

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 16-1084.01 Jery Payne x2157

SENATE BILL 16-137

SENATE SPONSORSHIP

Johnston and Sonnenberg,

HOUSE SPONSORSHIP

Dore,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

Agriculture, Livestock, & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING A CLARIFICATION OF THE AUTHORITY OF THE PARKS AND**
102 **WILDLIFE COMMISSION TO ENTER INTO AN AGREEMENT WITH A**
103 **PRIVATE LANDOWNER.**

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 clarifies that the landowner preference program does not limit the authority of the Colorado parks and wildlife commission to enter 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. The game damage prevention program does not prevent the waiver of

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.

HOUSE
3rd Reading Unamended
April 18, 2016

HOUSE
2nd Reading Unamended
April 15, 2016

SENATE
3rd Reading Unamended
March 30, 2016

SENATE
2nd Reading Unamended
March 29, 2016

game damage eligibility in such agreements.

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

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

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

6 (g) Enter into agreements with landowners for public hunting and
7 fishing areas. Such agreements shall be negotiated by the commission or
8 its authorized agent and shall provide that, if the landowner opens the
9 land under his control to public hunting and fishing, the commission shall
10 compensate him in an amount to be determined by the parties to the
11 agreement. Under the agreement, the commission shall control public
12 access to the land to prevent undue damage and to properly manage
13 attendant wildlife populations. ~~In no event shall~~ The commission SHALL
14 NOT be liable for damages caused by the public other than those specified
15 in the agreement. NOTHING IN SECTION 33-4-103 LIMITS THE AUTHORITY
16 OF THE COMMISSION BOTH TO ENTER INTO AN AGREEMENT AND TO
17 INCLUDE THE ISSUANCE OF A HUNTING LICENSE IN THE AGREEMENT.
18 NOTHING IN SECTION 33-3-103.5 LIMITS THE AUTHORITY OF THE
19 COMMISSION TO NEGOTIATE THE WAIVER OF GAME DAMAGE ELIGIBILITY
20 IN AN AGREEMENT.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, 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 2016 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.