

2026 Legislative Priority Proposal
Updated: 9/26/25

Preventing Illegal Wildlife Harvesting	
Eagle County (Commissioner Tom Boyd)	
Preferred Contact:	tom.boyd@eaglecounty.us
Co-Sponsoring Counties/Commissioners:	Larimer County
Who is your subject matter expert?	Laura Hartman, Senior Policy Analyst, Eagle County. 970-328-8613. laura.hartman@eaglecounty.us
Has this proposal been approved by your BoCC?	Yes.
Have you reviewed the CCI Instructional Memo?	Yes.
Describe the problem your proposal will solve.	<p>There is a loophole in current law that allows for hunting wildlife on land owned by public entities with minimal consequences. Despite posted rules and local regulations restricting hunting or access, hunters have habitually hunted on county open space (for example). In this scenario, the county can only issue a civil infraction and CPW statute does not cover land owned by public entities or recognize local hunting restrictions. Hunters can simply pay the associated fine (minimal) and keep the illegally taken animal. This is a stark contrast to the consequences for an illegally taken animal on private land. These unequal protections for public lands, like county open spaces, incentivise illegal hunting with minor consequences. Hunters violating local rules bring negative impacts to local hunting programs that provide public education, mentorship, and the public's hunting access.</p> <p>Currently, a violation of local hunting rules does not impact the hunter's ability to hunt or allow for animal seizure (by CPW) of an animal taken where prohibited by local laws. If CPW considered the violation of local hunting rules as an "illegal take", then they could treat the incident as they currently do with other "illegal take" situations.</p> <p>Currently, if hunters can just pay the (maximum) \$100 civil infraction fine then they can "pay their way" out of illegally harvesting an animal. This fine is overshadowed as our county hosts hunters spending over \$30,000 for a guided or private hunting opportunity. Because of this gap, some hunters might be financially incentivized to illegally hunt on county lands and not participate in guided or private hunting.</p>

	Counties often partner with CPW on their public lands to pursue wildlife conservation goals. Allowing CPW to enforce on municipal and county public lands will better ensure conservation goals are met and solidify the integrity of existing hunting programs on county open spaces.
Areas of Impact:	Management and pursuit of conservation goals on open space lands; Public access and public safety (hunting where unsafe); Day-to-day operations of the county; Functionality of county programs or services; Power/Authority/Mandate of county government; General community advancement.
What is the ultimate source of this problem?	<p>In recent years, CPW has not been able to apply the same protections given to private lands on municipally or county owned public lands. There are no CPW statutes that recognize local hunting rules which have rapidly evolved over the last 20 years. Successful land conservation by local open space programs has created thousands of acres which are not eligible for “illegal take” protections. As these acres were secured into public ownership, the state did not afford similar hunting management as found on adjacent federal and state lands. All other public lands in Colorado have forms of site specific hunting rules, but counties and municipalities (deputies, open space rangers, etc.) have not been afforded the same powers given to state lands and have been asked to rely on CPW. Our federal lands have site specific hunting rules (National Parks, Monuments, sensitive or recreation areas on USFS/BLM) not enforced by CPW, but by federal law enforcement Rangers.</p> <p>Without CPW’s enforcement, a county’s previous option was to summon an individual for a hunting violation and attempt to involve the local District Attorney. They could pursue impacts to the hunter’s licence privileges and seizure of the animal. However, when the Colorado Legislature changed rule violations on county open space lands from a class 2 petty offence to a civil infraction they also removed the local District Attorney’s ability to act in these cases.</p>
What is your initial proposal to solve this problem?	<p>Eagle County has worked with Larimer County, law enforcement agencies, CPW, DNR, and county attorneys to identify a lead solution: amending title 33.6.120.</p> <p>This statute currently defines that it is unlawful to take an animal outside of its season or in an area closed by commission rule. Changes would further indicate that it is unlawful to take an animal in an area that is closed to hunting via a county resolution or ordinance and encourages the development of wildlife management plans in collaboration with CPW.</p>

