

CHAPTER 17

GOVERNMENT - STATE

SENATE BILL 21-113

BY SENATOR(S) Fenberg and Rankin, Bridges, Buckner, Donovan, Gardner, Gonzales, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Moreno, Pettersen, Simpson, Story, Winter, Woodward;
also REPRESENTATIVE(S) McCluskie and Lynch, Arndt, Baisley, Bennett, Bird, Bradfield, Catlin, Cutter, Duran, Esgar, Geitner, Gray, Hooton, Jackson, Jodeh, Kipp, McCormick, McKean, McLachlan, Ortiz, Pico, Rich, Ricks, Roberts, Snyder, Titone, Valdez A., Valdez D., Young, Garnett.

AN ACT**CONCERNING STATE FUNDING OF FIREFIGHTING AIRCRAFT TO RESPOND TO WILDFIRES.**

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

SECTION 1. In Colorado Revised Statutes, 24-33.5-1226, **add** (2.5) as follows:

24-33.5-1226. Wildfire emergency response fund - creation - gifts, grants, and donations authorized. (2.5) IN ADDITION TO ANY OTHER PURPOSE FOR THE USE OF MONEY IN THE WILDFIRE EMERGENCY PREPAREDNESS FUND SPECIFIED IN THIS SECTION, THE DIVISION MAY USE MONEY IN THE FUND TO PROVIDE WILDFIRE SUPPRESSION ASSISTANCE TO COUNTY SHERIFFS, MUNICIPAL FIRE DEPARTMENTS, OR FIRE PROTECTION DISTRICTS THROUGHOUT THE STATE AT NO COST TO SUCH ENTITIES PURSUANT TO ANNUAL GUIDELINES PUBLISHED BY THE DIVISION IN THE WILDFIRE PREPAREDNESS PLAN REQUIRED BY SECTION 24-33.5-1227 (2)(a).

SECTION 2. In Colorado Revised Statutes, 24-33.5-1228, **amend** (3)(a) and (3)(c) as follows:

24-33.5-1228. Colorado firefighting air corps - creation - powers - aircraft acquisitions required - center of excellence - unmanned aircraft systems study and pilot program - Colorado firefighting air corps fund - creation - report - rules. (3) (a) The division shall administer the Colorado firefighting air corps fund, which fund is hereby created in the state treasury. The division may seek and accept gifts, grants, reimbursements, investments, bond revenues, sales proceeds, commissions for services, sponsorships, advertising fees, licensing fees, profits, or donations from private or public sources for the purposes of this section. The fund

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

consists of MONEY TRANSFERRED IN ACCORDANCE WITH SUBSECTION (3)(c) OF THIS SECTION; all money that may be appropriated to the fund by the general assembly; and all private and public funds received through gifts, grants, reimbursements, investments, bond revenues, sales proceeds, commissions for services, sponsorships, advertising fees, licensing fees, profits, or donations that are transmitted to the state treasurer and credited to the fund. All interest earned from the investment of money in the fund is credited to the fund. The money in the fund is continuously appropriated for the purposes indicated in subsection (3)(c) of this section. Any money not expended at the end of the fiscal year remains in the fund.

(c) (I) The division shall use the money in the Colorado firefighting air corps fund for the purposes of subsection (2.5) of this section and for paying the direct and indirect costs of maintaining the Colorado firefighting air corps, including expenses associated with acquisition, retrofitting, labor, equipment, supply, transportation, air, mobilization, repair, maintenance, and demobilization.

(II) ON THE EFFECTIVE DATE OF THIS SUBSECTION (3)(c)(II), THE STATE TREASURER SHALL TRANSFER THIRTY MILLION EIGHT HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE COLORADO FIREFIGHTING AIR CORPS FUND CREATED IN SUBSECTION (3)(a) OF THIS SECTION. THE DIVISION SHALL USE THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3)(c)(II) FOR THE FOLLOWING PURPOSES:

(A) THE PURCHASE BY THE DIVISION OF A FIRE HAWK HELICOPTER CONFIGURED FOR WILDFIRE AND OTHER PUBLIC SAFETY RESPONSE NEEDS; AND

(B) THE LEASING BY THE DIVISION OF A TYPE 1 HELICOPTER OR OTHER AVAILABLE AND APPROPRIATE AVIATION RESOURCE CONFIGURED FOR WILDFIRE MITIGATION IN ADVANCE OF THE 2021 WILDFIRE SEASON AND FOR THE OPERATIONAL COSTS ASSOCIATED WITH THE USE OF THE LEASED AND PURCHASED AVIATION RESOURCES.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: March 21, 2021