

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0589.01 Kate Meyer

SENATE BILL 10-071

SENATE SPONSORSHIP

Morse,

HOUSE SPONSORSHIP

Riesberg,

Senate Committees

Agriculture and Natural Resources
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF A LIFETIME PASS TO STATE PARKS AND**
102 **RECREATION AREAS THAT SHALL BE AVAILABLE FOR PURCHASE**
103 **BY COLORADO RESIDENTS WHO ARE OF ELIGIBLE AGE.**

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://www.leg.state.co.us/billsummaries>.)

The bill creates the aspen leaf lifetime pass (pass), which will be available for purchase by a state resident who meets the age of eligibility set by the board of parks and outdoor recreation (board) for the aspen leaf annual pass. The pass allows its holder entry into state parks and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

recreation areas for the duration of the holder's lifetime. The board will set by rule the amount of the fee for the pass, not to exceed \$150. The bill applies to the lifetime pass current laws regarding the use, display, and suspension of the aspen leaf annual pass.

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

2 **SECTION 1.** 33-12-101 (1) (a), Colorado Revised Statutes, is
3 amended to read:

4 **33-12-101. Passes and registrations.** (1) (a) EXCEPT AS
5 SPECIFIED IN SECTION 33-12-103 (1) (b), every pass or registration shall
6 expire on the date printed or written on the face of said document. The
7 board may adopt rules establishing a subscription program through which
8 a person to whom an annual pass has been issued pursuant to this article
9 is notified, prior to the expiration of the pass, of the opportunity to renew
10 the pass by mail or other means determined by the board. As used in this
11 article, "document" means pass or registration.

12 **SECTION 2.** 33-12-103, Colorado Revised Statutes, is amended
13 to read:

14 **33-12-103. Aspen leaf annual pass - aspen leaf lifetime pass -**
15 **report - repeal.** (1) (a) A resident of this state as defined in section
16 33-10-102 (~~21~~) may obtain from the division an aspen leaf annual pass,
17 which shall be valid from the date the pass is purchased through the last
18 day of the month of purchase in the following year. The age of eligibility
19 for the aspen leaf pass shall be determined by the board.

20 (b) (1) A RESIDENT OF THIS STATE AS DEFINED IN SECTION
21 33-10-102 MAY OBTAIN FROM THE DIVISION AN ASPEN LEAF LIFETIME
22 PASS, WHICH SHALL BE VALID FROM THE DATE THE PASS IS PURCHASED
23 THROUGH THE LIFETIME OF THE PASS HOLDER. THE AGE OF ELIGIBILITY

1 FOR THE ASPEN LEAF LIFETIME PASS IS THE SAME AS THAT FOR THE ASPEN
2 LEAF ANNUAL PASS PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1).
3 NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE FEE
4 FOR THE ASPEN LEAF LIFETIME PASS SHALL BE SET BY RULE OF THE BOARD
5 BUT SHALL NOT EXCEED FIVE TIMES THE COST OF THE ASPEN LEAF ANNUAL
6 PASS.

7 (II) (A) THE ASPEN LEAF LIFETIME PASS SHALL NOT BE SOLD ON OR
8 AFTER MARCH 1, 2014.

9 (B) PRIOR TO THAT DATE BUT DURING THE FIRST REGULAR SESSION
10 OF THE SIXTY-NINTH GENERAL ASSEMBLY, THE DEPARTMENT SHALL
11 PREPARE AND DELIVER A REPORT TO THE SENATE AGRICULTURE AND
12 NATURAL RESOURCES COMMITTEE AND THE HOUSE OF REPRESENTATIVES
13 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, OR
14 THEIR SUCCESSOR COMMITTEES, EVALUATING THE ASPEN LEAF LIFETIME
15 PASS. THE REPORT SHALL INCLUDE, AT A MINIMUM, THE NUMBER OF
16 ASPEN LEAF LIFETIME PASSES SOLD AND THE FINANCIAL IMPACTS OF THE
17 ASPEN LEAF LIFETIME PASS.

18 (2) Except as provided by rule of the board, for the purpose of this
19 section, the HOLDER OF AN aspen leaf annual pass ~~holder must~~ OR ASPEN
20 LEAF LIFETIME PASS SHALL own in whole or in part any vehicle used to
21 enter a park area, the vehicle ~~must~~ SHALL have a current valid registration
22 issued by the department of revenue, and the pass holder ~~must~~ SHALL be
23 present in the vehicle. An aspen leaf pass ~~shall entitle~~ OR ASPEN LEAVE
24 LIFETIME PASS ENTITLES the holder to enter state park and recreation areas
25 during the period that the pass is valid and when such areas are open.

26 ~~(2)~~ (3) Each aspen leaf annual pass ~~so~~ OR ASPEN LEAF LIFETIME
27 PASS issued shall be affixed to the vehicle for which it was issued in the

1 manner prescribed by rule ~~or regulation~~ promulgated by the board.

2 ~~(3)~~ (4) The continued use of the aspen leaf annual pass AND THE
3 ASPEN LEAF LIFETIME PASS shall be subject to the holder's observance of
4 rules ~~and regulations~~ concerning the state park or the state recreation area.
5 For a violation of any of such rules, ~~and regulations~~, the division has the
6 power to suspend ~~such~~ THE pass for six months; for a second violation,
7 for one year; and, for a third violation, indefinitely. Any person
8 aggrieved by an action of the division taken pursuant to this subsection
9 ~~(3)~~ (4) may appeal such action in accordance with the procedures
10 provided in article 4 of title 24, C.R.S.

11 **SECTION 3. Act subject to petition - effective date.** This act
12 shall take effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part shall not take effect
18 unless approved by the people at the general election to be held in
19 November 2010 and shall take effect on the date of the official
20 declaration of the vote thereon by the governor.