

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



SENATE BILL 10-071

BY SENATOR(S) Morse, Carroll M., Foster, Johnston, Tochtrop, Williams, Newell, Schwartz, Whitehead;  
also REPRESENTATIVE(S) Riesberg, Apuan, Casso, Fischer, Gerou, Kefalas, Kerr J., King S., Pace, Roberts, Ryden, Schafer S., Solano, Todd, Vigil.

CONCERNING CREATION OF A LIFETIME PASS TO STATE PARKS AND RECREATION AREAS THAT SHALL BE AVAILABLE FOR PURCHASE BY COLORADO RESIDENTS WHO ARE OF ELIGIBLE AGE, AND MAKING AN APPROPRIATION THEREFOR.

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

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

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

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

means pass or registration.

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

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

(b) (I) A RESIDENT OF THIS STATE AS DEFINED IN SECTION 33-10-102 MAY OBTAIN FROM THE DIVISION AN ASPEN LEAF LIFETIME PASS, WHICH SHALL BE VALID FROM THE DATE THE PASS IS PURCHASED THROUGH THE LIFETIME OF THE PASS HOLDER. THE AGE OF ELIGIBILITY FOR THE ASPEN LEAF LIFETIME PASS IS THE SAME AS THAT FOR THE ASPEN LEAF ANNUAL PASS PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1). NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE FEE FOR THE ASPEN LEAF LIFETIME PASS SHALL BE SET BY RULE OF THE BOARD BUT SHALL NOT EXCEED FIVE TIMES THE COST OF THE ASPEN LEAF ANNUAL PASS.

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

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

(2) Except as provided by rule of the board, for the purpose of this section, the HOLDER OF AN aspen leaf annual pass ~~holder must~~ OR ASPEN LEAF LIFETIME PASS SHALL own in whole or in part any vehicle used to enter a park area, the vehicle ~~must~~ SHALL have a current valid registration issued by the department of revenue, and the pass holder ~~must~~ SHALL be present in

the vehicle. An aspen leaf pass ~~shall entitle~~ OR ASPEN LEAF LIFETIME PASS ENTITLES the holder to enter state park and recreation areas during the period that the pass is valid and when such areas are open.

~~(2)~~ (3) Each aspen leaf annual pass so issued shall be affixed to the vehicle for which it was issued in the manner prescribed by rule ~~or regulation~~ promulgated by the board. EACH ASPEN LEAF LIFETIME PASS SHALL BE DISPLAYED BY THE PERSON TO WHOM IT WAS ISSUED, IN THE MANNER PRESCRIBED BY THE BOARD BY RULE, WHEN THE PERSON ENTERS A STATE PARK OR STATE RECREATION AREA.

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

**SECTION 3. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the parks and outdoor recreation cash fund created in section 33-10-111 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, parks and outdoor recreation division, for state park operations, for the fiscal year beginning July 1, 2010, the sum of eight thousand eight hundred dollars (\$8,800), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 4. Act subject to petition - effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless

approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO