

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

**REREVISED**

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

LLS NO. 25-0500.01 Megan McCall x4215

**HOUSE BILL 25-1163**

**HOUSE SPONSORSHIP**

**Stewart K. and Taggart**, Duran, Boesenecker, Bird, Brown, Caldwell, Camacho, Clifford, Espenosa, Feret, Froelich, Gonzalez R., Hamrick, Jackson, Keltie, Lindstedt, Lukens, Mabrey, McCluskie, Phillips, Rutinel, Titone, Valdez, Velasco

**SENATE SPONSORSHIP**

**Roberts and Simpson**, Amabile, Bridges, Coleman, Frizell, Kirkmeyer, Liston, Lundeen, Michaelson Jenet, Mullica, Rodriguez, Snyder

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**House Committees**

Agriculture, Water & Natural Resources  
Appropriations

**Senate Committees**

Agriculture & Natural Resources  
Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING FREE ACCESS TO STATE PARKS FOR COLORADO UTE**  
102     **TRIBES.**

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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 allows enrolled members of the Southern Ute Indian Tribe and enrolled members of the Ute Mountain Ute Tribe to enter state parks without having to pay an entrance fee.

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

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.*

SENATE  
3rd Reading Unamended  
May 6, 2025

SENATE  
2nd Reading Unamended  
May 2, 2025

HOUSE  
3rd Reading Unamended  
April 14, 2025

HOUSE  
Amended 2nd Reading  
April 11, 2025

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

3           (a) States may enact laws beneficial to the members of federally  
4 recognized tribes consistent with the federal government's trust and treaty  
5 responsibilities through an implied congressional authorization;

6           (b) The United States Supreme Court in *Morton v. Mancari*, 417  
7 U.S. 535 (1974), and in *States v. Antelope*, 430 U.S. 641 (1977),  
8 recognized that classifications based on membership in a federally  
9 recognized tribe are not racial classifications but rather political  
10 classifications based on membership in a quasi-sovereign tribal entity;

11          (c) The Southern Ute Indian Tribe and the Ute Mountain Ute  
12 Tribe are the only two federally recognized tribes with reservations in  
13 Colorado;

14          (d) The Southern Ute Indian Tribe reservation is located in  
15 southwest Colorado and includes lands in La Plata county and Archuleta  
16 county. A portion of the lands of the Southern Ute Indian Tribe  
17 reservation are held in trust by the United States.

18          (e) The Ute Mountain Ute Tribe reservation is located in the Four  
19 Corners region and includes lands in Montezuma county and La Plata  
20 county, both counties in Colorado. The lands of the Ute Mountain Ute  
21 Tribe reservation are held in trust by the United States.

22          (f) Pursuant to the Brunot Agreement of 1874, the Southern Ute  
23 Indian Tribe and the Ute Mountain Ute Tribe retain hunting, fishing, and  
24 gathering rights outside of their respective reservations. The area where  
25 the tribes retain these rights includes lands which are now state parks  
26 managed through intergovernmental agreements among the state and the  
27 tribes.

1 (g) The Ute people are the oldest continuous residents of what is  
2 today the state of Colorado. They have no migration story, but have been  
3 here since time immemorial.

4 (h) Through a series of treaties with the United States, the original  
5 Ute homelands were severely diminished. Today, the Mouache and  
6 Caputa bands of the Utes comprise the Southern Ute Indian Tribe that  
7 resides on the Southern Ute Indian Tribe reservation and the Weenuchiu  
8 band resides on the Ute Mountain Ute Tribe reservation.

9 (i) The state has long recognized the unique political status of the  
10 Southern Ute Indian Tribe and the Ute Mountain Ute Tribe, and their  
11 special governmental relationship with the state, as well as the importance  
12 of establishing and maintaining a cooperative relationship with the tribes  
13 and the Ute people. See for example, article 44 of title 24 of the Colorado  
14 Revised Statutes.

15 (j) The Southern Ute Indian Tribe and Ute Mountain Ute Tribe  
16 have deep cultural, spiritual, ancestral, and historical ties to the majority  
17 of the land within Colorado, including much of the lands that are now  
18 designated as state parks, and have served as stewards of these lands and  
19 the cultural and natural resources provided by these lands since time  
20 immemorial; and

21 (k) The state seeks to reduce barriers for enrolled members of the  
22 Southern Ute Indian Tribe and the Ute Mountain Ute Tribe in accessing  
23 their ancestral lands and sacred sites located within Colorado's state  
24 parks.

