

CHAPTER 223

NATURAL RESOURCES

SENATE BILL 25-053

BY SENATOR(S) Danielson, Amabile, Ball, Bridges, Cutter, Exum, Gonzales J., Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Sullivan, Wallace, Weissman, Winter F., Coleman;
also REPRESENTATIVE(S) Joseph and Velasco, Duran, Brown, Jackson, Lindsay, Rutinel, Valdez.

AN ACT

CONCERNING THE CLASSIFICATION OF BISON AS WILDLIFE UNLESS CLASSIFIED AS LIVESTOCK, AND,
IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) The history of the American bison is deeply intertwined with the history of indigenous peoples in North America. Once roaming the continent in vast herds numbering in the tens of millions, bison are a cornerstone of life for many American Indians and are revered as sacred relatives. Many American Indians and Tribal Nations continue to rely upon bison for survival, including for food, shelter, and clothing.

(b) Among many tribal nations, the buffalo is regarded as a sacred relative. This relationship is deeply embedded in ceremonial traditions, including the Sundance, the Buffalo Ceremony, and the White-Buffalo Calf-Woman teachings. These ceremonies are not simply historical relics but are actively practiced today, reinforcing the spiritual, cultural, and communal well-being of native people. Additionally, many other tribes have traditional buffalo dances and other sacred rites honoring the buffalo's spiritual role. These ceremonies are vital to the continuation of traditional ways of life and connection to the natural world.

(c) Recognizing the bison's critical role in the livelihood of indigenous peoples and in the campaign to continue European claim and control over lands inhabited by indigenous peoples, the United States government implemented a scorched-earth policy, granting military commanders the authority to decimate bison populations;

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.

(d) Over a span of 40 years, more than 30 million bison were killed. This mass extermination was not only wasteful and inhumane but also a calculated effort to undermine the cultural and physical survival of indigenous peoples.

(e) Colonel Richard Irving Dodge infamously declared, "Kill every buffalo you can! Every buffalo dead is an Indian gone." The policy of killing bison had devastating impacts on American Indians and Tribal Nations and played a significant role in the federal government's efforts to destroy tribal sovereignty. The resulting food and cultural scarcity played a significant role in the forced relocation of the plains peoples from Colorado in the late 1860s. It also contributed to the pressures restricting the Ute people to western Colorado.

(f) By the time Colorado achieved statehood in 1876, hunting and habitat destruction caused by the development of farms, cities, and railroads had reduced the bison population to only a few hundred south of the Platte river;

(g) Colorado seeks to protect, serve, and honor the enduring bond between bison and American Indians and Tribal Nations by classifying certain bison as wildlife; and

(h) This action represents a step toward making amends for the attempted genocide of American Indians through the eradication of their food source, the bison.

SECTION 2. In Colorado Revised Statutes, 33-1-102, **amend** (2) and (51); and **add** (2.6) as follows:

33-1-102. Definitions - rules. As used in this title 33, unless the context otherwise requires:

(2) "Big game" means elk, white-tailed deer, mule deer, moose, rocky mountain bighorn sheep, desert bighorn sheep, rocky mountain goat, pronghorn antelope, black bear, mountain lion, BISON THAT ARE WILDLIFE, and all species of large mammals that may be introduced or transplanted into this state for hunting or are classified as big game by the commission.

(2.6) "BISON" MEANS THE UNGULATE CLASSIFIED AS THE SPECIES BOS BISON OR BISON BISON, KNOWN AS THE AMERICAN BISON.

(51) (a) "Wildlife" means wild vertebrates, mollusks, and crustaceans, whether alive or dead, including any part, product, egg, or offspring thereof, that exist as a species in a natural wild state in their place of origin, presently or historically, except those species determined to be domestic animals by rule or regulation by OF the commission and the state agricultural commission. Such determination within this statute shall not affect other statutes or court decisions determining injury to persons or damage to property ~~which~~ THAT depend on the classification of animals by such statute or court decision as wild or domestic animals.

