

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

INTRODUCED

LLS NO. 26-0585.01 Eden Rolland x2373

SENATE BILL 26-030

SENATE SPONSORSHIP

Baisley,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING A GRANT PROGRAM FOR LOCAL GOVERNMENTS TO**
102 **IMPROVE ACCESS TO STATE PARKS.**

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>.)

In accordance with the "Keep Colorado Wild Pass Act", a person registering their motor vehicle in Colorado may, at the time of registration, elect to purchase a keep Colorado wild pass as an annual state parks and public lands pass for their motor vehicle. The keep Colorado wild pass provides the person access by car, bike, or foot to any Colorado state park or other participating public land for the duration of

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.

the vehicle's registration period. The option to purchase a keep Colorado wild pass is offered at the time of registration of any passenger motor vehicle, light-weight truck, motorcycle, or recreational vehicle. Currently, the cost for a keep Colorado wild pass is \$29.

All money collected from the purchase and sale of the keep Colorado wild pass is remitted to the department of revenue, which in turn transmits the money, minus administrative costs, to the state treasurer.

By statute, the first \$36 million collected from the keep Colorado wild pass is allocated to the following 3 funds:

- \$32.5 million to the parks and outdoor recreation cash fund for state parks maintenance, staffing, and resources;
- \$2.5 million to the backcountry search and rescue fund, in furtherance of the goal of supporting Colorado's search and rescue volunteers who respond to backcountry emergencies and who develop educational programs and campaigns to promote backcountry safety; and
- \$1 million to the Colorado avalanche information center fund, in furtherance of the goal of protecting winter recreationists by supporting backcountry avalanche safety and awareness.

The amounts allocated to these 3 funds are adjusted annually based on changes to the United States department of labor's bureau of labor statistics consumer price index for Denver-Aurora-Lakewood for all items and all urban consumers.

After allocating the first \$36 million to the 3 funds, as specified above, statute currently directs the state treasurer to credit any remaining money collected from the purchase and sale of the keep Colorado wild pass as follows:

- One-half of any remaining money is credited to the wildlife cash fund; and
- One-half of any remaining money is credited to the parks and outdoor recreation cash fund, in furtherance of the goals of:
 - Building and maintaining new state parks on a regular basis in partnership with local governments, conservationists, recreationists, and other land management agencies; and
 - Funding Colorado regional outdoor partnerships to support community-driven conservation and recreation planning and projects.

The bill modifies how, after the allocation of the first \$36 million, any remaining money collected from the purchase and sale of the keep Colorado wild pass is allocated. The bill creates the state park and state wildlife area access cash fund (fund) for the purpose of supporting local

governments in efforts to improve roads and other infrastructure that provide local access to state parks and state wildlife areas accessed from within a local government's boundary (local access). The bill directs the entirety of any remaining money to the fund, instead of dividing and allocating the remaining money between the wildlife cash fund and the parks and outdoor recreation cash fund.

The bill also creates the state park and state wildlife area access grant program (grant program). The bill requires the division of local government (division) in the department of local affairs to administer the grant program and to award grants to local governments that apply for a grant to improve local access. Money in the fund is used to pay the grant awards.

The bill preserves the current allocation of the first \$36 million, adjusted annually, to the parks and outdoor recreation cash fund, the backcountry search and rescue fund, and the Colorado avalanche information center fund. The bill also specifies that, if no applications for local access grants are received by the division by December 31, 2029, and by December 31 for each year thereafter, half of the remaining money collected from the purchase and sale of the keep Colorado wild pass is transferred to the wildlife cash fund and half is transferred to the parks and outdoor recreation cash fund in furtherance of specific goals.

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

2 **SECTION 1. Short title.** The short title of this act is the "State
3 Park and State Wildlife Area Access Funding Act".

