

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
12.8.22

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LLS NO. 23-0283.01 Jery Payne x2157

SENATE BILL

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Baisley and Roberts,

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**BILL TOPIC:** "State Parks & Wildlife Area Local Access Funding"

**DEADLINES:** Finalize by: DEC 29, 2022 File by: JAN 4, 2023

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A BILL FOR AN ACT

101 CONCERNING PROVIDING FUNDING TO LOCAL GOVERNMENTS TO  
102 SUPPORT ACCESS TO STATE-OWNED OUTDOOR RECREATIONAL  
103 AREAS.

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**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>.)*

The bill summary for this measure has been intentionally omitted and will appear on future redrafts of this measure.

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

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

4 (a) Colorado's great outdoors and wildlife are among the state's  
5 most treasured resources, enhancing Coloradans' quality of life, bringing  
6 prosperity to the state and its residents, and representing the fabric of the  
7 state;

8 (b) Rapid increase in demand for outdoor recreation is challenging  
9 local governments' ability to maintain access;

10 (c) Despite tremendous growth in outdoor recreation, existing  
11 funding to support the variety of ways Colorado families access our state  
12 parks and wildlife areas is insufficient;

13 (d) This leads to increased barriers for families and can deter  
14 visitors from accessing state parks and wildlife areas;

15 (e) Local governments share the access goals of the state and rely  
16 on a financial partnership to help meet the demand and ensure Colorado's  
17 outdoors are accessible to all;

18 (f) A grant program supporting local access multimodal solutions  
19 using some of the proceeds from the keep Colorado wild pass honors the  
20 shared financial partnerships between the state and local governments;

21 (g) The keep Colorado wild pass pricing study indicates that the  
22 \$29 price point for the new pass will result in 770,000 to 1.9 million keep  
23 Colorado wild passes sold in the first year, and these sales equate to  
24 between \$22 million and \$55 million in funding to support Colorado's  
25 outdoor areas;

26 (h) The study also estimates that visitation will increase between  
27 6 million and 11 million visits per year, or between 31% and 57% from

1 fiscal year 2020-21 visitation counts;

2 (i) The study concludes that "high visitation (particularly in  
3 certain parks) is salient both in the minds of park managers and at least  
4 some Colorado residents. Strategies for managing visitation should be  
5 considered in conjunction with pass planning"; and

6 (j) Establishing a grant program, along with the ability to  
7 implement a new fee on daily vehicle passes, provides local governments  
8 with the tools to manage the access demands that continue to increase  
9 with the growing enjoyment of Colorado's outdoor spaces.

10 **SECTION 2.** In Colorado Revised Statutes, **add** 33-10-117 and  
11 33-10-118 as follows:

12 **33-10-117. State park and wildlife area access grant program**  
13 **- fund - definitions - rules - repeal.** (1) THE STATE PARK AND WILDLIFE  
14 AREA ACCESS GRANT PROGRAM IS CREATED TO REIMBURSE LOCAL  
15 GOVERNMENTS FOR MAINTENANCE AND CONSTRUCTION NEEDS RESULTING  
16 FROM PEOPLE VISITING STATE PARKS AND WILDLIFE AREAS. THE PROGRAM  
17 IS ADMINISTERED BY THE DIVISION AND THE COMMISSION IN ACCORDANCE  
18 WITH THIS SECTION.

19 (2) (a) THE STATE PARK AND WILDLIFE AREA ACCESS GRANT FUND  
20 IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY  
21 CREDITED TO THE FUND IN ACCORDANCE WITH THIS SECTION AND SECTION  
22 33-12-108 (4)(e)(II)(A) AND ANY OTHER MONEY THAT THE GENERAL  
23 ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

24 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
25 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
26 FUND TO THE FUND.

27 (c) (I) THE MONEY IN THE FUND IS SUBJECT TO ANNUAL

1 APPROPRIATION BY THE GENERAL ASSEMBLY.

2 (II) THE DIVISION SHALL USE THE MONEY APPROPRIATED BY THE  
3 GENERAL ASSEMBLY IN THE FUND TO AWARD GRANTS TO LOCAL  
4 GOVERNMENTS IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION  
5 AND THE RULES PROMULGATED IN ACCORDANCE WITH SUBSECTION (3) OF  
6 THIS SECTION; EXCEPT THAT, UNTIL THE FIRST FISCAL YEAR FOLLOWING  
7 THE FISCAL YEAR IN WHICH MONEY IS TRANSFERRED TO THE FUND IN  
8 ACCORDANCE WITH SECTION 33-12-108 (4)(e)(II)(A), THE DIVISION SHALL  
9 NOT AWARD GRANTS AND SECTION 24-75-402 DOES NOT APPLY TO THE  
10 FUND.

11 (III) THE DIVISION MAY ALSO USE MONEY APPROPRIATED BY THE  
12 GENERAL ASSEMBLY FROM THE FUND TO PAY THE COST OF ADMINISTERING  
13 THIS SECTION.

14 (3) (a) BY DECEMBER 31, 2023, THE COMMISSION SHALL  
15 PROMULGATE RULES, IN COLLABORATION WITH AND AFTER CONSULTATION  
16 WITH AFFECTED LOCAL GOVERNMENTS, ESTABLISHING THE PROCESS FOR  
17 LOCAL GOVERNMENTS TO APPLY FOR GRANTS, THE CRITERIA FOR  
18 AWARDED GRANTS FROM THE MONEY IN THE FUND AND FOR DETERMINING  
19 THE AMOUNT OF GRANTS TO BE AWARDED TO LOCAL GOVERNMENTS THAT  
20 ARE RESPONSIBLE FOR MAINTAINING RECREATIONAL ACCESS ROUTES, AND  
21 THE PROCESS FOR OBTAINING RECOMMENDATIONS FROM THE COMMITTEE  
22 PURSUANT TO SECTION 33-10-118 (4). THE CRITERIA MUST INCLUDE A  
23 CONSIDERATION OF THE NUMBER OF VISITORS TO A STATE PARK OR  
24 WILDLIFE AREA THAT REQUIRES USE OF A RECREATIONAL ACCESS ROUTE  
25 LOCATED WITHIN THE BOUNDARIES OF OR REQUIRED TO BE MAINTAINED OR  
26 CONSTRUCTED BY THE LOCAL GOVERNMENT AND WHETHER THE LOCAL  
27 GOVERNMENT HAS REQUESTED AND RECEIVED THE ADDITIONAL FEE

1 AUTHORIZED BY AND COLLECTED UNDER SUBSECTIONS (4) AND (5) OF THIS  
2 SECTION, RESPECTIVELY.

3 (b) (I) A LOCAL GOVERNMENT SEEKING A GRANT MUST APPLY TO  
4 THE DIVISION IN THE MANNER SPECIFIED BY THE COMMISSION BY RULE. TO  
5 BE ELIGIBLE FOR A GRANT, A LOCAL GOVERNMENT MUST BE RESPONSIBLE  
6 FOR MAINTAINING OR CONSTRUCTING A RECREATIONAL ACCESS ROUTE.

7 (II) THE LOCAL GOVERNMENT SHALL USE ANY GRANT RECEIVED  
8 UNDER THIS SECTION TO SUPPORT ACCESS TO STATE PARKS AND WILDLIFE  
9 AREAS. SUPPORTING ACCESS MAY INCLUDE MAINTAINING AND  
10 CONSTRUCTING LOCAL ROADS, BIKE LANES, OR OTHER RECREATIONAL  
11 ACCESS ROUTES OR PROVIDING OR FACILITATING SHUTTLE OPERATIONS OR  
12 OTHER MULTIMODAL ACCESS.

13 (c) (I) WHEN AWARDING GRANTS, THE DIVISION SHALL FOLLOW  
14 THE RECOMMENDATIONS OF THE GRANT REVIEW COMMITTEE UNLESS THE  
15 DIVISION MAKES A FINDING THAT THE RECOMMENDATION IS BASED ON A  
16 FACTUAL ERROR, HAS A LEGAL DEFICIENCY, OR WOULD BE DETRIMENTAL  
17 TO THE PURPOSES OF THIS TITLE 33.

18 (II) THIS SUBSECTION (3)(c) IS REPEALED, EFFECTIVE SEPTEMBER  
19 1, 2032.

20 (4) (a) UPON REQUEST OF ONE OR MORE LOCAL GOVERNMENTS  
21 THAT ARE RESPONSIBLE FOR RECREATIONAL ACCESS ROUTES TO A STATE  
22 PARK THAT ARE LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE  
23 LOCAL GOVERNMENTS, THE COMMISSION MAY ESTABLISH, BY RULE, AN  
24 ADDITIONAL FEE, CHARGED ON A DAILY VEHICLE PASS, TO USE THE STATE  
25 PARK. THE DIVISION SHALL NOT COLLECT THE FEE FROM A STATE PARK  
26 VISITOR WHO HOLDS AN ANNUAL OR LIFETIME PASS TO VISIT STATE PARKS.  
27 THE COMMISSION SHALL NOT UNREASONABLY WITHHOLD APPROVAL OF

1 CREATING THE FEE.

2 (b) THE RULES PROMULGATED BY THE COMMISSION MUST SET THE  
3 FEE SO THAT THE FEE:

4 (I) DOES NOT EXCEED TWO DOLLARS, BUT THE COMMISSION SHALL  
5 ADJUST THE FEE EVERY FIVE YEARS TO ACCOUNT FOR INFLATION OR  
6 DEFLATION AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION; AND

7 (II) IS ROUNDED TO THE NEAREST DOLLAR.

