

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREMENDED**

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

LLS NO. 21-1043.01 Jennifer Berman x3286

**HOUSE BILL 21-1326**

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**HOUSE SPONSORSHIP**

**McLachlan and Will,**

**SENATE SPONSORSHIP**

**Story,**

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**House Committees**

Energy & Environment  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING 2020-21 STATE FISCAL YEAR TRANSFERS FROM THE**  
102 **GENERAL FUND TO SUPPORT OUTDOOR RECREATION, AND, IN**  
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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>.)*

In the 2020-21 state fiscal year, the bill transfers \$25 million from the general fund as follows:

- **Section 1** transfers \$750,000 to the Colorado avalanche information center fund for use by the Colorado avalanche information center in the department of natural resources

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.

(department) to support backcountry avalanche safety programs;

- **Section 2** transfers \$3.5 million to the wildlife cash fund for use by the division of parks and wildlife (division) in the department to implement its statewide wildlife action plan and the conservation of native species;
- **Section 3** transfers \$2.25 million to the search and rescue fund for use by the department of local affairs in consultation with the division to support backcountry search and rescue efforts;
- **Section 4** transfers \$1 million to the outdoor equity fund for use by the division to implement the outdoor equity grant program; and
- **Section 5** transfers \$17.5 million to the parks and outdoor recreation cash fund for use by the division as follows:
  - \$3.5 million for staffing and maintenance projects; and
  - \$14 million for infrastructure and state park development projects.

**Section 6** appropriates the amounts transferred in sections 1 to 5 to the department and the department of local affairs for the uses specified in sections 1 to 5 and authorizes the use of the money through the 2023-24 state fiscal year.

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-33-116, **add** (3)  
3 as follows:

4           **24-33-116. Colorado avalanche information center - creation**  
5 **- duties - fund - repeal.** (3) (a) WITHIN THREE DAYS AFTER THE  
6 EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL  
7 TRANSFER SEVEN HUNDRED FIFTY THOUSAND DOLLARS FROM THE  
8 GENERAL FUND TO THE FUND FOR USE BY THE COLORADO AVALANCHE  
9 INFORMATION CENTER TO SUPPORT BACKCOUNTRY AVALANCHE SAFETY  
10 PROGRAMS.

11           (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
12 2024.

1           **SECTION 2.** In Colorado Revised Statutes, 33-1-112, **add** (1.5)  
2 as follows:

3           **33-1-112. Funds - cost accounting - definition - repeal.**

4           (1.5) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
5 SUBSECTION (1.5), THE STATE TREASURER SHALL TRANSFER THREE  
6 MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO  
7 THE WILDLIFE CASH FUND FOR USE BY THE DIVISION TO IMPLEMENT ITS  
8 STATE WILDLIFE ACTION PLAN AND THE CONSERVATION OF NATIVE  
9 SPECIES.

10           (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
11 2024.

12           **SECTION 3.** In Colorado Revised Statutes, 33-1-112.5, **add** (9)  
13 as follows:

14           **33-1-112.5. Search and rescue fund - repeal.** (9) (a) WITHIN  
15 THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (9), THE  
16 STATE TREASURER SHALL TRANSFER TWO MILLION TWO HUNDRED FIFTY  
17 THOUSAND DOLLARS FROM THE GENERAL FUND TO THE SEARCH AND  
18 RESCUE FUND FOR USE BY THE DEPARTMENT OF LOCAL AFFAIRS IN  
19 CONSULTATION WITH THE DIVISION TO SUPPORT BACKCOUNTRY SEARCH  
20 AND RESCUE EFFORTS, INCLUDING TO COVER RESPONSE COSTS,  
21 EQUIPMENT, AND OTHER RELATED EXPENSES.

22           (b) THE RESTRICTIONS ON USE OF MONEY SET FORTH IN THIS  
23 SECTION DO NOT APPLY TO THE DIVISION'S USE OF THE MONEY  
24 TRANSFERRED PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION.

25           (c) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
26 2024.

27           **SECTION 4.** In Colorado Revised Statutes, 33-9-206, **as added**

1       **by House Bill 21-1318 add (4) as follows:**

2               **33-9-206. Outdoor equity fund - repeal.** (4) (a) WITHIN THREE  
3       DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (4) OR WITHIN  
4       THREE DAYS AFTER THE EFFECTIVE DATE OF SUBSECTIONS (1) TO (3) OF  
5       THIS SECTION, WHICHEVER IS LATER, THE STATE TREASURER SHALL  
6       TRANSFER ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE  
7       OUTDOOR EQUITY FUND FOR USE BY THE DIVISION TO IMPLEMENT THE  
8       OUTDOOR EQUITY GRANT PROGRAM.

9               (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
10       2024.

