

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0882.01 Jery Payne x2157

HOUSE BILL 12-1330

HOUSE SPONSORSHIP

Becker, Priola, Sonnenberg

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A HEARING PROCESS TO END A
102 SUSPENSION OF PRIVILEGES TO ATTEMPT TO TAKE WILDLIFE.

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 authorizes a person under a hunting or fishing license suspension to petition the commission of wildlife once each year to end the suspension after half the suspension or after 15 years for a lifetime suspension. The commission may end the suspension if the person is unlikely to offend again, has not violated the wildlife statutes again, 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.

the suspension is the person's first. Before ending the suspension, the commission may order a person to pay a fee of up to \$300, perform up to 40 hours of service on wildlife or park projects, or attend educational courses.

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

2 **SECTION 1.** In Colorado Revised Statutes, 33-6-106, **add** (9) as
3 follows:

4 **33-6-106. Suspension of license privileges.** (9) (a) A PERSON
5 MAY PETITION THE COMMISSION TO END A SUSPENSION ONCE EVERY
6 TWELVE MONTHS EITHER:

7 (I) AFTER HALF OF A SUSPENSION OF AT LEAST TWO YEARS BUT
8 LESS THAN A LIFETIME HAS ELAPSED; OR

9 (II) AFTER FIFTEEN YEARS OF A LIFETIME SUSPENSION HAS
10 ELAPSED.

11 (b) IF A PERSON PETITIONS THE COMMISSION TO END A SUSPENSION,
12 THE COMMISSION SHALL HOLD A HEARING TO DETERMINE WHETHER TO
13 END THE SUSPENSION WITHIN SIXTY DAYS AFTER RECEIVING THE PETITION.

14 (c) THE COMMISSION MAY END A SUSPENSION IF:

15 (I) THE PERSON IS UNLIKELY TO VIOLATE THIS ARTICLE AGAIN;

16 (II) THE PERSON HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR
17 NOLO CONTENDERE TO ANY VIOLATION OF ARTICLES 1 TO 6 OF THIS TITLE
18 AFTER THE SUSPENSION WAS IMPOSED; AND

19 (III) THE SUSPENSION IS THE PERSON'S FIRST IN COLORADO.

20 (d) IF A SUSPENSION IS ENDED, THE COMMISSION MAY REQUIRE THE
21 PETITIONER TO:

22 (I) PAY A REINSTATEMENT FEE, NOT TO EXCEED THREE HUNDRED
23 DOLLARS;

1 (II) PERFORM SERVICE, NOT TO EXCEED FORTY HOURS, UNDER THE
2 DIVISION'S DIRECTION ON WILDLIFE OR STATE PARK PROJECTS; OR

3 (III) ATTEND A HUNTER'S SAFETY OR HUNTER OUTREACH COURSE.

4 **SECTION 2. Act subject to petition - effective date -**
5 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
6 the expiration of the ninety-day period after final adjournment of the
7 general assembly (August 8, 2012, if adjournment sine die is on May 9,
8 2012); except that, if a referendum petition is filed pursuant to section 1
9 (3) of article V of the state constitution against this act or an item, section,
10 or part of this act within such period, then the act, item, section, or part
11 will not take effect unless approved by the people at the general election
12 to be held in November 2012 and, in such case, will take effect on the
13 date of the official declaration of the vote thereon by the governor.

14 (2) The provisions of this act apply to suspensions existing on or
15 after the applicable effective date of this act.