8 (c) IN CALCULATING INFLATION OR DEFLATION, THE COMMISSION  
9 SHALL USE THE STATISTICS PUBLISHED BY THE COLORADO DEPARTMENT  
10 OF TRANSPORTATION AS THE CONSTRUCTION COST INDEX.

11 (5) (a) THE DIVISION SHALL COLLECT ANY FEE ESTABLISHED  
12 UNDER SUBSECTION (4) OF THIS SECTION FROM EACH PERSON USING A  
13 DAILY VEHICLE PASS THAT VISITS A STATE PARK FOR WHICH AN  
14 ADDITIONAL FEE HAS BEEN ESTABLISHED AND SHALL TRANSFER THE FEE  
15 TO THE LOCAL GOVERNMENT THAT REQUESTED THE FEE AND IS  
16 RESPONSIBLE FOR THE RECREATIONAL ACCESS ROUTE. IF A STATE PARK  
17 HAS MULTIPLE RECREATIONAL ACCESS ROUTES THAT ARE MAINTAINED BY  
18 MULTIPLE LOCAL GOVERNMENTS, ALL OF WHICH REQUESTED THE  
19 ADDITIONAL FEE PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, THE  
20 LOCAL GOVERNMENTS SHALL DETERMINE BY AGREEMENT HOW THE FEE  
21 REVENUE IS TO BE APPORTIONED, AND THE DIVISION SHALL NOT  
22 DISTRIBUTE THE FEE REVENUE TO THE LOCAL GOVERNMENTS UNTIL THE  
23 LOCAL GOVERNMENTS HAVE PROVIDED THE DIVISION WITH THE  
24 AGREEMENT.

25 (b) A LOCAL GOVERNMENT SHALL USE ANY FEE RECEIVED UNDER  
26 THIS SUBSECTION (5) TO SUPPORT ACCESS TO STATE PARKS AND WILDLIFE  
27 AREAS. SUPPORTING ACCESS MAY INCLUDE MAINTAINING AND

1 CONSTRUCTING LOCAL ROADS, BIKE LANES, SHUTTLE OPERATIONS, AND  
2 MULTIMODAL ACCESS.

3 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
4 REQUIRES:

5 (a) "DAILY VEHICLE PASS" MEANS ANY FEE PAID BY A VISITOR TO  
6 A STATE PARK ASSESSED ON A DAILY BASIS AND BASED ON A VEHICLE  
7 ENTERING THE STATE PARK.

8 (b) "FEE" MEANS THE FEE ESTABLISHED UNDER SUBSECTION (4) OF  
9 THIS SECTION.

10 (c) "FUND" MEANS THE STATE PARK AND WILDLIFE AREA ACCESS  
11 GRANT FUND CREATED IN SUBSECTION (2) OF THIS SECTION.

12 (d) "GRANT" MEANS A GRANT FROM THE FUND AWARDED UNDER  
13 SUBSECTION (3) OF THIS SECTION.

14 (e) "GRANT REVIEW COMMITTEE" MEANS THE LOCAL GOVERNMENT  
15 ACCESS GRANT REVIEW COMMITTEE CREATED IN SECTION 33-10-118.

16 (f) "LOCAL GOVERNMENT" MEANS A MUNICIPALITY, COUNTY, CITY  
17 AND COUNTY OF COLORADO, OR A SPECIAL DISTRICT.

18 (g) "RECREATIONAL ACCESS ROUTE" MEANS A RIGHT-OF-WAY,  
19 INCLUDING A BIKE OR PEDESTRIAN PATH, THAT IS NORMALLY USED TO  
20 TRAVEL TO OR FROM A STATE PARK OR WILDLIFE AREA.

21 **33-10-118. Local government access grant review committee**

22 - **repeal.** (1) THERE IS CREATED IN THE DIVISION THE LOCAL  
23 GOVERNMENT ACCESS GRANT REVIEW COMMITTEE, REFERRED TO IN THIS  
24 SECTION AS THE "COMMITTEE".