11              **SECTION 5.** In Colorado Revised Statutes, 33-10-111, **add (1.5)**  
12       as follows:

13              **33-10-111. Parks and outdoor recreation cash fund - parks for**  
14       **future generations trust fund - creation - fees - accounting**  
15       **expenditures for roads and highways - definition - repeal.**

16       (1.5) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
17       SUBSECTION (1.5), THE STATE TREASURER SHALL TRANSFER SEVENTEEN  
18       MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO  
19       THE PARKS AND OUTDOOR RECREATION CASH FUND FOR USE BY THE  
20       DIVISION. THE DIVISION SHALL USE:

21              (I) THREE MILLION FIVE HUNDRED THOUSAND DOLLARS OF THE  
22       TRANSFERRED MONEY FOR STAFFING AND MAINTENANCE PROJECTS TO  
23       MANAGE INCREASED VISITATION TO STATE PARKS AND THE RESULTANT  
24       IMPACTS ON TRAILS AND OTHER RECREATIONAL AMENITIES; AND

25              (II) FOURTEEN MILLION DOLLARS OF THE TRANSFERRED MONEY  
26       FOR INFRASTRUCTURE AND STATE PARK DEVELOPMENT PROJECTS,  
27       INCLUDING:

1 (A) INVESTMENT IN CAMPGROUNDS, TRAILS, ROADS, RESTROOMS,  
2 AND OTHER FACILITIES;

3 (B) ANY PROJECT PLANNING OR CULTURAL OR NATURAL  
4 RESOURCES STUDIES AS NECESSARY TO COMPLETE THE PROJECTS; AND

5 (C) ANY NECESSARY EXPENSES TO ALLOW FOR THE USE OF  
6 PROPERTIES THAT THE DIVISION HOLDS FOR STATE PARKS PURPOSES.

7 (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
8 2024.

9 **SECTION 6. Appropriation.** (1) (a) For the 2020-21 state fiscal  
10 year, \$750,000 is appropriated to the department of natural resources for  
11 use by the Colorado avalanche information center (center). This  
12 appropriation is from the Colorado avalanche information center fund  
13 created in section 24-33-116 (2)(c), C.R.S., and is based on an assumption  
14 that the center will require an additional 3.0 FTE. To implement this act,  
15 the center may use this appropriation for personal services, operating  
16 expenses, and other expenses to support backcountry avalanche safety  
17 programs.

18 (b) The money appropriated pursuant to subsection (1)(a) of this  
19 section remains available for the center's use through the 2023-24 state  
20 fiscal year.

21 (2) (a) For the 2020-21 state fiscal year, \$21,000,000 is  
22 appropriated to the department of natural resources for use by the division  
23 of parks and wildlife (division) as follows:

24 (I) \$3,500,000 is from the wildlife cash fund created in section  
25 33-1-112 (1)(a), C.R.S., for use by the division to implement its state  
26 wildlife action plan and the conservation of native species;

27 

1           (II) \$3,500,000 is from the parks and outdoor recreation cash fund  
2 created in section 33-10-111 (1), C.R.S., and is based on an assumption  
3 that the division will require an additional 14.0 FTE. To implement this  
4 act, the division may use this appropriation for staffing, including for  
5 personal services and operating expenses, and maintenance projects to  
6 manage increased visitation to state parks and the resultant impacts on  
7 trails and other recreational amenities; and

8           (III) \$14,000,000 is from the parks and outdoor recreation cash  
9 fund created in section 33-10-111 (1), C.R.S., for use by the division for  
10 infrastructure and state park development projects, including:

11           (A) Investment in campgrounds, trails, roads, restrooms, and other  
12 facilities;

13           (B) Any project planning or cultural or natural resources studies  
14 as necessary to complete the projects; and

15           (C) Any necessary expenses to allow for the use of properties that  
16 the division holds for state parks purposes.

17           (b) The money appropriated pursuant to subsection (2)(a) of this  
18 section remains available for the division's use through the 2023-24 state  
19 fiscal year.

20           (3) (a) For the 2020-21 state fiscal year, \$2,250,000 is  
21 appropriated to the department of local affairs. This appropriation is from  
22 the search and rescue fund created in section 33-1-112.5 (1), C.R.S. To  
23 implement this act, the department of local affairs in consultation with the  
24 division may use this appropriation to support backcountry search and  
25 rescue efforts, including to cover response costs, equipment, and other  
26 related expenses.

27           (b) The money appropriated pursuant to subsection (3)(a) of this

1 section remains available for the department's use through the 2023-24  
2 state fiscal year.

3 **SECTION 7. Appropriation.** (1) For the 2020-21 state fiscal  
4 year, \$1,000,000 is appropriated to the department of natural resources  
5 for use by the division of parks and wildlife (division). This appropriation  
6 is from the outdoor equity fund created in section 33-9-206 (1), C.R.S. To  
7 implement this act, the division may use this appropriation to implement  
8 the outdoor equity grant program.

9 (2) The money appropriated under subsection (1) of this section  
10 remains available for the division's use through the 2023-24 state fiscal  
11 year.

12 **SECTION 8. Effective date.** This act takes effect upon passage;  
13 except that sections 4 and 7 of this act take effect only if House Bill  
14 21-1318 becomes law and take effect either upon the effective date of this  
15 act or House Bill 21-1318, whichever is later.

16 **SECTION 9. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, or safety.