	<p>The proposed language, below, would include other jurisdictions such as municipalities, utilities, and schools and colleges who share in the current adverse consequences of the loophole.</p> <p>DNR/CPW has a position request pending approval from the Governor's Office as of 9/23. If approved by the Gov's Office, CPW could move into a formal support role to help introduce and pass this legislation. Eagle County will provide a verbal update on 10/3 if the position request has been approved.</p>
Please provide sample language for this solution.	<p>C.R.S.A. § 33-6-120</p> <p>§ 33-6-120. Hunting, trapping, or fishing out of season or in a closed area</p> <p>(1) It is unlawful for any person to fish, trap, hunt, or take any wildlife outside of the season established by or in an area closed by commission rule, <u>or in violation of a duly adopted resolution or ordinance in an area owned, operated, or controlled by any political subdivision or state public body.</u> Any person who violates this section is guilty of a misdemeanor and, upon conviction, shall be punished by a fine and an assessment of license suspension points as follows:</p> <p>(a) For each incident that is not related to the hunting or taking of a big game animal, the fine shall be equal to twice the cost of the most expensive license for such species and ten license suspension points shall be assessed;</p> <p>(b) For the hunting or taking of big game, fifteen license suspension points and a fine that is equal to twice the cost of the most expensive license for such species shall be assessed.</p> <p><u>(c) The governing body of any political subdivision or state public body is authorized to restrict, regulate or prohibit any activity in this section through the adoption of a resolution or ordinance. Nothing in this section shall prohibit the Colorado Division of Parks and Wildlife and any political subdivision or state public body from entering into wildlife management agreements.</u></p>
Are there any solutions that do not require state-level legislation? Has your county explored these alternatives?	<p>Eagle County has engaged with our Sheriff, local Wildlife Managers, and regional CPW staff to address the issue. After much consultation, DNR and CPW came to the table to indicate they prefer a change in statute as the best way to address the loophole and indicated 33.6.120 is the proper change.</p>

Has CCI or any other organizations sought a solution to this problem before?	Eagle County staff worked with the Rocky Mountain Ranger Association to take up the issue. Their board sent a letter to CPW staff supporting a rule change that would close this “gap” or “loophole” in CPW’s ability to enforce. CPW attempted to manage this with rulemaking, but was unsuccessful and now favors a statutory change.
What possible organization(s) would support your proposed solution?	The Rocky Mountain Ranger Association, CPW/DNR, CML, Colorado Mountain College, Denver Water, State Land Board, and potentially the Colorado Sheriff’s Association.
What possible organization(s) would oppose your proposed solution?	Potential opposition from hunters who will see an equalization of penalties.
Have you spoken with any legislators about your proposed solution? If so, what was their response?	No, we have not contacted legislators.
What are the financial implications of this problem to your county? Are there any financial implications to this solution either?	Administrative and staff time is increasingly spent on hunting enforcement at local open space lands. Hunting in Eagle County brings income and financial benefit to our local economy. Illegal hunting on county open space land negatively impacts our local conservation efforts to improve herd numbers. While there is no actual fiscal loss “number” associated with fewer animals to hunt, the derailing of our conservation efforts may reduce the economic benefits we receive from hunters.
What are the financial implications of this problem to any other impacted parties? What are the financial implications of this solution to any other impacted parties? <i>Please consider any relevant Colorado State Departments.</i>	There could be increased costs to CPW for enforcing local hunting ordinances. However, just the closing of the loophole and increase in potential consequences for ignoring local hunting ordinances will serve as a deterrent for illegal wildlife harvesting on open space. So, we believe additional enforcement from CPW would be minimal. The change in law would result in the desired behavior change. CPW indicated that their funding for this would not come from the General Fund. So, there would be no fiscal note.
Staff Feedback	<u>Risk/Difficulties:</u> Medium – While a simple problem, which many have acknowledged exists, it does appear that there are numerous methods by which to solve it, which each have their own unique hurdles & opponents. Initially, DNR has shown interest in working towards a solution, which may

	<p>be possible through their existing rulemaking authority without further legislative action, and conversations are underway to identify possible paths forward.</p> <p><u>Time Commitment:</u> High – Negotiating with the various stakeholders and identifying the 'right' solution will take significant time; further time commitment, will depend on which solution is being sought.</p>
--	--