

NOTE: This bill has been prepared for the signatures 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.

An Act

HOUSE BILL 22-1168

BY REPRESENTATIVE(S) McKean and Mullica, Bockenfeld, Bradfield, Catlin, Geitner, Gray, Holtorf, Lynch, Pelton, Pico, Ransom, Rich, Roberts, Van Beber, Will, Woog, Baisley, Bird, Carver, Duran, Esgar, Lontine, Luck, McCluskie, Ricks, Sandridge, Snyder, Valdez D., Bennett, Lindsay, McLachlan, Soper, Woodrow;
also SENATOR(S) Woodward and Ginal, Bridges, Cooke, Donovan, Gardner, Hinrichsen, Hisey, Holbert, Kirkmeyer, Liston, Lundeen, Priola, Scott, Simpson, Smallwood, Sonnenberg, Winter, Fenberg.

CONCERNING PERMITTING PUBLIC SCHOOLS TO PROVIDE A HUNTER EDUCATION COURSE TO SEVENTH GRADE STUDENTS.

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

SECTION 1. In Colorado Revised Statutes, **add** 22-1-134 as follows:

22-1-134. Hunter education course - gifts, grants, or donations - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT OR ANY OF THE FOLLOWING THAT ENROLLS STUDENTS IN THE SEVENTH GRADE:

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.

(a) A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22;

(b) A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22;
OR

(c) A BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT OPERATES ONE OR MORE PUBLIC SCHOOLS.

(2) A LOCAL EDUCATION PROVIDER MAY OFFER A HUNTER EDUCATION COURSE AS AN ELECTIVE COURSE TO SEVENTH-GRADE STUDENTS, EITHER FOR CREDIT OR NOT FOR CREDIT, IF THE LOCAL EDUCATION PROVIDER:

(a) ENTERS INTO AN AGREEMENT PURSUANT TO SUBSECTION (3)(c) OF THIS SECTION WITH AN INDIVIDUAL OR ENTITY TO PROVIDE A HUNTER EDUCATION COURSE AT NO COST TO THE LOCAL EDUCATION PROVIDER OR ANY STUDENT ENROLLED IN THE COURSE; AND

(b) RECEIVES GIFTS, GRANTS, OR DONATIONS IN AN AMOUNT SUFFICIENT TO PAY ANY COSTS TO THE LOCAL EDUCATION PROVIDER THAT ARISE FROM PROVIDING A HUNTER EDUCATION COURSE PURSUANT TO THIS SECTION.

(3) (a) A HUNTER EDUCATION COURSE OFFERED PURSUANT TO THIS SECTION MUST:

(I) SATISFY THE SAME REQUIREMENTS AS A HUNTER EDUCATION COURSE CERTIFIED BY THE DIVISION OF PARKS AND WILDLIFE, AS DESCRIBED IN SECTION 33-6-107 (8); EXCEPT THAT THE COURSE IS NOT REQUIRED TO INCLUDE HANDS-ON ACTIVITIES THAT MAY OTHERWISE BE REQUIRED BY THE DIVISION OF PARKS AND WILDLIFE; AND

(II) BE TAUGHT BY AN INSTRUCTOR CERTIFIED BY THE DIVISION OF PARKS AND WILDLIFE.

(b) A HUNTER EDUCATION COURSE OFFERED PURSUANT TO THIS

SECTION MAY INCLUDE HANDS-ON ACTIVITIES, BUT A LOCAL EDUCATION PROVIDER CANNOT REQUIRE A STUDENT TO PARTICIPATE IN THE HANDS-ON ACTIVITIES AS A CONDITION OF ENROLLMENT IN, OR SATISFACTORY COMPLETION OF, A HUNTER EDUCATION COURSE. A STUDENT MAY ONLY PARTICIPATE IN HANDS-ON ACTIVITIES WITH THE PERMISSION OF THE STUDENT'S PARENT OR LEGAL GUARDIAN.

(c) PRIOR TO OFFERING A HUNTER EDUCATION COURSE PURSUANT TO THIS SECTION, A LOCAL EDUCATION PROVIDER MUST ENTER INTO AN AGREEMENT WITH AN INDIVIDUAL OR ENTITY THAT OFFERS HUNTER EDUCATION COURSES CERTIFIED BY THE DIVISION OF PARKS AND WILDLIFE TO PROVIDE THE HUNTER EDUCATION COURSE AT NO COST TO THE LOCAL EDUCATION PROVIDER OR ANY STUDENT ENROLLED IN THE COURSE. FOR THE PURPOSES OF THIS SECTION, A HUNTER EDUCATION COURSE PROVIDED PURSUANT TO AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3)(c) IS CONSIDERED A HUNTER EDUCATION COURSE OFFERED BY THE LOCAL EDUCATION PROVIDER.

(4) THIS SECTION DOES NOT CONSTITUTE A WAIVER OF ANY APPLICABLE STATE OR FEDERAL LAW.

(5) A LOCAL EDUCATION PROVIDER MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(6) NOTHING IN THIS SECTION PRECLUDES A LOCAL EDUCATION PROVIDER FROM OFFERING HUNTER EDUCATION COURSES AS AN ELECTIVE COURSE IN ANY OTHER GRADE.

(7) (a) A HUNTER EDUCATION COURSE OFFERED PURSUANT TO THIS SECTION SHALL ONLY ALLOW THE POSSESSION OF INERT FIREARMS AND DUMMY ROUNDS ON THE REAL ESTATE OR ANY IMPROVEMENTS ERECTED ON THE REAL ESTATE OF ANY PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL.

(b) AS USED IN THIS SUBSECTION (7), "INERT FIREARM" MEANS ANY HANDGUN, REVOLVER, PISTOL, RIFLE, OR SHOTGUN, INCAPABLE OF DISCHARGING BULLETS, CARTRIDGES, OR OTHER EXPLOSIVE CHARGES.

SECTION 2. In Colorado Revised Statutes, 33-6-107, **amend**

(8)(b) as follows:

33-6-107. Licensing violations - penalties - rule. (8) (b) In order to increase hunter recruitment and retention, the commission may promulgate a rule establishing alternative requirements to obtain a certificate of hunter education. The alternatives may include: Options to demonstrate knowledge of hunting, safety, and ethics; course delivery options; COMPLETION OF A HUNTER EDUCATION COURSE, INCLUDING ANY REQUIRED HANDS-ON ACTIVITIES, OFFERED PURSUANT TO SECTION 22-1-134; issuing temporary or apprentice certificates of hunter education; and an option to test out of the hunter education course.

SECTION 3. 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO