

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

**PREAMENDED**

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

LLS NO. 12-0882.01 Jery Payne x2157

**HOUSE BILL 12-1330**

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**HOUSE SPONSORSHIP**

**Becker,** Priola, Sonnenberg

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Agriculture, Livestock, & Natural Resources  
Appropriations

**Senate Committees**

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**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.**

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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://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.

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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 - repeal.** (9) (a) A  
5 PERSON MAY PETITION THE COMMISSION TO END A SUSPENSION ONCE  
6 EVERY FIVE YEARS EITHER:

7 (I) AFTER HALF OF A SUSPENSION OF AT LEAST TEN 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 ONE HUNDRED TWENTY DAYS AFTER  
14 RECEIVING THE PETITION; EXCEPT THAT A PERSON MAY PETITION THE  
15 COMMISSION NO MORE THAN THREE TIMES. UPON RECEIVING A FOURTH OR  
16 SUBSEQUENT PETITION, THE COMMISSION MAY DENY THE PETITION  
17 WITHOUT A HEARING.

18 (c) (I) THE COMMISSION MAY END A SUSPENSION IF:

19 (A) THE PERSON IS UNLIKELY TO VIOLATE THIS ARTICLE AGAIN;

20 (B) THE PERSON HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR  
21 NOLO CONTENDERE TO ANY VIOLATION OF ARTICLES 1 TO 6 OF THIS TITLE  
22 AFTER THE SUSPENSION WAS IMPOSED; AND

23 (C) THE SUSPENSION IS THE PERSON'S FIRST IN COLORADO.

1 (II) IN DETERMINING WHETHER TO END A SUSPENSION UNDER THIS  
2 SUBSECTION (9), THE COMMISSION MAY CONSIDER WHETHER THE PERSON  
3 HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO ANY  
4 MISDEMEANOR OR FELONY.

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

7 (I) PAY A REINSTATEMENT FEE, NOT TO EXCEED THREE HUNDRED  
8 DOLLARS;

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

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

12 (e) THE COMMISSION SHALL HOLD A HEARING REQUIRED BY THIS  
13 SUBSECTION (9) AT ONE OF ITS REGULARLY SCHEDULED MEETINGS BUT  
14 NOT MORE THAN QUARTERLY.

15 (f) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2017.  
16 PRIOR TO THE REPEAL, THE COMMISSION SHALL REVIEW THE PETITION  
17 PROGRAM UNDER THIS SUBSECTION (9) TO DETERMINE WHETHER THE  
18 NUMBER OF PETITIONS GRANTED JUSTIFIES THE CONTINUANCE OF THE  
19 PROGRAM. BASED UPON THIS REVIEW, THE COMMISSION SHALL MAKE  
20 RECOMMENDATIONS TO THE GENERAL ASSEMBLY WHETHER TO CONTINUE  
21 THIS SUBSECTION (9) BY OCTOBER 1, 2016.

22 **SECTION 2. Act subject to petition - effective date -**  
23 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
24 the expiration of the ninety-day period after final adjournment of the  
25 general assembly (August 8, 2012, if adjournment sine die is on May 9,  
26 2012); except that, if a referendum petition is filed pursuant to section 1  
27 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part  
2 will not take effect unless approved by the people at the general election  
3 to be held in November 2012 and, in such case, will take effect on the  
4 date of the official declaration of the vote thereon by the governor.

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