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

6 (a) Colorado's great outdoors and wildlife are among the state's
7 treasured resources, enriching Coloradans' quality of life;

8 (b) All people should have unhindered access to the unparalleled
9 outdoor recreation opportunities offered by Colorado's state parks and
10 state wildlife areas, regardless of the mode of transportation used to
11 access a state park or state wildlife area;

12 (c) Despite growth in outdoor recreation, many Colorado families
13 lack access to the experience, equipment, off-road vehicles, and resources

1 necessary to visit our state parks and state wildlife areas;

2 (d) While outdoor recreation brings prosperity to the state and its
3 residents through tourism and the collection of sales tax, it also places an
4 unfunded mandate on the counties in which state parks and state wildlife
5 areas are located;

6 (e) To provide equitable infrastructure access and to reduce
7 barriers for those families with limited resources to access outdoor
8 recreation, counties need support for constructing and maintaining roads
9 that access state parks and state wildlife areas;

10 (f) Numerous factors contribute to the need for the construction
11 and maintenance of roads that provide local access to state parks and state
12 wildlife areas from within a county's boundaries, including:

13 (I) The current surfaces of roads that provide access to state parks
14 and state wildlife areas were not designed or constructed to withstand the
15 high volume of traffic using these roads or the heavy weight of trucks,
16 campers, towed trailers, and boats;

17 (II) State sales tax is not a source of revenue for counties;

18 (III) Funding for county roads is based on the amount of money
19 in the highway users tax fund, established pursuant to section 43-4-201,
20 Colorado Revised Statutes;

21 (IV) For many counties in which state parks and state wildlife
22 areas are located, the county population is significantly lower than the
23 number of visitors who access the state parks and state wildlife areas
24 located in the county's boundaries each year; and

25 (V) The remote location of state parks and state wildlife areas
26 compounds the challenges and costs associated with constructing and
27 maintaining roads and other infrastructure needed for accessing those

1 state parks and state wildlife areas;

2 (g) The rapid increase in demand for outdoor recreation is
3 challenging the ability of local governments to maintain the roads and
4 other infrastructure needed to provide access to all individuals and
5 families who want to visit a state park or state wildlife area, regardless of
6 the type of vehicle the family can afford;

7 (h) Despite tremendous growth in outdoor recreation, existing
8 funding to support the variety of ways Colorado families access our state
9 parks and state wildlife areas is insufficient. This leads to increased
10 barriers for families and can deter visitors from accessing state parks and
11 state wildlife areas.

12 (i) Local governments share the access goals of the state and rely
13 on a financial partnership with the state and other partners to help meet
14 the demand and ensure that Colorado's state parks and state wildlife areas
15 are accessible to all; and

16 (j) A key objective of this "State Park and State Wildlife Area
17 Access Funding Act" is to ensure that all state parks and state wildlife
18 areas provide welcoming and equitable access to all park pass purchasers
19 and to all visitors of state parks and state wildlife areas.

20 **SECTION 3.** In Colorado Revised Statutes, **add** 24-32-136 as
21 follows:

22 **24-32-136. State park and state wildlife area access grant**
23 **program - creation - fund - reporting - definitions - rules - repeal.**

24 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
25 OTHERWISE REQUIRES:

26 (a) "ELIGIBLE APPLICANT" MEANS A LOCAL GOVERNMENT THAT
27 APPLIES TO THE GRANT PROGRAM.

1 (b) "FUND" MEANS THE STATE PARK AND STATE WILDLIFE AREA
2 ACCESS CASH FUND CREATED IN SUBSECTION (5) OF THIS SECTION.

3 (c) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE
4 DIVISION SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

5 (d) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
6 CITY, TOWN, CITY AND COUNTY, OR COUNTY.

7 (e) "STATE PARK AND STATE WILDLIFE AREA ACCESS GRANT
8 PROGRAM" OR "GRANT PROGRAM" MEANS THE STATE PARK AND STATE
9 WILDLIFE AREA ACCESS GRANT PROGRAM CREATED IN SUBSECTION (2) OF
10 THIS SECTION.

