

CHAPTER 225

AGRICULTURE

HOUSE BILL 25-1283

BY REPRESENTATIVE(S) Duran and Winter T., Bacon, Bird, Brown, Hamrick, Lieder, Lindsay, Lukens, Mauro, McCormick, Ricks, Sirota, Smith, Stewart K., Willford, Clifford, Marshall, Phillips, Soper, McCluskie;
also SENATOR(S) Marchman and Liston, Jodeh, Michaelson Jenet.

AN ACT

CONCERNING MEASURES THAT IMPLEMENT THE WILD HORSE WORKING GROUP'S LEGISLATIVE RECOMMENDATIONS.

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

SECTION 1. In Colorado Revised Statutes, 35-1-119, **repeal** (2) as follows:

35-1-119. Wild horse population management. (2) ~~This section is repealed, effective December 31, 2025.~~

SECTION 2. In Colorado Revised Statutes, 35-66-101, **amend** (6); and **repeal** (4), (5), (7), and (9) as follows:

35-66-101. Definitions. As used in this article 66, unless the context otherwise requires:

(4) ~~"Director" means the director of the wild horse project.~~

(5) ~~"Fertility control program" means the wild horse fertility control program created in section 35-66-107(1).~~

(6) "Fund" means the wild horse ~~project~~ fund created in section 35-66-104 (1).

(7) ~~"Stewardship program" means the wild horse stewardship program created in section 35-66-106(1).~~

(9) ~~"Wild horse project" means the Colorado wild horse project created in section 35-66-102(1).~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 3. In Colorado Revised Statutes, **repeal** 35-66-102, 35-66-106, and 35-66-107.

SECTION 4. In Colorado Revised Statutes, 35-66-103, **amend** (1) as follows:

35-66-103. Wild horse management report - repeal. (1) On or before January 31, 2024, and on or before January 31 of each year thereafter, the department shall submit a written report to the governor and the appropriate committees of reference as determined in accordance with section 2-7-203 (1). The department shall also present the report to the appropriate joint committee of reference, in accordance with section 2-7-203 (2), as part of the department's "SMART Act" hearing. The report must include a description of the money spent, grants made, and actions taken to implement this article 66, including the number of horses treated, ~~under the fertility control program~~, the number of foals born the prior year in each herd management area, and the actions taken and accomplished in accordance with ~~the stewardship program~~ THIS ARTICLE 66.

SECTION 5. In Colorado Revised Statutes, 35-66-104, **amend** (1)(b) and (4); and **repeal** (2)(b)(II) as follows:

35-66-104. Wild horse fund - legislative declaration - repeal. (1) (b) The wild horse ~~project~~ fund is created in the state treasury. The fund consists of gifts, grants, and donations; payments from the federal government in connection with assisting in the management of wild horses; and any other money that the general assembly may appropriate or transfer to the fund.

(2) (b) (II) ~~This subsection (2)(b) will be repealed when the department creates the wild horse project. The commissioner shall notify the revisor of statutes in writing of the date on which the condition specified in this subsection (2)(b) has occurred by e-mailing the notice to revisorofstatutes.ga@coleg.gov. This subsection (2)(b) is repealed, effective upon the date identified in the notice that the department has created the wild horse project or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes.~~

(4) ~~The wild horse project~~ DEPARTMENT may seek and accept gifts, grants, or donations from private or public sources for the purposes of SECTION 35-1-119 AND this article 66. ~~The wild horse project shall transmit all money received as gifts, grants, or donations under this subsection (4) to The state treasurer who shall credit the money~~ GIFT, GRANT, OR DONATION to the fund.

