



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1342: NEGLIGENTLY LURING BEARS

Prime Sponsors:

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Sen. Marchman

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Published for: House Ag., Water & Natural Res.**Drafting number:** LLS 26-0394**Version:** Initial Fiscal Note**Date:** April 8, 2026**Fiscal note status:** The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill makes the existing offense of placing food or edible waste in the open with the intention of luring a wild bear a misdemeanor, and imposes an increased fine for a third offense.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- Minimal State Workload
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Under current law, a person is given a warning for the first violation of placing food or edible waste in the open with the intention of luring a wild bear, with the second and any subsequent violation charged as an unclassified misdemeanor subject to a penalty of \$200 for the first offense, \$1,000 for the second offense, and \$2,000 for the third offense.

The bill lowers the crime's mental state requirement from intention to criminal negligence and removes the warning, making the first offense a misdemeanor. The bill also raises the fine for a third or subsequent offense from \$2,000 to \$5,000.

Comparable Crime Analysis

Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

Prior Conviction Data

This bill creates a new factual basis for the existing offense of placing food or edible waste in the open with the intent of luring a wild bear, an unclassified misdemeanor, by removing the warning for the first offense and changing the threshold from intent to criminal negligence. From FY 2022-23 to FY 2024-25, zero offenders have been sentenced and convicted for this offense in a state court.

Assumptions

Between January 2024 and March 2026, Colorado Parks and Wildlife (CPW) in the Department of Natural Resources issued 14 warnings for unlawfully placing food or edible waste in the open with the intent of luring a wild bear, which would be considered a misdemeanor under the bill. Because the bill also lowers the threshold from intent to criminal negligence, the fiscal note assumes the CPW will cite 10 individuals annually for the crime of negligently luring a bear. These impacts are further discussed below. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

State Revenue

Department of Natural Resources—Colorado Parks and Wildlife

The bill is estimated to minimally increase revenue to the Wildlife Cash Fund in the CPW by up to \$2,000 annually beginning in FY 2026-27 from fines issued to individuals charged of negligently luring a bear. As discussed in the Comparable Crime Analysis, the fiscal note

assumes the CPW will issue 10 fines annually at the maximum fine of \$200 for a first offense, and minimal fines will be issued for second or subsequent offenses. Revenue to the Wildlife Cash Fund is not subject to TABOR.

Judicial Department

The bill may increase revenue from fines and court fees to the Judicial Department. Fine revenue is subject to TABOR. Any impact is expected to be minimal.

State Expenditures

Department of Natural Resources—Colorado Parks and Wildlife

The bill increases workload for the CPW to update communications and training materials; educate the public about changes to law; and perform additional work on investigations and prosecutions, including evidence collection, report writing, and providing testimony. This workload increase is absorbable within existing resources.

Judicial Department

The bill may increase workload for the trial courts in the Judicial Department to process additional criminal case filings. Any impact is expected to be minimal.

Local Government

Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute additional offenses will be minimal. District attorney offices are funded by counties.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Judicial

Natural Resources

Law

Public Safety

Local Affairs