

*Colorado Legislative Council Staff Fiscal Note*  
**STATE and LOCAL  
 FISCAL IMPACT**

**Drafting Number:** LLS 08-0462  
**Prime Sponsor(s):** Rep. Stafford

**Date:** January 15, 2008  
**Bill Status:** House Agriculture  
**Fiscal Analyst:** Brad Denning (303-866-4777)

**TITLE:** CONCERNING A PROHIBITION ON THE INTENTIONAL CONFINEMENT OF ANIMALS FOR THE PURPOSE OF HUNTING.

Fiscal Impact Summary	FY 2008-2009	FY 2009-2010
<b>State Revenue</b>		
General Fund	<\$,5000	<\$,5000
Cash Funds	<\$,5000	<\$,5000
Wildlife Cash Fund		
Nongame & Endangered Wildlife Cash Fund		
<b>State Expenditures</b>		
<b>FTE Position Change</b>	0.0 FTE	0.0 FTE
<b>Effective Date:</b> Upon signature of the Governor or upon the bill becoming law without his signature.		
<b>Appropriation Summary for FY 2008-2009:</b> None.		
<b>Local Government Impact:</b> Increase in fine revenue.		

**Summary of Legislation**

The bill prohibits a person from offering another person the opportunity to hunt, wound, or take any mammal that is intentionally confined, tied, staked, caged, or otherwise restrained, regardless of the size of the enclosure. It allows exceptions for slaughtering a mammal for meat, leather, or fur production or humanely euthanizing a mammal for health, safety, or scientific reasons.

The bill also creates the following two new unclassified misdemeanors:

- a violation involving big game or endangered species is punishable by a fine of \$10,000 to \$25,000 and the suspension of wildlife license privileges; and
- a violation involving any other mammal is punishable by a fine of \$100 to \$1,000 and an assessment of 20 hunting license suspension points.

**State Revenue**

State fine revenue into the General Fund, the Wildlife Cash Fund, and the Nongame and Endangered Wildlife Cash Fund may increase in FY 2008-09 and FY 2009-10. Distribution of revenue depends upon two factors - who issues the ticket and what kind of game is involved. The General Fund is credited with 50 percent of all fines collected.

In addition, Colorado currently licenses 2 big game hunting parks and 6 wildlife producer parks where mammals can be hunted. The Division of Wildlife receives license revenues for these facilities, but any revenue loss is minimal. Under this bill, it is assumed that these parks would become illegal.

**State Expenditures**

*Judicial Department.* The bill creates two new misdemeanor causes of action and specifies fines for both. It is assumed that most will comply with these requirements and there will be a low number of cases as a result of the bill. Any costs are absorbable within the branch's existing budgetary resources.

*Natural Resources.* Costs for the regional review of applications and inspections for the 8 currently licensed parks is minimal. The bill will not affect the department's current appropriations.

**Local Government Impact**

The bill may result in increased fine revenue for local governments for any wildlife offense. Fifty percent of the fine revenue is credited to the General Fund and the other half is credited to the local government issuing the citation. At this point, the fiscal impact has not been quantified.

**Departments Contacted**

Judicial	Law	Local Affairs
Natural Resources		