SECTION 33-12-108 (3)(e).

4 (III) "PASS FEE" HAS THE MEANING SET FORTH IN SECTION
5 33-12-108 (3)(i).

6 **SECTION 7.** In Colorado Revised Statutes, 33-1-102, **amend**
7 (42) as follows:

8 **33-1-102. Definitions.** As used in this title 33, unless the context
9 otherwise requires:

10 (42) "State wildlife area" means all lands and waters ~~excluding~~
11 ~~offices, warehouses, and fish hatcheries,~~ held by the division ~~in fee title~~
12 ~~or by lease, easement, or agreement~~ THAT ARE DESIGNATED BY THE
13 COMMISSION for the benefit of wildlife populations or for wildlife-related
14 recreation.

15 **SECTION 8.** In Colorado Revised Statutes, 33-10-111.5, **amend**
16 (4) as follows:

17 **33-10-111.5. Parks and outdoor recreation emergency reserve**
18 **cash fund - stores revolving fund - created.** (4) There is hereby created
19 a stores revolving fund, which fund shall be maintained to acquire stock
20 for warehousing and distributing supplies for retail sales to visitors. The
21 money in the fund is continuously appropriated to the division for the
22 purchase of stock for retail sales to visitors. The purpose of the fund is to
23 provide better budgetary control. Nothing contained in this subsection (4)
24 authorizes the division to make any purchases or acquisitions in any
25 manner except as provided by law. Any surplus in the revolving fund in
26 excess of the amount needed for stock purchases ~~reverts to the parks and~~
27 ~~outdoor recreation~~ MAY BE REVERTED, AS APPROPRIATE, TO ANY OTHER

1 cash fund ~~at the close of each fiscal year~~ ADMINISTERED BY THE DIVISION.

2 **SECTION 9.** In Colorado Revised Statutes, 33-12-106.5, **amend**
3 (2) as follows:

4 **33-12-106.5. Alternative means of park entrance - fees - rules.**

5 (2) The commission, by rule, shall establish fees for ~~daily and annual~~
6 passes for individuals entering a state park or state recreation area by
7 means other than by motor vehicle. The commission may establish
8 exemptions from such fees.

9 **SECTION 10. Appropriation.** (1) For the 2021-22 state fiscal
10 year, \$504,646 is appropriated to the department of natural resources for
11 use by the division of parks and wildlife. This appropriation is from the
12 parks and outdoor recreation cash fund created in section 33-10-111 (1),
13 C.R.S. To implement this act, the division may use this appropriation for
14 state park operations, which amount is based on an assumption that the
15 division will require an additional 2.4 FTE.

16 (2) For the 2021-22 state fiscal year, 108,200 is appropriated to
17 the department of revenue for use by the division of motor vehicles. This
18 appropriation is from reappropriated funds received from the department
19 of natural resources under subsection (1) of this section. To implement
20 this act, the division may use this appropriation for DRIVES maintenance
21 and support.

22 **SECTION 11. Act subject to petition - effective date -**
23 **applicability.** (1) Except as provided in subsection (2) of this section,
24 this act takes effect at 12:01 a.m. on the day following the expiration of
25 the ninety-day period after final adjournment of the general assembly;
26 except that, if a referendum petition is filed pursuant to section 1 (3) of
27 article V of the state constitution against this act or an item, section, or

1 part of this act within the ninety-day period after final adjournment of the
2 general assembly, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2022 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.

6 (2) Section 2 takes effect only if House Bill 21-1266 becomes
7 law, in which case section 2 takes effect on the effective date of this act
8 or House Bill 21-1266, whichever is later.

9 (3) This act applies to conduct occurring on or after the applicable
10 effective date of this act.