

HB1051_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health, Insurance, & Environment.

HB18-1051 be amended as follows:

1 Amend printed bill, page 2, strike everything below the enacting clause
2 and substitute following:

3 "SECTION 1. In Colorado Revised Statutes, **amend** 30-15-201
4 as follows:

5 **30-15-201. Penalty for leaving campfire unattended.** (1) (a) It
6 ~~is the duty of the board of county commissioners of each county in this~~
7 ~~state to cause to be erected and maintained, at suitable distances and in~~
8 ~~conspicuous places (at the side of the main-traveled highways of each~~
9 ~~county and at such other places in each county as each board may deem~~
10 ~~proper), notices printed in large letters on suitable signboards stating that~~
11 ~~campfires must not be left unattended and must be totally extinguished~~
12 ~~before breaking or leaving camp and that violators are subject to a~~
13 ~~fifty-dollar fine. Any person who leaves STARTS OR MAINTAINS A~~
14 ~~CAMPFIRE COMMITS THE OFFENSE OF LEAVING a campfire unattended~~
15 ~~commits a class 2 petty offense and, upon conviction thereof, shall be~~
16 ~~punished by a fine of fifty dollars IF HE OR SHE KNOWINGLY OR~~
17 ~~RECKLESSLY:~~

18 (I) FAILS TO REASONABLY ATTEND THE CAMPFIRE AT ALL TIMES:
19 OR

20 (II) FAILS TO THOROUGHLY EXTINGUISH THE CAMPFIRE BEFORE
21 LEAVING THE SITE.

22 (b) (I) A PERSON WHO COMMITS THE OFFENSE OF LEAVING A
23 CAMPFIRE UNATTENDED COMMITS A CLASS 2 PETTY OFFENSE AND, UPON
24 CONVICTION OF THE OFFENSE, SHALL BE PUNISHED BY A FINE OF FIFTY
25 DOLLARS.

26 (II) A PERSON WHO COMMITS THE OFFENSE OF LEAVING A
27 CAMPFIRE UNATTENDED WHERE THE CAMPFIRE IS LOCATED IN A FORESTED
28 OR GRASSLAND AREA COMMITS A CLASS 3 MISDEMEANOR AND, UPON
29 CONVICTION OF THE OFFENSE, SHALL BE PUNISHED BY A MINIMUM
30 SENTENCE OF A FIFTY DOLLAR FINE UP TO A MAXIMUM SENTENCE OF SIX
31 MONTHS IMPRISONMENT OR A SEVEN HUNDRED FIFTY DOLLAR FINE, OR
32 BOTH.

33 (2) ~~The erection of such notices shall be at the expense of each~~
34 ~~county, and at least twenty notices shall be posted and maintained in each~~
35 ~~county in this state. The board of governors of the Colorado state~~
36 ~~university system may also post similar notices, signed by the board and~~
37 ~~erected and maintained at its expense, at such points throughout the state~~
38 ~~as it deems necessary or expedient.~~

39 **SECTION 2.** In Colorado Revised Statutes, 33-15-106, **amend**

1 (1)(a) and (2)(a) as follows:
2 **33-15-106. Fires.** (1) On any property under the control of the
3 division, it is unlawful for any person to:
4 (a) ~~Leave a fire unattended or fail~~ START OR MAINTAIN A FIRE IF
5 HE OR SHE KNOWINGLY OR RECKLESSLY FAILS TO REASONABLY ATTEND
6 THE FIRE AT ALL TIMES OR FAILS to thoroughly extinguish a THE fire before
7 leaving it THE SITE;
8 (2) (a) Any person who violates ~~paragraph (a) of subsection (1)~~
9 SUBSECTION (1)(a) of this section is guilty of a ~~class 2 petty offense~~ CLASS
10 3 MISDEMEANOR and, upon conviction thereof, shall be punished by a ~~fine~~
11 ~~of fifty dollars~~ A MINIMUM SENTENCE OF A FIFTY DOLLAR FINE UP TO A
12 MAXIMUM SENTENCE OF SIX MONTHS IMPRISONMENT OR A SEVEN
13 HUNDRED FIFTY DOLLAR FINE, OR BOTH.
14 **SECTION 3. Effective date - applicability.** This act takes effect
15 July 1, 2018, and applies to offenses committed on or after said date.
16 **SECTION 4. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety."

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