25 (2)(a) THE COMMITTEE CONSISTS OF FIVE MEMBERS APPOINTED AS  
26 FOLLOWS:

27 (I) THE DIRECTOR SHALL APPOINT THREE REPRESENTATIVES OF

1 LOCAL GOVERNMENTS FROM DIFFERENT GEOGRAPHIC AREAS OF  
2 COLORADO;

3 (II) THE COMMISSION SHALL APPOINT ONE REPRESENTATIVE OF  
4 THE COMMISSION; AND

5 (III) THE DIRECTOR SHALL APPOINT ONE REPRESENTATIVE OF THE  
6 DIVISION.

7 (b) THE DIRECTOR AND THE COMMISSION SHALL MAKE THE INITIAL  
8 APPOINTMENTS TO THE COMMITTEE NO LATER THAN JULY 1, 2024.

9 (c) EACH MEMBER OF THE COMMITTEE SERVES AT THE PLEASURE  
10 OF THE AGENCY THAT OR OFFICIAL WHO APPOINTED THE MEMBER. THE  
11 TERM OF APPOINTMENT IS FOUR YEARS FOR THE MEMBERS APPOINTED  
12 UNDER SUBSECTION (2)(a)(I) OF THIS SECTION; EXCEPT THAT THE TERM OF  
13 ONE MEMBER INITIALLY APPOINTED UNDER SUBSECTION (2)(a)(I) OF THIS  
14 SECTION IS TWO YEARS, AND THE TERM OF ANOTHER MEMBER INITIALLY  
15 APPOINTED UNDER SUBSECTION (2)(a)(I) OF THIS SECTION IS THREE YEARS.  
16 THE DIRECTOR SHALL DETERMINE WHICH MEMBER HAS AN INITIAL TERM  
17 OF TWO YEARS AND WHICH MEMBER HAS AN INITIAL TERM OF THREE  
18 YEARS. THE MEMBERS APPOINTED UNDER SUBSECTIONS (2)(a)(II) AND  
19 (2)(a)(III) OF THIS SECTION DO NOT HAVE TERMS, SERVING AT THE  
20 PLEASURE OF THE COMMISSION AND THE DIRECTOR, RESPECTIVELY.

21 <{*Should there be a limit on the number of terms a member may*  
22 *serve?*>

23 (d) THE MEMBERS APPOINTED UNDER SUBSECTION (2)(a)(I) OF THIS  
24 SECTION SERVE WITHOUT COMPENSATION FROM THE STATE AND WITHOUT  
25 REIMBURSEMENT FOR EXPENSES FROM THE STATE. THE MEMBERS  
26 APPOINTED UNDER SUBSECTION (2)(a)(I) OF THIS SECTION MAY BE  
27 EMPLOYEES OF THE STATE OF COLORADO, BUT SERVE WITHOUT



1 ADDITIONAL COMPENSATION FROM THE STATE AND WITHOUT  
2 REIMBURSEMENT FOR EXPENSES FROM THE STATE. <{*Do we want to allow*  
3 *any of them to be compensated for actual expenses?*>

4 (3) (a) THE DIRECTOR SHALL ORGANIZE AND CALL THE FIRST  
5 MEETING OF THE COMMITTEE BY JULY 31, 2024.

6 (b) THE COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS  
7 MEMBERS.

8 (c) THE COMMITTEE SHALL MEET AT LEAST ONCE EVERY THREE  
9 MONTHS. THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS AS ARE  
10 NECESSARY FOR THE COMMITTEE TO COMPLETE ITS DUTIES.

11 (4) THE COMMITTEE SHALL REVIEW GRANT APPLICATIONS  
12 SUBMITTED UNDER SECTION 33-10-117 AND, IN ACCORDANCE WITH THIS  
13 SECTION, SECTION 33-10-117, AND THE RULES OF THE COMMISSION:

14 (a) RECOMMEND THE APPROVAL OF OR DENIAL OF GRANTS;

15 (b) RECOMMEND THE AMOUNT TO BE AWARDED FOR AN APPROVED  
16 GRANT; AND

17 (c) GIVE THE DIVISION AND THE LOCAL GOVERNMENT APPLYING  
18 FOR THE GRANT A WRITTEN STATEMENT OF ITS RECOMMENDATIONS,  
19 INCLUDING THE REASONS FOR RECOMMENDING THE APPROVAL OR DENIAL  
20 OF THE GRANT APPLICATION AND, IF RECOMMENDING APPROVAL, THE  
21 AMOUNT THE COMMITTEE RECOMMENDS BE AWARDED TO THE LOCAL  
22 GOVERNMENT.