11 (2) **State park and state wildlife area access grant program -**
12 **created - rules.**

13 (a) THE STATE PARK AND STATE WILDLIFE AREA ACCESS GRANT
14 PROGRAM IS CREATED IN THE DIVISION FOR THE PURPOSE OF AWARDING
15 GRANTS TO ELIGIBLE APPLICANTS TO ENABLE LOCAL GOVERNMENTS TO:

16 (I) CONSTRUCT AND MAINTAIN ROADS OR OTHER INFRASTRUCTURE
17 THAT PROVIDE ACCESS TO A STATE PARK OR STATE WILDLIFE AREA
18 ACCESSED FROM WITHIN THE LOCAL GOVERNMENT'S BOUNDARY;

19 (II) IMPROVE ROADS OR OTHER INFRASTRUCTURE THAT PROVIDE
20 ACCESS TO A STATE PARK OR STATE WILDLIFE AREA ACCESSED FROM
21 WITHIN THE LOCAL GOVERNMENT'S BOUNDARY TO SPECIFICALLY
22 WITHSTAND THE CURRENT AND PROJECTED VOLUME AND WEIGHT OF
23 TRAFFIC ENTERING AND EXITING THE STATE PARK OR STATE WILDLIFE
24 AREA; AND

25 (III) PROVIDE EQUITABLE ACCESS FOR ALL VISITORS TO A STATE
26 PARK OR STATE WILDLIFE AREA ACCESSED FROM WITHIN THE LOCAL
27 GOVERNMENT'S BOUNDARY, REGARDLESS OF THE TYPE OF VEHICLE OR

1 METHOD OF TRANSPORTATION THE VISITOR MAY BE USING TO ACCESS THE
2 STATE PARK OR STATE WILDLIFE AREA.

3 (b) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND
4 SHALL AWARD GRANTS AS PROVIDED IN THIS SECTION. GRANTS SHALL BE
5 PAID OUT OF THE STATE PARK AND STATE WILDLIFE AREA ACCESS CASH
6 FUND CREATED IN SUBSECTION (5) OF THIS SECTION.

7 (c) THE DIVISION SHALL IMPLEMENT THE GRANT PROGRAM IN
8 ACCORDANCE WITH THIS SECTION. THE DIVISION MAY ADOPT RULES TO
9 IMPLEMENT THE GRANT PROGRAM AND CARRY OUT THE PURPOSES OF THIS
10 SECTION.

11 (3) **State park and state wildlife area access grant program -**
12 **application - criteria - awards.**

13 (a) TO RECEIVE A GRANT, AN ELIGIBLE APPLICANT MUST SUBMIT
14 AN APPLICATION TO THE DIVISION. THE DIVISION MAY DETERMINE THE
15 FORM AND MANNER OF AN APPLICATION.

16 (b) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
17 PURSUANT TO THIS SECTION.

18 (c) SUBJECT TO THE MONEY AVAILABLE IN THE STATE PARK AND
19 STATE WILDLIFE AREA ACCESS CASH FUND, THE DIVISION SHALL AWARD
20 GRANTS AS PROVIDED IN THIS SECTION. THE DIVISION SHALL DISTRIBUTE
21 THE GRANT MONEY WITHIN SIXTY DAYS AFTER THE DIVISION AWARDS A
22 GRANT.

23 (4) **Reporting requirements.**

24 (a) ON OR BEFORE AUGUST 1, 2027, AND ON OR BEFORE EACH
25 AUGUST 1 THEREAFTER, A LOCAL GOVERNMENT THAT RECEIVES A GRANT
26 THROUGH THE GRANT PROGRAM SHALL SUBMIT A REPORT TO THE DIVISION
27 REGARDING THE INFORMATION LISTED IN SUBSECTION (4)(b) OF THIS