(b) "WILDLIFE" DOES NOT INCLUDE:

(I) PRIVATELY OWNED CATTLE, INCLUDING PRIVATELY OWNED BISON, BISON

LEGALLY REDUCED TO CAPTIVITY, OR BISON THAT HAVE ESCAPED LAWFUL CAPTIVITY; OR

(II) BISON OWNED BY OR LAWFULLY REDUCED TO CAPTIVITY BY AN INDIAN TRIBE.

SECTION 3. In Colorado Revised Statutes, 33-4-102, **add** (1.4)(cc) as follows:

33-4-102. Types of licenses and fees - rules. (1.4) Except as otherwise provided in subsections (1.5) and (1.6) of this section, the division may issue the following resident and nonresident licenses and shall collect the following fees:

	Fees	
	Resident	Nonresident
(cc) BISON	374.22	2,756.74

SECTION 4. In Colorado Revised Statutes, 33-6-109, **amend** (3) introductory portion, (3)(b), and (3.4)(a)(VII); and **add** (3.4)(a)(VIII) as follows:

33-6-109. Wildlife - illegal possession. (3) A person ~~who~~ THAT violates subsection (1) or (2) of this section is guilty of a misdemeanor and, depending upon the wildlife involved, shall be punished upon conviction by a fine or imprisonment, or both, and license suspension points or suspension or revocation of license privileges as follows:

(b) For each BISON, bald eagle, golden eagle, rocky mountain goat, desert bighorn sheep, American peregrine falcon, or rocky mountain bighorn sheep, a fine of not less than one thousand dollars and not more than one hundred thousand dollars, or by imprisonment for not more than one year in the county jail, or both such fine and such imprisonment, and an assessment of twenty points. Upon conviction, the commission may suspend any or all license privileges of the person for a period of one year to life. A person ~~who~~ THAT possesses all or a part of a bald eagle or golden eagle shall not be in violation of this section if the possession is authorized by 50 CFR 22.

(3.4) (a) In addition to the criminal penalties listed in subsection (3) of this section, there may be assessed a further penalty in the following amount for each of the following big game animals illegally taken:

(VII) For each pronghorn antelope with a horn length of at least fourteen inches, four thousand dollars; OR

(VIII) FOR EACH BISON, TEN THOUSAND DOLLARS.

SECTION 5. In Colorado Revised Statutes, 33-6-110, **amend** (1) introductory portion and (1)(a) as follows:

33-6-110. Division action to recover possession and value of wildlife unlawfully taken. (1) The division may bring and maintain a civil action against any person, in the name of the people of the state, to recover possession or value or

both possession and value of any wildlife taken in violation of articles 1 to 6 of this ~~title~~ TITLE 33. A writ of replevin may issue in such an action without bond. No previous demand for possession shall be necessary. If costs or damages are adjudged in favor of the defendant, the same shall be paid out of the wildlife cash fund ~~CREATED IN SECTION 33-1-112~~. Neither the pendency of such civil action nor a criminal prosecution for the same taking shall be a bar to the other; nor shall anything in this section affect the right of seizure under other provisions of articles 1 to 6 of this ~~title~~ TITLE 33. The following shall be considered the minimum value of the wildlife unlawfully taken or possessed and may be recovered in addition to recovery of possession of the wildlife:

- (a) For each BISON, eagle, member of an endangered species, rocky mountain goat, moose, rocky mountain bighorn
sheep, or lynx\$ 1,000

SECTION 6. Appropriation. For the 2025-26 state fiscal year, \$75,000 is appropriated to the department of natural resources for use by the division of parks and wildlife. This appropriation is from the wildlife cash fund created in section 33-1-112 (1)(a), C.R.S. To implement this act, the division may use this appropriation for wildlife operations.

SECTION 7. Act subject to petition - effective date. This act takes effect January 1, 2026; 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 the ninety-day period after final adjournment of the general assembly, 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