23 (5) UPON REQUEST BY THE COMMITTEE, THE DIRECTOR SHALL  
24 PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY BE  
25 NECESSARY TO IMPLEMENT THIS SECTION. SUBJECT TO APPROPRIATION BY  
26 THE GENERAL ASSEMBLY, THE DIRECTOR MAY BE REIMBURSED BY THE  
27 FUND CREATED IN SECTION 33-10-117.

1           (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032.  
2 BEFORE ITS REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN  
3 ACCORDANCE WITH SECTION 2-3-1203.

4           **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add**  
5 (23.5)(a)(II) as follows:

6           **2-3-1203. Sunset review of advisory committees - legislative**  
7 **declaration - definition - repeal.** (23.5) (a) The following statutory  
8 authorizations for the designated advisory committees will repeal on  
9 September 1, 2032:

10           (II) THE LOCAL GOVERNMENT ACCESS GRANT REVIEW COMMITTEE,  
11 CREATED IN SECTION 33-10-118.

12           **SECTION 4.** In Colorado Revised Statutes, 33-12-108, **amend**  
13 (4)(e)(II); and **add** (4)(e)(III) as follows:

14           **33-12-108. Keep Colorado wild pass - assess with vehicle**  
15 **registration - option to decline to pay - rules - short title - legislative**  
16 **declaration - definitions.** (4) (e) The state treasurer shall credit the pass  
17 fees that the executive director of the department of revenue transmits  
18 pursuant to subsection (4)(d) of this section in each state fiscal year as  
19 follows:

20           (II) (A) After making the allocations under subsection (4)(e)(I) of  
21 this section, the state treasurer shall credit one-half of any remaining  
22 money to the wildlife cash fund and one-half of any remaining money to  
23 the parks and outdoor recreation cash fund in furtherance of the goals set  
24 forth in subsections (2)(a)(IV)(E) to (2)(a)(IV)(J) of this section.

25           (B) THIS SUBSECTION (4)(e)(II) IS REPEALED, EFFECTIVE ON THE  
26 EFFECTIVE DATE OF SUBSECTION (4)(e)(III) OF THIS SECTION, AS  
27 AMENDED.

1 (III) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION  
2 (4)(e)(III), AFTER MAKING THE ALLOCATIONS UNDER SUBSECTION (4)(e)(I)  
3 OF THIS SECTION, THE STATE TREASURER SHALL CREDIT:

4 (A) ONE-HALF OF ANY REMAINING MONEY TO THE STATE PARK  
5 AND WILDLIFE AREA ACCESS GRANT FUND CREATED IN SECTION 33-10-117  
6 (2); AND

7 (B) ONE-QUARTER OF ANY REMAINING MONEY TO THE WILDLIFE  
8 CASH FUND AND ONE-QUARTER OF ANY REMAINING MONEY TO THE PARKS  
9 AND OUTDOOR RECREATION CASH FUND IN FURTHERANCE OF THE GOALS  
10 SET FORTH IN SUBSECTIONS (2)(a)(IV)(E) TO (2)(a)(IV)(J) OF THIS  
11 SECTION.

12 **SECTION 5.** In Colorado Revised Statutes, 33-4-121, **add**  
13 (1)(a)(II.5) as follows:

14 **33-4-121. Reporting by division - license fee increases -**  
15 **division-managed lands - keep Colorado wild pass - grants - repeal.**

16 (1) (a) (II.5) ON OR BEFORE NOVEMBER 1, 2025, AND ON OR BEFORE  
17 NOVEMBER 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL PREPARE  
18 A WRITTEN REPORT, TO BE ATTACHED TO THE WRITTEN REPORT PREPARED  
19 IN ACCORDANCE WITH SUBSECTIONS (1)(a)(I) AND (1)(b) OF THIS SECTION,  
20 REGARDING THE IMPLEMENTATION OF SECTION 33-10-117, INCLUDING THE  
21 LIST OF LOCAL GOVERNMENTS AND ACCESS PROJECTS THAT RECEIVED  
22 GRANTS AND THE AMOUNT OF THE GRANT THAT EACH LOCAL  
23 GOVERNMENT AND ACCESS PROJECT RECEIVED.

24 **SECTION 6. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly; except  
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this  
2 act within such period, then the act, item, section, or part will not take  
3 effect unless approved by the people at the general election to be held in  
4 November 2024 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.