

Colorado Revised Statutes
Search and Rescue fund

33-1-112.5. Search and rescue fund - transfer of duties.

(1) There is hereby created in the state treasury a search and rescue fund.
Such fund is

established to assist any agency or political subdivision of the state of Colorado for costs

incurred in search and rescue activities involving persons holding hunting or fishing licenses,

vessel, snowmobile, or off-highway vehicle registrations, or a hiking certificate issued pursuant

to section 33-4-118. Reimbursable costs are limited to actual operational expenses. Such

expenses shall include related training and equipment such as private and nonprivate helicopter

service, but shall not include self-propelled motor vehicles which are designed primarily for

travel on the public highways. Reimbursable costs shall not include salaries paid to persons

permanently employed by the agency or political subdivision.

(2) (a) A surcharge of twenty-five cents shall be assessed on each hunting and each fishing

license listed in section 33-4-102 (1), (1.4), and (1.5) which is sold by the division or one of its

license agents pursuant to section 33-4-101, and on each hiking certificate which is sold by the

division pursuant to section 33-4-118 (1). Receipts and interest from the surcharge shall be

deposited in the search and rescue fund created in subsection (1) of this section.

(b) A surcharge of twenty-five cents shall be assessed on each vessel, each snowmobile,

and each off-highway vehicle registration listed in section 33-12-102 (1.2) (e), (1.2) (h), (1.2)

(i), (1.2) (l), (1.3) (a), (1.3) (d), and (1.3) (e), which is sold by the division or one of its

agents pursuant to section 33-13-103, 33-14-102, or 33-14.5-102. Receipts and interest from

the surcharge shall be deposited in the search and rescue fund created in subsection (1) of this

section. To coincide with annual registration renewal schedules, the surcharge shall be

assessed on an annual basis beginning on October 1, 1992, for snowmobile registrations,

January 1, 1993, for vessel registrations, and April 1, 1993, for off-highway vehicle

registrations.

(3) All agencies and political subdivisions of the state shall have the right to make a claim

on the search and rescue fund for reimbursement of costs incurred in the performance of search

and rescue activities involving those persons specified in subsection (1) of this section. Such

claims shall be submitted to the department of local affairs for immediate consideration. Any

reimbursement claims which have been certified by the sheriff of the county in which the search

and rescue activity occurred shall be eligible for payment by the department of local affairs.

The department of local affairs shall establish rules for the procedure through which claims

shall be submitted and for payment of such claims.

(4) The search and rescue fund created in subsection (1) of this section shall be the sole

source of funds for the reimbursement of costs incurred under this section in search and rescue

activities involving those persons specified in subsection (1) of this section. The wildlife cash

fund established in section 33-1-112 and the parks and outdoor recreation cash fund

established in section 33-10-111 shall not be used for reimbursement of costs as provided in

this section.

(5) The moneys in the search and rescue fund created in subsection (1) of this section

shall be subject to annual appropriation by the general assembly for the direct and indirect

costs of the administration of this section.

(6) At the close of any fiscal year, all of the moneys remaining in the search and rescue

fund and appropriated for search and rescue expenses, after all approved claims and

administrative costs have been paid, shall be divided among those counties which have applied

to the department of local affairs for year-end grants from the search and rescue fund. The

department of local affairs shall divide such moneys among the counties, first making payment

for uncompensated searches and rescues of parents, siblings, spouses, children, or

grandchildren of persons holding hunting or fishing licenses, vessel, snowmobile, or off-highway

vehicle registrations, or a hiking certificate issued pursuant to section 33-4-118,

second making

payment for search and rescue-related training and equipment, which shall include private and

nonprivate helicopter service, but not self-propelled motor vehicles which are designed primarily

for travel on the public highways, and third making payment for other uncompensated searches.

The department of local affairs shall establish rules for applying for year-end grants from the

moneys remaining in the search and rescue fund.

(7) All rules and orders of the wildlife commission adopted before July 1, 1995, in

connection with the powers, duties, and functions transferred to the department of local affairs

pursuant to this section shall continue to be effective until revised, amended, repealed, or

nullified pursuant to law and shall be enforced by the department of local affairs. On and after

July 1, 1995, the department of local affairs shall adopt rules as required by this section. Until

rules are so adopted:

(a) References to the division of wildlife or the wildlife commission in any existing rules

and orders shall be deemed to apply to the department of local affairs; and

(b) The membership on the search and rescue advisory board shall remain unchanged;

except that the director of the department of local affairs shall appoint the following to the

advisory board:

(I) A representative of the department of local affairs; and

(II) A representative of an organization that promotes the interests of backpackers, hikers, mountain bike riders, or cross-country skiers.

(8) On July 1, 1995, all items of property, including office furniture and fixtures, books,

documents, and records of the division of wildlife and the wildlife commission relating to the

duties and functions transferred to the department of local affairs pursuant to this section are

transferred to and shall become the property of the department of local affairs.