1 SECTION.

2 (b) ON OR BEFORE OCTOBER 1, 2027, AND ON OR BEFORE EACH
3 OCTOBER 1 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT TO THE
4 HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL
5 GOVERNMENT COMMITTEE AND THE SENATE LOCAL GOVERNMENT AND
6 HOUSING COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE JOINT
7 BUDGET COMMITTEE. AT A MINIMUM, THE DIVISION'S REPORT MUST
8 INCLUDE THE FOLLOWING INFORMATION REGARDING EACH GRANT
9 AWARDED IN THE PREVIOUS TWELVE MONTHS:

10 (I) THE AMOUNT OF THE GRANT AWARDED;

11 (II) HOW THE GRANT MONEY WAS OR IS INTENDED TO BE USED,
12 INCLUDING A DESCRIPTION OF THE PROJECT FUNDED BY THE GRANT AND
13 THE PROJECT'S COMPLETION STATUS; AND

14 (III) THE ESTIMATED IMPACT OF THE PROJECT ON:

15 (A) EQUITABLE ACCESS TO THE STATE PARK OR STATE WILDLIFE
16 AREA ACCESSED FROM WITHIN THE LOCAL GOVERNMENT'S BOUNDARY;

17 (B) THE CONDITION OF THE ROADS OR OTHER INFRASTRUCTURE
18 THAT PROVIDE ACCESS TO THE STATE PARK OR STATE WILDLIFE AREA
19 ACCESSED FROM WITHIN THE LOCAL GOVERNMENT'S BOUNDARY;

20 (C) THE VOLUME AND WEIGHT OF TRAFFIC ENTERING AND EXITING
21 THE STATE PARK OR STATE WILDLIFE AREA, INCLUDING ANY IMPACT ON OR
22 CHANGE TO THE TYPE OF VEHICLES OR WATERCRAFT ACCESSING THE
23 STATE PARK OR STATE WILDLIFE AREA; AND

24 (D) ANY OTHER INFORMATION THAT THE DIVISION DEEMS
25 NECESSARY AND APPROPRIATE TO REPORT ABOUT THE GRANTS AWARDED.

26 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
27 REPORTING REQUIREMENTS SET FORTH IN SUBSECTION (4)(b) OF THIS

1 SECTION CONTINUE INDEFINITELY.

2 (5) **State park and state wildlife area access cash fund.**

3 (a) THE STATE PARK AND STATE WILDLIFE AREA ACCESS CASH
4 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
5 CREDITED TO THE FUND PURSUANT TO SECTION 33-12-108 (4)(e)(II);
6 GIFTS, GRANTS, AND DONATIONS; AND ANY OTHER MONEY THAT THE
7 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

8 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
9 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
10 FUND TO THE FUND.

11 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
12 DIVISION FOR THE PURPOSE OF AWARDING STATE PARK AND STATE
13 WILDLIFE AREA ACCESS GRANTS PURSUANT TO THIS SECTION.

14 **SECTION 4.** In Colorado Revised Statutes, 33-10-111, **amend**
15 (1) as follows:

16 **33-10-111. Parks and outdoor recreation cash fund - parks for**
17 **future generations trust fund - creation - fees - accounting**
18 **expenditures for roads and highways - definition.**

19 (1) Except as provided in subsection (6) of this section and
20 sections 33-10.5-104.5, 33-10.5-105, **33-12-108 (4)(e)(II)**, 33-14-106,
21 33-14.5-106, and 33-15-103, all money derived pursuant to articles 10 to
22 15 of this title 33 from division facilities and fees, and all interest earned
23 on the money, shall be credited to the parks and outdoor recreation cash
24 fund, which is hereby created, together with all money donated,
25 transferred, or appropriated from whatever source for the use of the
26 division in administering, managing, and supervising the state parks and
27 outdoor recreation system and in the financing of impact assistance grants

1 pursuant to part 3 of article 25 of title 30. All cash receipts from
2 state-owned desert, saline, and internal improvement lands shall be
3 credited to the parks and outdoor recreation cash fund.

