

SENATE COMMITTEE OF REFERENCE REPORT

	March 6, 2025
Chair of Committee	Date

Committee on Agriculture & Natural Resources.

After consideration on the merits, the Committee recommends the following:

SB25-168 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, after line 19 insert:

2 "SECTION 3. In Colorado Revised Statutes, 33-6-110, **amend**
3 (1) introductory portion, (1)(a), and (1)(b) as follows:

4 **33-6-110. Division action to recover possession and value of**
5 **wildlife unlawfully taken.** (1) The division may bring and maintain a
6 civil action against any person, in the name of the people of the state, to
7 recover possession or value or both possession and value of any wildlife
8 taken in violation of articles 1 to 6 of this ~~title~~ TITLE 33. A writ of replevin
9 may issue in such an action without bond. No previous demand for
10 possession shall be necessary. If ANY costs or damages are adjudged in
11 favor of the defendant ~~the same~~ shall be paid out of the wildlife cash
12 fund. Neither the pendency of such civil action nor a criminal prosecution
13 for the same taking shall be a bar to the other; nor shall anything in this
14 section affect the right of seizure under ~~other provisions of~~ articles 1 to
15 6 of this ~~title~~ TITLE 33. The following shall be considered the minimum
16 value of the wildlife unlawfully taken or possessed and may be recovered
17 in addition to recovery of possession of the wildlife:

18 (a) For each eagle, member of an endangered species LISTED
19 PURSUANT TO SECTION 33-2-105 OR THE FEDERAL "ENDANGERED SPECIES
20 ACT OF 1973", 16 U.S.C. SEC. 1531 ET SEQ., rocky mountain goat, moose,
21 rocky mountain bighorn sheep, or lynx \$1,000

22 (b) For each elk or member of a threatened species or subspecies
23 LISTED PURSUANT TO SECTION 33-2-105 OR THE FEDERAL "ENDANGERED
24 SPECIES ACT OF 1973", 16 U.S.C. SEC. 1531 ET SEQ., \$700".

25 Renumber succeeding sections accordingly.

- 1 Page 4, line 25, strike "ACCORDING TO STATE LAW" and substitute
2 "PURSUANT TO SECTION 33-2-105".
- 3 Page 5, lines 4 and 5, strike "and 33-6-113.2".
- 4 Page 5, line 7, strike "- **definition.**" and substitute "- **investigations and**
5 **surveys of trafficked wildlife - definition - appropriation.**".
- 6 Page 6, line 11, strike "UNDER COLORADO LAW;" and insert "PURSUANT
7 TO SECTION 33-2-105;".
- 8 Page 6, after line 22 insert:
9 "(7) THE DIVISION SHALL CONDUCT INVESTIGATIONS OF AND
10 SURVEYS OF COMMONLY TRAFFICKED WILDLIFE TO COLLECT INFORMATION
11 AND DATA RELATED TO POPULATION, DISTRIBUTION, AND OTHER
12 ECOLOGICAL DATA IN ORDER TO DETERMINE APPROPRIATE CONSERVATION,
13 MANAGEMENT, AND LAW ENFORCEMENT MEASURES.".
- 14 Renumber succeeding subsection accordingly.
- 15 Page 6, strike lines 26 and 27 and insert:
16 "(9) THE GENERAL ASSEMBLY SHALL APPROPRIATE SUFFICIENT
17 MONEY TO IMPLEMENT THIS SECTION FROM THE WILDLIFE CASH FUND
18 CREATED IN SECTION 33-1-112; EXCEPT THAT MONEY IN THE WILDLIFE
19 CASH FUND FROM THE SALE OF HUNTING AND FISHING LICENSES OR FROM
20 ASSOCIATED FEDERAL GRANTS IS NOT AVAILABLE FOR APPROPRIATION TO
21 IMPLEMENT THIS SECTION.".
- 22 Page 7, strike lines 1 through 4.
- 23 Page 7, line 10, strike "ACCORDING TO STATE LAW" and substitute
24 "PURSUANT TO SECTION 33-2-105".
- 25 Page 7, strike lines 20 through 26 and substitute:
- 26 **"SECTION 7. Act subject to petition - effective date -**
27 **applicability.** (1) This act takes effect July 1, 2026; except that, if a
28 referendum petition is filed pursuant to section 1 (3) of article V of the
29 state constitution against this act or an item, section, or part of this act
30 within the ninety-day period after final adjournment of the general
31 assembly, then the act, item, section, or part will not take effect unless
32 approved by the people at the general election to be held in November
33 2026 and, in such case, will take effect on the date of the official

- 1 declaration of the vote thereon by the governor.
- 2 (2) This act applies to offenses committed on or after the
- 3 applicable effective date of this act.".

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