25 **SECTION 2.** In Colorado Revised Statutes, **add** 33-12-103.8 as  
26 follows:

27 **33-12-103.8. Southern Ute Indian Tribe and Ute Mountain Ute**

1     **Tribe - access to state parks - legislative declaration - repeal.**

2     (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

3             (I) THE SOUTHERN UTE INDIAN TRIBE AND UTE MOUNTAIN UTE  
4     TRIBE ARE THE OLDEST CONTINUOUS RESIDENTS OF WHAT IS NOW KNOWN  
5     AS THE STATE OF COLORADO AND HAVE SIGNIFICANT HISTORICAL AND  
6     CULTURAL TIES TO THE MAJORITY OF THE LAND WITHIN THE STATE; AND

7             (II) THE VAST MAJORITY OF COLORADO'S STATE PARKS ARE  
8     LOCATED ON ANCESTRAL LANDS OF THE SOUTHERN UTE INDIAN TRIBE  
9     AND THE UTE MOUNTAIN UTE TRIBE. THESE ANCESTRAL LANDS MAY  
10    ALSO INCLUDE SACRED SITES OF THE SOUTHERN UTE INDIAN TRIBE AND  
11    UTE MOUNTAIN UTE TRIBE. PROVIDING FREE ACCESS TO COLORADO  
12    STATE PARKS TO MEMBERS OF THE SOUTHERN UTE INDIAN TRIBE AND THE  
13    UTE MOUNTAIN UTE TRIBE REDUCES CERTAIN FINANCIAL BARRIERS THAT  
14    MAY OTHERWISE PREVENT TRIBAL MEMBERS FROM ACCESSING STATE  
15    PARKS.

16            (b) THE GENERAL ASSEMBLY THEREFORE FURTHER FINDS AND  
17    DECLARES THAT ENROLLED MEMBERS OF THE SOUTHERN UTE INDIAN  
18    TRIBE AND THE UTE MOUNTAIN UTE TRIBE SHOULD BE ELIGIBLE TO ENTER  
19    ANY STATE PARK FREE OF CHARGE.

20            (2) ENROLLED MEMBERS OF THE SOUTHERN UTE INDIAN TRIBE  
21    AND THE UTE MOUNTAIN UTE TRIBE WHO PRESENT A CURRENT TRIBAL  
22    IDENTIFICATION CARD WITH AN INTACT PHOTO ARE NOT REQUIRED TO PAY  
23    A FEE TO ENTER STATE PARKS THAT ARE MANAGED BY THE DIVISION.

24            (3) ENTRANCE TO AND ACCESS TO STATE PARKS PURSUANT TO THIS  
25    SECTION IS SUBJECT TO THE TRIBAL MEMBER'S OBSERVANCE OF RULES AND  
26    REGULATIONS CONCERNING THE STATE PARK.

27            (4) (a) BY JUNE 1, 2026, THE DIVISION SHALL BUILD ON EXISTING

1 EFFORTS TO CONDUCT OUTREACH TO AND ENGAGEMENT WITH THE  
2 SOUTHERN UTE INDIAN TRIBE, THE UTE MOUNTAIN UTE TRIBE, AND  
3 OTHER TRIBAL GOVERNMENTS, AMERICAN INDIAN COMMUNITIES, AND  
4 INDIGENOUS COMMUNITIES ON OPPORTUNITIES RELATED TO STATE PARKS  
5 THAT ARE MANAGED BY THE DIVISION.

6 (b) IN JANUARY 2026 AND IN JANUARY 2027, THE DEPARTMENT  
7 SHALL INCLUDE, AS PART OF ITS PRESENTATION DURING ITS "SMART  
8 ACT" HEARING REQUIRED BY SECTION 2-7-203, INFORMATION  
9 CONCERNING THE DIVISION'S OUTREACH AND ENGAGEMENT ON  
10 OPPORTUNITIES RELATED TO STATE PARKS SET FORTH IN SUBSECTION  
11 (4)(a) OF THIS SECTION.

12 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2027.

13 **SECTION 3. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly; except  
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
17 of the state constitution against this act or an item, section, or part of this  
18 act within such period, then the act, item, section, or part will not take  
19 effect unless approved by the people at the general election to be held in  
20 November 2026 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.