SECTION 6. In Colorado Revised Statutes, **add** 35-66-108, 35-66-109, and 35-66-110 as follows:

35-66-108. Wild horse fertility - immunocontraception - grants - annual reporting. (1) THE DEPARTMENT MAY IMPLEMENT AN IMMUNOCONTRACEPTION PROGRAM. THE DEPARTMENT MAY PROVIDE STAFF AND MATERIAL SUPPORT FOR IMMUNOCONTRACEPTION FOR WILD HORSES IN HERD MANAGEMENT AREAS TO KEEP WILD HORSE POPULATIONS AT THE DESIGNATED APPROPRIATE MANAGEMENT LEVELS IN EACH HERD MANAGEMENT AREA. THE DEPARTMENT MAY CONSIDER USING DIFFERENT OR ADDITIONAL SCIENTIFICALLY PROVEN IMMUNOCONTRACEPTIVE

FERTILITY CONTROL METHODS AFTER CONSULTING WITH THE WILD HORSE ADVISORY COMMITTEE. THE MATERIAL SUPPORT MAY INCLUDE:

- (a) USING STATE EMPLOYEES TO OR CONTRACTING WITH AGENTS TO ADMINISTER IMMUNOCONTRACEPTION;
- (b) PROVIDING FUNDING TO OR ADMINISTRATIVE SUPPORT TO OTHER STATE AGENCIES, FEDERAL AGENCIES, AND NONPROFIT ENTITIES TO HIRE EMPLOYEES OR CONTRACT WITH AGENTS TO ADMINISTER IMMUNOCONTRACEPTION;
- (c) COORDINATING EVENTS WHERE IMMUNOCONTRACEPTION IS ADMINISTERED;
- (d) BUYING OR FUNDING THE PURCHASE OF EQUIPMENT, SUCH AS VEHICLES, OR TECHNOLOGY, SUCH AS EQUINE FACIAL RECOGNITION SOFTWARE, TO SUPPORT IMMUNOCONTRACEPTION; AND
- (e) COORDINATING WITH EDUCATIONAL INSTITUTIONS TO PROVIDE TRAINING OF, CERTIFICATION OF, OR INTERNSHIPS TO INDIVIDUALS ADMINISTERING IMMUNOCONTRACEPTION.

35-66-109. Duties and powers. (1) THE DEPARTMENT MAY PRIMARILY ADDRESS FEDERALLY PROTECTED WILD HORSES BUT MAY ALSO ADDRESS NONFEDERALLY PROTECTED WILD HORSES.

(2) TO IMPLEMENT THIS ARTICLE 66, THE DEPARTMENT MAY, WHEN REASONABLE AND EFFECTIVE:

- (a) EXPANDEFFORTS TO ENGAGE NONPROFIT ORGANIZATIONS AND FOUNDATIONS, SUCH AS COMMUNITY FOUNDATIONS AND VETERANS' ORGANIZATIONS, THAT ARE NOT NORMALLY ASSOCIATED WITH WILD HORSE ADVOCACY ORGANIZATIONS;
- (b) ENGAGE INDIVIDUALS AND BUSINESSES FOR FUNDING, PROMOTION, AND EDUCATION THROUGH HORSE SPONSORSHIPS THAT LICENSE, LEVERAGE, OR USE ICONIC WILD HORSE IMAGERY; AND
- (c) DEVELOP AN ENGAGING LOGO AND BRAND TO EMOTIONALLY AND FINANCIALLY CONNECT THE PUBLIC AND POTENTIAL SUPPORTERS TO THE PURPOSES DESCRIBED IN THIS ARTICLE 66.

(3) THE DEPARTMENT MAY PROVIDE STAFF, RESOURCES, OR INFORMATION TO:

- (a) DEVELOP A SYSTEM OF SHARED EQUIPMENT AND STAFF EXPERTISE TO LOAN TO PRIVATE ADOPTERS, SANCTUARIES, PRESERVES, AND REFUGES;
- (b) DEVELOP TRAINING PROGRAMS AND CERTIFICATIONS FOR HORSE TRAINERS TO ASSIST IN MAKING HORSES MORE ADOPTABLE AND IN TRAINING PEOPLE TO BE SUCCESSFUL HORSE ADOPTERS;
- (c) COOPERATE WITH THE BUREAU TO DEVELOP ADDITIONAL TRAINING, HOLDING, OR ADOPTION OPPORTUNITIES; AND

(d) COOPERATE WITH THE DEPARTMENT OF CORRECTIONS TO CREATE AND EXPAND OPPORTUNITIES FOR INDIVIDUALS CONFINED IN A CORRECTIONAL FACILITY TO HELP THE DEPARTMENT IMPLEMENT THIS ARTICLE 66.

35-66-110. Wild horse advisory committee - membership - definition - repeal - subject to review. (1) AS USED IN THIS SECTION, "ADVISORY COMMITTEE" MEANS THE WILD HORSE ADVISORY COMMITTEE CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THE WILD HORSE ADVISORY COMMITTEE IS CREATED IN THE DEPARTMENT TO ADVISE THE COMMISSIONER AND THE DEPARTMENT ON ISSUES CONCERNING WILD HORSES IN COLORADO BEGINNING ON JULY 1, 2026.

(3) THE ADVISORY COMMITTEE CONSISTS OF AT LEAST FOURTEEN MEMBERS, INCLUDING THE FOLLOWING REPRESENTATION:

(a) THE COMMISSIONER SHALL APPOINT:

(I) A REPRESENTATIVE OF THE GOVERNOR'S OFFICE;

(II) A REPRESENTATIVE OF THE DEPARTMENT OF NATURAL RESOURCES;

(III) A REPRESENTATIVE OF THE COLORADO TOURISM OFFICE;

(IV) A REPRESENTATIVE OF THE DEPARTMENT;

(V) AN AT-LARGE REPRESENTATIVE, APPOINTED IN CONSULTATION WITH THE MAJORITY LEADER OF THE SENATE AND THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(VI) AN AT-LARGE REPRESENTATIVE, APPOINTED IN CONSULTATION WITH THE MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(VII) TWO REPRESENTATIVES OF NONPROFIT ADVOCACY ORGANIZATIONS THAT ADVOCATE FOR WILD HORSES, APPOINTED IN CONSULTATION WITH THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(VIII) A RESIDENT OF THE WESTERN SLOPE, APPOINTED IN CONSULTATION WITH THE MINORITY LEADER OF THE SENATE;

(IX) A REPRESENTATIVE OF A NONPROFIT ENVIRONMENTAL CONSERVATION ORGANIZATION, APPOINTED IN CONSULTATION WITH THE MAJORITY LEADER OF THE SENATE;

(X) TWO REPRESENTATIVES OF THE RANCHING AND GRAZING PERMIT HOLDER COMMUNITY, APPOINTED IN CONSULTATION WITH THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(XI) A REPRESENTATIVE FROM EACH OF THE LOCAL ON-RANGE WILD HORSE

ORGANIZATIONS THAT MAINTAIN MEMORANDA OF UNDERSTANDING WITH THE BUREAU TO CONDUCT ON-RANGE ACTIVITIES; AND

(XII) A REPRESENTATIVE OF THE STATE BOARD OF LAND COMMISSIONERS; AND

(b) (I) THE COLORADO STATE DIRECTOR OF THE BUREAU MAY REPRESENT THE BUREAU OR MAY APPOINT A REPRESENTATIVE OF THE BUREAU;

(II) THE SOUTHERN UTE INDIAN TRIBE MAY APPOINT A REPRESENTATIVE OF THE TRIBE;

(III) THE UTE MOUNTAIN UTE TRIBE MAY APPOINT A REPRESENTATIVE OF THE TRIBE; AND

(IV) THE REGION TWO REGIONAL FORESTER OF THE UNITED STATES FOREST SERVICE MAY APPOINT A REPRESENTATIVE OF THE UNITED STATES FOREST SERVICE.

(4) THE COMMISSIONER SHALL MAKE THE INITIAL APPOINTMENTS TO THE ADVISORY COMMITTEE NO LATER THAN JULY 1, 2026.

(5) EACH MEMBER OF THE ADVISORY COMMITTEE WHO IS APPOINTED UNDER SUBSECTION (3) OF THIS SECTION SERVES AT THE PLEASURE OF THE APPOINTING AUTHORITY. THE TERM OF APPOINTMENT IS FOUR YEARS.

(6) MEMBERS OF THE ADVISORY COMMITTEE SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES FROM THE STATE; EXCEPT THAT MEMBERS WHO ARE STATE EMPLOYEES MAY BE COMPENSATED AS STATE EMPLOYEES, AND MEMBERS WHO ARE LEGISLATIVE MEMBERS ARE PAID IN THE SAME MANNER AS PROVIDED IN SECTION 2-2-307 (3).

(7) (a) THE COMMISSIONER SHALL ORGANIZE AND CALL THE FIRST MEETING OF THE ADVISORY COMMITTEE.

(b) THE ADVISORY COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS, AS DETERMINED BY THE ADVISORY COMMITTEE.

(c) THE ADVISORY COMMITTEE SHALL MEET AT LEAST ONCE EVERY YEAR. THE CHAIR OR THE COMMISSIONER MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE ADVISORY COMMITTEE TO COMPLETE ITS DUTIES.

(8) THE ADVISORY COMMITTEE SHALL ADVISE THE COMMISSIONER AND THE DEPARTMENT CONCERNING:

(a) FINANCIAL AND MATERIAL SUPPORT FOR WILD HORSE ADOPTERS, SANCTUARIES, PRESERVES, AND REFUGES IN COLORADO;

(b) THE CONTENT AND DELIVERY OF OUTREACH, EDUCATION, TRAINING, AND CERTIFICATION REGARDING WILD HORSES IN COLORADO;

(c) WORKING WITH THE BUREAU AND WILD HORSE PRESERVES, SANCTUARIES, AND

REFUGES TO COORDINATE THE MOVEMENT OF WILD HORSES OFF HERD MANAGEMENT AREAS AND OTHER LANDS INTO TEMPORARY HOLDING, ADOPTION EVENTS, AND OTHER NONLETHAL OPTIONS;

(d) COORDINATING OR ASSISTING WITH COMPLIANCE CHECKS TO ENSURE THAT ADOPTED WILD HORSES ARE WELL CARED FOR AND THAT WILD HORSE ADOPTERS HAVE THE SUPPORT NEEDED TO SUCCESSFULLY CARE FOR WILD HORSES;

(e) COORDINATING AND COOPERATING WITH THE BUREAU AND OTHER PEOPLE TO ENSURE COMPREHENSIVE INFORMATION ABOUT ADOPTION AND ADOPTION SUCCESS IS WIDELY PUBLICIZED AND IS AVAILABLE TO THE PUBLIC AND WILD HORSE ADOPTERS IN A TIMELY MANNER;

(f) ANY DIFFERENT OR ADDITIONAL SCIENTIFICALLY PROVEN IMMUNOCONTRACEPTIVE FERTILITY CONTROL METHOD THE DEPARTMENT MAY CONSIDER USING; AND

(g) HUMANE, NONLETHAL ALTERNATIVES TO LONG-TERM CONFINEMENT FOR WILD HORSES THAT ARE TAKEN OFF COLORADO'S WILD HORSE RANGES OR HELD IN FEDERAL HOLDING FACILITIES.

(9) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2030. BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

SECTION 7. In Colorado Revised Statutes, 2-3-1203, **add** (21)(a)(II) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (21) (a) The following statutory authorizations for designated advisory committees will repeal on September 1, 2030:

(II) THE WILD HORSE ADVISORY COMMITTEE CREATED IN SECTION 35-66-110.

SECTION 8. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; 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 will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 22, 2025