4 **SECTION 5.** In Colorado Revised Statutes, 33-12-108, **amend**
5 (4)(e)(I)(C) and (4)(e)(II); and **add** (4)(e)(III) and (4)(e.5) as follows:

6 **33-12-108. Keep Colorado wild pass - assess with vehicle**
7 **registration - option to decline to pay - rules - short title - legislative**
8 **declaration - definitions.**

9 (4) (e) The state treasurer shall credit the pass fees that the
10 executive director of the department of revenue transmits pursuant to
11 subsection (4)(d) of this section in each state fiscal year as follows:

12 (I) The first thirty-six million dollars shall be allocated as follows:

13 (C) One million dollars to the Colorado avalanche information
14 center fund created in section 24-33-116 (2)(c) in furtherance of the goal
15 set forth in subsection (2)(a)(IV)(D) of this section; ~~and~~

16 (II) After making the allocations under subsection (4)(e)(I) of this
17 section, the state treasurer shall credit ~~one-half of any remaining money~~
18 ~~to the wildlife cash fund and one-half of any remaining money to the~~
19 ~~parks and outdoor recreation cash fund in furtherance of the goals set~~
20 ~~forth in subsections (2)(a)(IV)(E) to (2)(a)(IV)(J) of this section~~ ANY
21 REMAINING MONEY TO THE STATE PARK AND STATE WILDLIFE AREA
22 ACCESS CASH FUND CREATED IN SECTION 24-32-136 (5); AND

23 (III) AFTER MAKING THE ALLOCATIONS UNDER SUBSECTION
24 (4)(e)(II) OF THIS SECTION, THE STATE TREASURER SHALL CREDIT ANY
25 MONEY REMAINING IN THE STATE PARK AND STATE WILDLIFE AREA ACCESS
26 CASH FUND IN ACCORDANCE WITH SUBSECTION (4)(e.5) OF THIS SECTION.

27 (e.5) (I) IF NO APPLICATIONS FOR GRANTS FROM THE STATE PARK

1 AND STATE WILDLIFE AREA ACCESS GRANT PROGRAM CREATED IN SECTION
2 24-32-136 ARE RECEIVED BY DECEMBER 31, 2029, THE DIVISION OF LOCAL
3 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS THAT ADMINISTERS
4 THE GRANT PROGRAM SHALL NOTIFY THE STATE TREASURER WITHIN SIXTY
5 DAYS AFTER DECEMBER 31, 2029, THAT NO APPLICATIONS WERE
6 RECEIVED.

7 (II) ON DECEMBER 31, 2030, AND ON EACH DECEMBER 31
8 THEREAFTER, IF NO APPLICATIONS FOR GRANTS FROM THE GRANT
9 PROGRAM ARE RECEIVED WITHIN THAT YEAR, THE DIVISION OF LOCAL
10 GOVERNMENT SHALL NOTIFY THE STATE TREASURER WITHIN SIXTY DAYS
11 AFTER DECEMBER 31 OF THAT YEAR THAT NO APPLICATIONS WERE
12 RECEIVED.

13 (III) IF THE STATE TREASURER RECEIVES THE NOTICE PROVIDED
14 PURSUANT TO SUBSECTION (4)(e.5)(I) OR (4)(e.5)(II) OF THIS SECTION, THE
15 STATE TREASURER SHALL, ON MARCH 15 OF THE YEAR AFTER THE NOTICE
16 IS PROVIDED, TRANSFER:

17 (A) ONE-HALF OF THE MONEY REMAINING IN THE STATE PARK AND
18 STATE WILDLIFE AREA ACCESS CASH FUND TO THE WILDLIFE CASH FUND;
19 AND

20 (B) ONE-HALF OF THE MONEY REMAINING IN THE STATE PARK AND
21 STATE WILDLIFE AREA ACCESS CASH FUND TO THE PARKS AND OUTDOOR
22 RECREATION CASH FUND, IN FURTHERANCE OF THE GOALS SET FORTH IN
23 SUBSECTIONS (2)(a)(IV)(E) TO (2)(a)(IV)(J) OF THIS SECTION.

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 (August
27 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2026 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.