

## CHAPTER 316

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**GOVERNMENT - STATE**


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**HOUSE BILL 18-1351**

BY REPRESENTATIVE(S) Valdez and Covarrubias, Becker K., Beckman, Bridges, Danielson, Esgar, Garnett, Ginal, Hamner, Herod, Kennedy, Pabon, Rosenthal, Young;  
 also SENATOR(S) Crowder and Garcia, Guzman, Aguilar, Court, Fields, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, Williams A.

**AN ACT****CONCERNING SIGNAGE FOR THE OLD SPANISH TRAIL.**

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

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

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

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

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

(d) Among these travelers, traders, and missionaries were also outlaws and raiders who captured the vulnerable and sold them into slavery. At that time, all ethnicities in the region participated in the slave trade.

(e) Many American Indian slaves, or genízaros, were captured by traders and trappers along the route and were sold at the conclusion of the route in California

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*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

and New Mexico.

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

(2) Now, therefore, it is the intent of the general assembly to recognize the complex history of the old Spanish trail and present the full history to the public for educational purposes.

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

**24-80-803. Old Spanish trail - marking - legislative declaration.** (1) (a) THE UNITED STATES CONGRESS ADDED THE OLD SPANISH NATIONAL HISTORIC TRAIL TO THE NATIONAL TRAILS SYSTEM ON DECEMBER 4, 2002, AND AUTHORIZED THE SECRETARY OF THE INTERIOR TO ADMINISTER THE TRAIL. THE SECRETARY OF THE INTERIOR DESIGNATED THE BUREAU OF LAND MANAGEMENT AND THE NATIONAL PARKS SERVICE AS COADMINISTRATORS OF THE ENTIRE TRAIL. THE BUREAU OF LAND MANAGEMENT AND THE NATIONAL PARKS SERVICE WERE CHARGED WITH THE DEVELOPMENT OF A COMPREHENSIVE ADMINISTRATIVE STRATEGY AND DRAFT ENVIRONMENTAL IMPACT STATEMENT, IN COMPLIANCE WITH THE "NATIONAL TRAILS SYSTEM ACT", AS AMENDED, AND THE "NATIONAL ENVIRONMENTAL POLICY ACT", AS AMENDED. THE COMPREHENSIVE ADMINISTRATIVE STRATEGY WAS FINALIZED IN DECEMBER 2017.

(b) THE GENERAL ASSEMBLY HEREBY RECOGNIZES AND COMMENDS THE DESIGNATION BY THE CONGRESS OF THE UNITED STATES OF THE OLD SPANISH TRAIL AS A NATIONAL HISTORIC TRAIL. THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE PORTIONS OF THE OLD SPANISH NATIONAL HISTORIC TRAIL OCCURRING IN THE STATE OF COLORADO ARE A VALUABLE AND NOTEWORTHY HISTORIC RESOURCE THAT SHOULD BE IDENTIFIED FOR THE TRAVELING PUBLIC WHERE THEY TRAVEL ON OR CROSS THE HIGHWAYS OF THE STATE OF COLORADO.

(c) IN ORDER TO PRESERVE THE LANDSCAPE, ECOLOGICAL, AND ETHNOGRAPHIC CHARACTERISTICS OF THE OLD SPANISH NATIONAL HISTORIC TRAIL, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION SHALL CONSULT WITH CULTURALLY AFFILIATED AMERICAN INDIAN TRIBES BEFORE POSTING ANY SIGNS UNDER THIS SECTION.

(2) SUBJECT TO THE AVAILABILITY OF FUNDING FROM GIFTS, GRANTS, OR DONATIONS, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION SHALL MARK WITH SUITABLE SIGNS, WHICH MAY INCLUDE THE ORIGINAL INDIGENOUS NAME AS A SECONDARY INTERPRETIVE THEME IN ACCORDANCE WITH THE CONSULTATIONS CONDUCTED UNDER SUBSECTION (1)(c) OF THIS SECTION, SIGNIFICANT ROUTE SEGMENTS AND SITES RECOGNIZED AS ASSOCIATED WITH THE OLD SPANISH NATIONAL HISTORIC TRAIL IN COLORADO, AS GENERALLY DEPICTED ON THE MAPS CONTAINED IN THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARKS SERVICE REPORT ENTITLED "OLD SPANISH TRAIL NATIONAL HISTORIC TRAIL FEASIBILITY STUDY AND ENVIRONMENTAL ASSESSMENT", DATED JULY 2001, AND AS FURTHER REFINED BY THE SECRETARY OF THE INTERIOR OF THE UNITED STATES, WHERE THOSE ROUTES TRAVEL ON AND CROSS THE HIGHWAYS OF

THE STATE. THE DEPARTMENT OF TRANSPORTATION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

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

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

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

Approved: May 29, 2018