

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0815.01 Caroline Martin x5902

SENATE BILL 25-142

SENATE SPONSORSHIP

Baisley and Cutter,

HOUSE SPONSORSHIP

Velasco,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO THE WILDFIRE RESILIENCY CODE BOARD'S**
102 **CODE IMPLEMENTATION REQUIREMENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill makes changes to the existing wildfire resiliency code board (board). The bill adds the following members to the board:

- One additional municipal representative representing rural communities who is appointed by the minority leader of the house of representatives, and one additional county representative representing rural communities who is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
Amended 2nd Reading
April 25, 2025

- appointed by the minority leader of the senate;
- One additional municipal representative representing urban communities who is appointed by the speaker of the house of representatives and one additional county representative representing urban communities who is appointed by the president of the senate;
- One additional municipal and one additional county representative representing a municipality and a county that, prior to September 30, 2023, adopted codes that provide, minimally, for wildfire-resilient structures and best practices, each appointed by the executive director;
- 2 mayors of urban municipalities and 2 mayors of rural municipalities; and
- The state water engineer or the state water engineer's designee.

The bill removes 4 members from the board, including a member representing hazard mitigation professionals, a member representing the building trades, a member representing a statewide association of nonprofit utilities, and a member representing a nonprofit home builder for affordable home ownership that serves populations with incomes under 80% of an area's median income.

The bill removes the board's ability to define the wildland-urban interface and instead defines the wildland-urban interface as land in Colorado that is:

- 3 miles or less away from the boundary of any city with a population of 100,000 or more people as of the 2020 United States census;
- 3 miles or less away from the boundary of a transit-oriented community; or
- 3 miles or less away from land that is zoned to allow 40 units or more per acre.

The bill requires each county in the state to create and present to its board of county commissioners a wildland-urban interface map designating all land within the county that is part of the wildland-urban interface. Each board of county commissioners shall approve and submit to the wildfire resiliency code board a wildland-urban interface map no later than July 1, 2026. The board shall adopt minimum codes and standards related to wildfire resiliency no sooner than the date it has received a wildland-urban interface map from every county and no later than January 1, 2027. Governing bodies have one year from the board's adoption of minimum codes and standards related to wildfire resiliency to adopt the codes.

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

1 SECTION 1. In Colorado Revised Statutes, 24-33.5-1237,
2 amend (1)(a), (2), and (3); and add (1)(a.3) and (1)(c.5) as follows:

3 24-33.5-1237. Application of wildfire resiliency codes -
4 enforcement - definitions. (1) As used in this section, unless the context
5 otherwise requires:

6 (a) "Board" means the wildfire resiliency code board created in
7 section 24-33.5-1236 (2). "ADOPTING GOVERNING BODY" MEANS A
8 GOVERNING BODY THAT HAS JURISDICTION IN AN AREA WITHIN THE
9 WILDLAND-URBAN INTERFACE AND HAS THE AUTHORITY TO ADOPT
10 BUILDING CODES OR FIRE CODES.

11 (a.3) "BOARD" MEANS THE WILDFIRE RESILIENCY CODE BOARD
12 CREATED IN SECTION 24-33.5-1236 (2).

13 (c.5) "COOPERATIVE AGREEMENT" MEANS AN AGREEMENT
14 ENTERED INTO BY THE ADOPTING GOVERNING BODY AND AT LEAST ONE
15 OTHER ENTITY, SUCH AS A THIRD-PARTY CONTRACTOR OR ANOTHER
16 GOVERNING BODY, THAT PROVIDES FOR THE ENFORCEMENT OF THE CODES.

17 (2) (a) A governing body with jurisdiction in an area within the
18 wildland-urban interface that has the authority to adopt building codes or
19 fire codes AN ADOPTING GOVERNING BODY shall adopt a code that meets
20 or exceeds the minimum standards set forth in the codes within ~~three~~ NINE
21 months of the board adopting the codes in accordance with section
22 24-33.5-1236 (4)(b)(II)(D).

23 (b) Enforcement of a code adopted pursuant to subsection (2)(a)
24 of this section shall be in accordance with the rules and regulations for
25 code enforcement by the ADOPTING governing body, OR THROUGH A
26 COOPERATIVE AGREEMENT. The period to comply with an adopted code
27 shall be in accordance with the rules and regulations of the ADOPTING

1 governing body or within three months of the date the code is adopted by
2 the ADOPTING governing body, whichever is sooner.

3 (c) The board may review a AN ADOPTING governing body's codes
4 adopted pursuant to subsection (2)(a) of this section and a AN ADOPTING
5 governing body's application of the adopted codes to determine
6 compliance with the requirements of this section. Governing ADOPTING
7 GOVERNING bodies shall cooperate with the board and be responsive to
8 any requests for information from the board made pursuant to the board's
9 review set forth in this subsection (2)(c).

10 (d) Notwithstanding subsection (2)(b) of this section, if a AN
11 ADOPTING governing body does not have rules and regulations OR A
12 COOPERATIVE AGREEMENT in place for the enforcement of a code adopted
13 pursuant to subsection (2)(a) of this section, the ADOPTING governing
14 body may request support from the division in conducting inspections and
15 enforcing the code pursuant to the division's procedures set forth in
16 section 24-33.5-1213; except that any civil penalty collected pursuant to
17 section 24-33.5-1213 (4) shall be deposited in the code board cash fund.
18 The division may charge a reasonable fee to the property owner for
19 conducting inspections and enforcing the code, and money from the fee
20 shall be deposited in the code board cash fund.

21 (3) A AN ADOPTING governing body may petition the board for a
22 modification of the codes within its jurisdiction in accordance with
23 procedures adopted by the board pursuant to section 24-33.5-1236
24 (4)(b)(IV). If the board grants the petition for modification, the
25 modification applies only within the jurisdiction that is granted the
26 modification. The order granting the petition for modification must
27 specify a date on which the modification expires, and the ADOPTING

1 governing body must petition the board before the expiration date to keep
2 the modification in effect, or the board at its discretion and through its
3 own action may extend the modification and specify a new expiration
4 date. ~~A~~ AN ADOPTING governing body may appeal a denial of a petition
5 to the board in accordance with procedures adopted by the board pursuant
6 to section 24-33.5-1236 (4)(b)(V).

7 **SECTION 2. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.