

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

REVISED

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

LLS NO. 25-0403.01 Richard Sweetman x4333

SENATE BILL 25-174

SENATE SPONSORSHIP

Roberts and Simpson, Catlin, Marchman, Cutter, Kirkmeyer, Liston, Lundeen, Pelton B.,
Snyder, Winter F.

HOUSE SPONSORSHIP

Lukens and Soper,

Senate Committees

Agriculture & Natural Resources
Appropriations

House Committees

Agriculture, Water & Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE REGULATION OF**
102 **OUTFITTERS, AND, IN CONNECTION THEREWITH, IMPLEMENTING**
103 **THE RECOMMENDATIONS CONTAINED IN THE 2024 SUNSET**
104 **REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.**

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/>.)

Sunset Process - Senate Agriculture and Natural Resources Committee. The bill implements the recommendations of the department of regulatory agencies (DORA) in its sunset review and report concerning

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
April 17, 2025

SENATE
3rd Reading Unamended
March 31, 2025

SENATE
Amended 2nd Reading
March 28, 2025

the regulation of outfitters and guides by the division of professions and occupations (division) within DORA. Specifically:

- **Sections 1 and 2** of the bill continue the regulation of outfitters and guides for 9 years, until 2034;
- **Sections 3 and 4** allow the director of the division to take disciplinary action against an owner of an outfitter entity regardless of the owner's ownership share percentage;
- **Section 5** credits one-half of the money that is collected as fines to the general fund rather than to the division;
- **Section 6** exempts motor carriers and third-party booking agencies from regulation under the outfitters act; and
- **Sections 4 and 7** add provisions prohibiting an individual from working as a guide or receiving or renewing a registration as an outfitter if the individual has a license or registration suspended by the division of parks and wildlife or by an agency of any member state of the "Wildlife Violator Compact" for a violation of a law concerning wildlife.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 12-145-118
3 as follows:

4 **12-145-118. Repeal of article - review of functions.** This article
5 145 is repealed, effective ~~September 1, 2025~~ SEPTEMBER 1, 2034. Before
6 the repeal, ~~the powers, duties, and functions of the division specified in~~
7 this article 145 ~~are~~ IS scheduled for review in accordance with section
8 24-34-104.

9 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**
10 (26)(a)(III); and **add** (35)(a)(VI) as follows:

11 **24-34-104. General assembly review of regulatory agencies**
12 **and functions for repeal, continuation, or reestablishment - legislative**
13 **declaration - repeal.** (26) (a) The following agencies, functions, or both,
14 are scheduled for repeal on September 1, 2025:

15 (III) ~~The regulation of outfitters by the director of the division of~~

1 ~~professions and occupations in accordance with article 145 of title 12;~~

2 (35) (a) The following agencies, functions, or both, are scheduled
3 for repeal on September 1, 2034:

4 (VI) THE REGULATION OF OUTFITTERS BY THE DIRECTOR OF THE
5 DIVISION OF PROFESSIONS AND OCCUPATIONS IN ACCORDANCE WITH
6 ARTICLE 145 OF TITLE 12.

7 **SECTION 3.** In Colorado Revised Statutes, 12-145-109, **amend**
8 (6)(b)(I) as follows:

9 **12-145-109. Disciplinary actions - grounds for discipline.**

10 (6) The director may discipline an applicant or registrant under this
11 section for the acts of a person who:

12 (b) (I) Is an officer, director, member, ~~or partner, of,~~ or owner of
13 ~~at least a ten-percent interest in,~~ the applicant or registrant;

14 **SECTION 4.** In Colorado Revised Statutes, 12-145-108, **amend**
15 (2); and **add** (1)(b.5) as follows:

16 **12-145-108. Issuance of registration - violations.** (1) Except as
17 otherwise provided in this article 145, the director shall issue an initial or
18 renewed registration as an outfitter to an individual who pays the required
19 fee and furnishes evidence satisfactory to the director that the individual:

20 (b.5) DOES NOT HAVE A LICENSE OR REGISTRATION THAT IS
21 SUSPENDED AND HAS NOT, WITHIN THE THREE YEARS PRIOR TO
22 SUBMITTING THE REGISTRATION APPLICATION, HAD A LICENSE OR
23 REGISTRATION REVOKED BY THE DIVISION OF PARKS AND WILDLIFE
24 CREATED IN SECTION 33-9-104 OR BY AN AGENCY OF ANY MEMBER STATE
25 OF THE "WILDLIFE VIOLATOR COMPACT", PART 26 OF ARTICLE 60 OF TITLE
26 24, FOR A VIOLATION OF A LAW CONCERNING WILDLIFE;

27 (2) An individual or entity may register as an outfitter. An

1 application for registration of an entity ~~shall~~ MUST include the names of
2 all officers, directors, members, partners, AND owners of ~~at least ten~~
3 ~~percent of~~ the entity, and other persons who have managing or controlling
4 authority in the entity. The entity shall designate on the application for
5 outfitter registration one of its officers, directors, members, partners, or
6 other controlling or managing individuals to be the responsible party and
7 agent for the entity for all communications with the division. If the entity
8 changes its responsible party and agent, it shall notify the division within
9 ten working days after the name change and provide contact information
10 for the new responsible party and agent. If the responsible party and agent
11 does not provide guide services, ~~he or she shall~~ THE RESPONSIBLE PARTY
12 AND AGENT IS not ~~be~~ required to comply with subsection (1)(b) of this
13 section.

