

CHAPTER 18

NATURAL RESOURCES

SENATE BILL 21-054

BY SENATOR(S) Hansen and Rankin, Moreno, Bridges, Buckner, Cooke, Donovan, Fenberg, Gardner, Ginal, Gonzales, Hisey, Holbert, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Pettersen, Priola, Scott, Simpson, Sonnenberg, Story, Winter, Woodward;
 also REPRESENTATIVE(S) McCluskie, Herod, Ransom, Bird, Bockenfeld, Caraveo, Cutter, Duran, Esgar, Froelich, Gonzales-Gutierrez, Gray, Hooton, Jackson, Jodeh, Kennedy, Kipp, Lontine, Lynch, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Pelton, Rich, Ricks, Roberts, Sandridge, Sirota, Snyder, Soper, Titone, Valdez A., Valdez D., Weissman, Will, Woodrow, Woog, Young, Garnett.

AN ACT

CONCERNING TRANSFERS FROM THE GENERAL FUND TO CASH FUNDS TO BE USED TO ADDRESS WILDLAND FIRES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 23-31-310, **amend** (8.7) as follows:

23-31-310. Forest restoration and wildfire risk mitigation grant program - technical advisory panel - legislative declaration - definitions - repeal. (8.7) (a) On July 1, 2017, and July 1, 2018, the state treasurer shall transfer nine hundred fifty-four thousand five hundred forty-five dollars from the general fund to the forest restoration and wildfire risk mitigation grant program cash fund.

(b) ON THE EFFECTIVE DATE OF THIS SUBSECTION (8.7)(b), THE STATE TREASURER SHALL TRANSFER SIX MILLION DOLLARS FROM THE GENERAL FUND TO THE FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT PROGRAM CASH FUND.

SECTION 2. In Colorado Revised Statutes, 24-33.5-1227, **amend** (1)(a)(I) and (1)(b); and **add** (1)(a)(III) and (1)(c)(IV) as follows:

24-33.5-1227. Wildfire preparedness fund - creation - gifts, grants, and donations authorized - wildfire preparedness plan - report. (1) (a) (I) There is hereby created in the state treasury the wildfire preparedness fund. The fund consists of all money that may be appropriated thereto by the general assembly, all

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.

private and public money received through gifts, grants, reimbursements, or donations that are transmitted to the state treasurer and credited to the fund, all money transferred to the fund from the healthy forests and vibrant communities fund created in section 23-31-313 (10), money transferred pursuant to section 39-29-109.3 (2)(n)(I)(C), and money transferred pursuant to ~~subsection (1)(a)(H)~~ SUBSECTIONS (1)(a)(II) AND (1)(a)(III) of this section. All interest earned from the investment of money in the fund shall be credited to the fund. The money in the fund is hereby continuously appropriated for the purposes indicated in this section. Any money not expended at the end of the fiscal year shall remain in the fund and shall not be transferred to or revert to the general fund.

(III) ON THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(III), THE STATE TREASURER SHALL TRANSFER THREE MILLION DOLLARS FROM THE GENERAL FUND TO THE WILDFIRE PREPAREDNESS FUND.

(b) By executive order or proclamation, the governor may access and designate ~~moneys~~ MONEY in the wildfire preparedness fund for wildfire preparedness activities; except that ~~moneys~~ MONEY in the wildfire preparedness fund that have been transferred from the healthy forests and vibrant communities fund created in section 23-31-313 (10) ~~C.R.S.~~, and ~~moneys~~ MONEY transferred pursuant to section 39-29-109.3 (2)(n)(I)(C) ~~C.R.S.~~, may be used only for the purposes set forth in ~~subparagraph (H) of paragraph (c) of this subsection (1)~~ SUBSECTION (1)(c)(II) OF THIS SECTION, AND EXCEPT AS SET FORTH IN SUBSECTION (1)(c)(IV) OF THIS SECTION. The division shall implement the directives set forth in such executive order or proclamation. As soon as practicable after issuing the executive order or proclamation, the governor shall notify the joint budget committee of any ~~moneys~~ MONEY so accessed and designated.

(c) (IV) THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT SHALL USE THE MONEY TRANSFERRED TO THE WILDFIRE PREPAREDNESS FUND IN ACCORDANCE WITH SUBSECTION (1)(a)(III) OF THIS SECTION:

(A) AS THE STATE MATCH FOR FEDERAL HAZARD MITIGATION ASSISTANCE GRANTS TO LOCAL GOVERNMENTS THAT ARE USED TO MITIGATE WILDLAND FIRE HAZARDS; AND

(B) TO PROVIDE LOCAL GOVERNMENTS THAT ARE ELIGIBLE TO RECEIVE THE FEDERAL GRANTS SPECIFIED IN SUBSECTION (1)(c)(IV)(A) OF THIS SECTION WITH STRATEGIC PLANNING ASSISTANCE FOR WILDLAND FIRE HAZARD MITIGATION.

SECTION 3. In Colorado Revised Statutes, 37-60-121, **add** (11) as follows:

37-60-121. Colorado water conservation board construction fund - creation - nature of fund - funds for investigations - contributions - use for augmenting the general fund - funds created - repeal. (11) ON THE EFFECTIVE DATE OF THIS SUBSECTION (11), THE STATE TREASURER SHALL TRANSFER FOUR MILLION DOLLARS FROM THE GENERAL FUND TO THE COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND.

SECTION 4. Appropriation. For the 2020-21 state fiscal year, \$4,000,000 is appropriated to the department of natural resources for use by the Colorado water

conservation board. This appropriation is from the Colorado water conservation board construction fund created in section 37-60-121, C.R.S. The board may use this appropriation for the watershed restoration program to support post-fire recovery and mitigation efforts. Any money appropriated in this section not expended prior to July 1, 2021, is further appropriated to the board for the 2021-22 state fiscal year for the same purpose.

SECTION 5. 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