

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0377.01 Bob Lackner x4350

HOUSE BILL 20-1057

HOUSE SPONSORSHIP

Carver and McCluskie, Cutter, Snyder, Will

SENATE SPONSORSHIP

Coram and Fenberg, Ginal, Lee

House Committees

Rural Affairs & Agriculture

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE "FOREST RESTORATION AND**
102 **WILDFIRE RISK MITIGATION ACT".**

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/>.)

Wildfire Matters Review Committee. The bill makes the following modifications to the existing "Forest Restoration and Wildfire Risk Mitigation Act" (act) and, specifically, the grant program funded by the act:

! Currently, grant applicants are required to self-finance 50% of the cost of a project funded by a grant. The bill, in the

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

case of a project that is located in an area with fewer economic resources, lessens this requirement so that grant applicants are required to self-finance 25% of the total cost of the project. The forest service is required to establish a policy that specifies the criteria by which a project will satisfy such requirements.

- ! Permits a grant project eligible to receive funding to support ongoing maintenance efforts undertaken by eligible recipients to reduce the threat of large, high-intensity wildfires.
- ! Adds to the list of recipients eligible to receive grant funding a fire protection district and a nonprofit organization or entity engaged in firefighting or fire management activities.
- ! Extends the date by which the grant program will be repealed to September 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend**
3 (3), (4.5)(d), (6), and (9); **repeal** (4)(d); and **add** (4.3), (4.4), (4.5)(f), and
4 (4.5)(g) as follows:

5 **23-31-310. Forest restoration and wildfire risk mitigation**
6 **grant program - technical advisory panel - legislative declaration -**
7 **definitions - repeal.** (3) **Grant projects.** The forest service shall issue
8 a statewide request for proposals for cost-share grants for projects that are
9 designed through a collaborative community process. The projects may
10 be entirely on, or on any combination of, private, state, county, or
11 municipal forest lands. The grant share of an individual project cost must
12 not exceed fifty percent of the total cost of the project or exceed one
13 million dollars per project. IN THE CASE OF A PROJECT THAT IS LOCATED
14 IN AN AREA WITH FEWER ECONOMIC RESOURCES, THE GRANT SHARE OF AN
15 INDIVIDUAL PROJECT COST MUST NOT EXCEED SEVENTY-FIVE PERCENT OF
16 THE TOTAL COST OF THE PROJECT OR EXCEED ONE MILLION DOLLARS PER

1 PROJECT. The remaining portion of the project's funding may be in the
2 form of cash, stumpage, or in-kind contribution. IN MEASURING AN
3 IN-KIND CONTRIBUTION FOR PURPOSES OF MEETING THE FIFTY PERCENT
4 AND TWENTY-FIVE PERCENT MATCHES REQUIRED BY THIS SUBSECTION (3),
5 "IN-KIND CONTRIBUTION" MAY INCLUDE VOLUNTEER HOURS PROVIDED BY
6 THE STAFF OF AN ENTITY OR ORGANIZATION APPLYING FOR GRANT
7 FUNDING AND THE TIME FOR WHICH STAFF RECEIVES MONETARY
8 COMPENSATION IN THE FORM OF SALARY OR OTHER FINANCIAL BENEFITS.
9 SUCH COMPENSATED TIME THAT COUNTS TOWARDS THE IN-KIND
10 CONTRIBUTION IS LIMITED TO THE ESTIMATED TIME OF PAID STAFF IN
11 PLANNING AND IMPLEMENTING THE MITIGATION PROJECT. THE FOREST
12 SERVICE SHALL ESTABLISH A POLICY THAT SPECIFIES THE CRITERIA BY
13 WHICH A PARTICULAR PROJECT WILL SATISFY THE REQUIREMENT OF THIS
14 SUBSECTION (3) THAT IT IS LOCATED IN AN AREA WITH FEWER ECONOMIC
15 RESOURCES, AS APPLICABLE.

16 (4) **Eligibility requirements.** To be eligible to receive funding
17 under this section, a project must:

18 ~~(d) Include a diverse and balanced group of stakeholders as well~~
19 ~~as appropriate federal, state, county, and municipal government~~
20 ~~representatives in the design, implementation, and monitoring of the~~
21 ~~project;~~

22 (4.3) IN ADDITION TO SATISFYING SUBSECTION (4) OF THIS
23 SECTION, A GRANT PROJECT THAT RECEIVES FUNDING UNDER THIS SECTION
24 MAY ALSO SUPPORT ONGOING MAINTENANCE EFFORTS BY ELIGIBLE
25 RECIPIENTS TO REDUCE THE THREAT OF LARGE, HIGH-INTENSITY
26 WILDFIRES.

27 (4.4) **Additional funding objectives.** AS PART OF THE SUBMISSION

1 OF GRANT APPLICATIONS UNDER THIS SECTION, THE FOREST SERVICE
2 ENCOURAGES APPLICANTS TO INCLUDE ON THEIR GRANT APPLICATION
3 INFORMATION THAT INDICATES WHETHER THE PROJECT IS SUPPORTED BY
4 A DIVERSE AND BALANCED GROUP OF STAKEHOLDERS AS WELL AS
5 APPROPRIATE FEDERAL, STATE, COUNTY, AND MUNICIPAL GOVERNMENT
6 REPRESENTATIVES IN THE DESIGN, IMPLEMENTATION, AND MONITORING OF
7 THE PROJECT.

8 (4.5) **Eligible recipients.** Eligible grant recipients include:

9 (d) State agencies, such as the state land board or the division of
10 parks and wildlife, that own lands or property in areas of high risk for
11 catastrophic wildfires; ~~and~~

12 (f) A FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103
13 (7); AND

14 (g) A NONPROFIT ORGANIZATION OR ENTITY ENGAGED IN
15 FIREFIGHTING OR FIRE MANAGEMENT ACTIVITIES.

16 (6) **Proposal selection.** After consulting with the technical
17 advisory panel established in subsection (5) of this section, the forest
18 service shall select the proposals that will receive funding through this
19 section. In carrying out approved projects, the project proponents shall,
20 whenever feasible, contract with the Colorado youth corps association or
21 an accredited Colorado youth corps to provide labor. THE GENERAL
22 ASSEMBLY ENCOURAGES THE FOREST SERVICE TO MODIFY ITS
23 ADMINISTRATIVE POLICIES AND PROCEDURES UNDER THIS SECTION TO
24 ENABLE FUNDING TO BE PROVIDED TO GRANT RECIPIENTS IN MARCH TO
25 ENABLE WILDFIRE MITIGATION TO COMMENCE BEFORE THE PRIME WILDFIRE
26 SEASON STARTS IN JUNE.

27 (9) **Repeal.** This section is repealed, effective September 1, 2022

1 SEPTEMBER 1, 2029.

2 **SECTION 2. Act subject to petition - effective date.** This act
3 takes effect September 1, 2020; except that, if a referendum petition is
4 filed pursuant to section 1 (3) of article V of the state constitution against
5 this act or an item, section, or part of this act within the ninety-day period
6 after final adjournment of the general assembly, then the act, item,
7 section, or part will not take effect unless approved by the people at the
8 general election to be held in November 2020 and, in such case, will take
9 effect on the date of the official declaration of the vote thereon by the
10 governor.