14 **SECTION 5.** In Colorado Revised Statutes, 12-145-110, **amend**
15 (3)(b) as follows:

16 **12-145-110. Penalties - distribution of fines.** (3) All fines
17 collected pursuant to this article 145 shall be distributed as follows:

18 (b) Fifty percent to the ~~division for the cost of administering this~~
19 ~~article 145~~ GENERAL FUND.

20 **SECTION 6.** In Colorado Revised Statutes, 12-145-104, **add** (3)
21 as follows:

22 **12-145-104. Applicability.** (3) THIS ARTICLE 145 DOES NOT
23 APPLY TO:

24 (a) A MOTOR CARRIER, AS DEFINED IN SECTION 40-10.1-101 (10),
25 THAT TRANSPORTS ONE OR MORE CLIENTS TO OR FROM AN OUTFITTER BUT
26 DOES NOT:

27 (I) ASSIST A CLIENT IN THE TAKING OR ATTEMPTED TAKING OF

1 WILDLIFE; OR

2 (II) PROVIDE ANY OUTFITTING SERVICE OTHER THAN
3 TRANSPORTATION TO A CLIENT; OR

4 (b) A TRAVEL AGENCY, A BOOKING AGENCY, OR OTHER PERSON
5 THAT IDENTIFIES POTENTIAL CLIENTS FOR AN OUTFITTER, OR THAT DIRECTS
6 POTENTIAL CLIENTS TO AN OUTFITTER, IN EXCHANGE FOR A FEE BUT THAT
7 PROVIDES NO OUTFITTING SERVICES TO SUCH CLIENTS.

8 **SECTION 7.** In Colorado Revised Statutes, 12-145-106, **amend**
9 (1) as follows:

10 **12-145-106. Guide qualifications - violations - penalty.**

11 (1) (a) An individual who works as a guide must:

12 (I) Be eighteen years of age or older; **and**

13 (II) Hold either a valid first aid or first aid instructor's card issued
14 by the American Red Cross or evidence of equivalent training as
15 approved by the director; **AND**

16 (III) NOT HAVE A LICENSE OR REGISTRATION THAT IS SUSPENDED
17 **AND MUST NOT HAVE, WITHIN THE THREE YEARS PRIOR TO SUBMITTING**
18 **THE REGISTRATION APPLICATION, HAD A LICENSE OR REGISTRATION**
19 **REVOKED BY THE DIVISION OF PARKS AND WILDLIFE CREATED IN SECTION**
20 **33-9-104 OR BY AN AGENCY OF ANY MEMBER STATE OF THE "WILDLIFE**
21 **VIOLATOR COMPACT", PART 26 OF ARTICLE 60 OF TITLE 24, FOR A**
22 **VIOLATION OF A LAW CONCERNING WILDLIFE.**

23 (b) An individual who violates this subsection (1) commits a civil
24 infraction.

25 **SECTION 8.** In Colorado Revised Statutes, 12-20-407, **amend**
26 (2)(c) and (2)(d); **repeal** (1)(a)(III); and **add** (2)(e) as follows:

27 **12-20-407. Unauthorized practice of profession or occupation**

1 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor
2 and shall be punished as provided in section 18-1.3-501 if the person:

3 (III) ~~Engages or offers or attempts to engage in activities as an~~
4 ~~outfitter without an active registration issued under article 145 of this title~~
5 ~~12;~~

6 (2) The penalties for:

7 (c) Engaging in unauthorized activities regarding passenger
8 tramways are governed by section 12-150-108 (4); and

9 (d) Engaging in unauthorized activities regarding nurse aide
10 practice are governed by section 12-255-215; AND

11 (e) PROVIDING, OR OFFERING OR ATTEMPTING TO PROVIDE,
12 OUTFITTING SERVICES WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER
13 ARTICLE 145 OF THIS TITLE 12 ARE GOVERNED BY SECTION 33-6-113.

14 **SECTION 9.** In Colorado Revised Statutes, 33-6-113, **amend**
15 (1)(b) as follows:

16 **33-6-113. Illegal sale of wildlife.** (1) (b) For the purposes of this
17 section, it is deemed to be a sale of wildlife if a person ~~for monetary or~~
18 ~~other consideration, provides unregistered~~ PROVIDES OR OFFERS OR
19 ATTEMPTS TO PROVIDE outfitting services, as defined in article 145 of title
20 12, WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER ARTICLE 145 OF
21 TITLE 12.

22 **SECTION 10. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2026 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.