

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0933.01 Pierce Lively x2059

HOUSE BILL 22-1379

HOUSE SPONSORSHIP

McCormick and Catlin,

SENATE SPONSORSHIP

Donovan and Simpson,

House Committees

Agriculture, Livestock, & Water
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS FROM THE ECONOMIC RECOVERY AND**
102 **RELIEF CASH FUND TO PROVIDE ADDITIONAL FUNDING FOR THE**
103 **MANAGEMENT OF CERTAIN NATURAL RESOURCES.**

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 requires the state treasurer to make the following transfers from the economic recovery and relief cash fund:

- \$3 million to the healthy forests and vibrant communities fund for projects that will help communities address the urgent need to reduce wildfire risks by supporting

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.

- implementation of risk mitigation treatments that focus on promoting watershed resilience;
- \$2 million to the wildfire mitigation capacity development fund for wildfire mitigation and fuel reduction projects;
- \$10 million to the Colorado water conservation board construction fund for watershed restoration and flood mitigation grants;
- \$2.5 million to the Colorado water conservation board construction fund for the direct and indirect costs of providing assistance to political subdivisions and other entities applying for federal "Infrastructure Investment and Jobs Act" money and other federally available money related to water funding opportunities; and
- \$2.5 million to the Colorado water conservation board construction fund for issuing grants to political subdivisions of the state for the hiring of temporary employees, contractors, or both that will assist those political subdivisions and other entities in applying for federal "Infrastructure Investment and Jobs Act" money and other federally available money related to natural resource management.

All of these transfers relate to essential government services and must comply with the relevant compliance, reporting, record-keeping, and program evaluation requirements established by the office of state planning and budgeting and the state controller.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-228, **add** (2.5)
 3 as follows:

4 **24-75-228. Economic recovery and relief cash fund - creation**
 5 **- allowable uses - interim task force - report - legislative declaration**
 6 **- definitions - repeal.** (2.5) (a) UPON THE EFFECTIVE DATE OF THIS
 7 SUBSECTION (2.5), OR AS SOON AS POSSIBLE THEREAFTER, THE STATE
 8 TREASURER SHALL TRANSFER TWENTY MILLION DOLLARS FROM THE
 9 ECONOMIC RECOVERY AND RELIEF CASH FUND AS FOLLOWS:

10 (I) THREE MILLION DOLLARS TO THE HEALTHY FORESTS AND
 11 VIBRANT COMMUNITIES FUND CREATED IN SECTION 23-31-313(10), WHICH

1 MUST BE EXPENDED FOR THE PURPOSES SPECIFIED IN SECTION 23-31-313
2 (6)(a)(IV);

3 (II) TWO MILLION DOLLARS TO THE WILDFIRE MITIGATION
4 CAPACITY DEVELOPMENT FUND CREATED IN SECTION 24-33-117 (1),
5 WHICH MUST BE EXPENDED FOR THE PURPOSES SPECIFIED IN SECTION
6 24-33-117 (3);

7 (III) TEN MILLION DOLLARS TO THE COLORADO WATER
8 CONSERVATION BOARD CONSTRUCTION FUND CREATED IN SECTION
9 37-60-121 (1)(a), WHICH MUST BE EXPENDED FOR THE PURPOSES SPECIFIED
10 IN SECTION 37-60-121 (12);

11 (IV) TWO MILLION FIVE HUNDRED THOUSAND DOLLARS TO THE
12 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND CREATED
13 IN SECTION 37-60-121 (1)(a), WHICH MUST BE EXPENDED FOR THE
14 PURPOSES SPECIFIED IN SECTION 37-60-121 (13); AND

15 (V) TWO MILLION FIVE HUNDRED THOUSAND DOLLARS TO THE
16 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND CREATED
17 IN SECTION 37-60-121 (1)(a), WHICH MUST BE EXPENDED FOR THE
18 PURPOSES SPECIFIED IN SECTION 37-60-121 (14).

19 (b) THE WATERSHED RESTORATION PROGRAMS, WILDFIRE
20 MITIGATION PROGRAMS, AND THE PROVISION OF SERVICES TO ASSIST
21 POLITICAL SUBDIVISIONS OF THE STATE AND OTHER ENTITIES IN THE DRAW
22 DOWN OF FEDERAL FUNDS TO WHICH THE STATE TREASURER SHALL
23 TRANSFER MONEY FROM THE FUND PURSUANT TO SUBSECTION (2.5)(a) OF
24 THIS SECTION ARE ESSENTIAL GOVERNMENT SERVICES.

25 (c) ANY DEPARTMENT THAT RECEIVES MONEY FROM THE
26 TRANSFER MADE BY THE STATE TREASURER PURSUANT TO SUBSECTION
27 (2.5)(a) OF THIS SECTION SHALL COMPLY WITH THE COMPLIANCE,

1 REPORTING, RECORD-KEEPING, AND PROGRAM EVALUATION
2 REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE PLANNING AND
3 BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE WITH SECTION
4 24-75-226 (5).

5 SECTION 2. In Colorado Revised Statutes, 37-60-121, **add** (12),
6 (13), and (14) as follows:

7 37-60-121. **Colorado water conservation board construction**
8 **fund - creation - nature of fund - funds for investigations -**
9 **contributions - use for augmenting the general fund - funds created**
10 **- rules - repeal.** (12) (a) EXCEPT AS SPECIFIED IN SUBSECTION (12)(b) OF
11 THIS SECTION, THE BOARD SHALL USE THE MONEY TRANSFERRED
12 PURSUANT TO SECTION 24-75-228 (2.5)(a)(III) FOR WATERSHED
13 RESTORATION AND FLOOD MITIGATION GRANTS TO RESTORE, MITIGATE,
14 AND PROTECT STREAM CHANNELS AND RIPARIAN AREAS SUSCEPTIBLE TO
15 FLOOD HAZARDS AND SEDIMENT EROSION AND DEPOSITION AFTER
16 WILDFIRE, INCLUDING EXPENDITURES FOR THE DESIGN AND
17 IMPLEMENTATION OF PROJECTS INTENDED TO MITIGATE INCREASED FLOWS,
18 SEDIMENT, AND DEBRIS, WITH FEDERAL AND LOCAL MATCHING
19 REQUIREMENTS.

20 (b) THE BOARD MAY USE UP TO FIVE PERCENT OF THE MONEY TO
21 ADMINISTER THE GRANT PROGRAM AS SPECIFIED IN SUBSECTION (12)(a) OF
22 THIS SECTION AND MAY USE UP TO TEN PERCENT FOR THE COSTS
23 ASSOCIATED WITH PROVIDING NECESSARY TECHNICAL ENGINEERING
24 SERVICES TO ASSIST GRANTEEES WITH DESIGN REVIEW, ENGINEERING
25 ANALYSIS, FIRE AND FLOOD SUPPORT, CONSTRUCTION OVERSIGHT, FLUVIAL
26 HAZARD ZONE PROGRAM IMPLEMENTATION, PROJECT MONITORING AND
27 ADAPTIVE MANAGEMENT, AND OVERALL PROGRAM MANAGEMENT.

1 (c) THE DEPARTMENT OF NATURAL RESOURCES SHALL INCLUDE
2 UPDATES REGARDING THE BOARD'S ACTIVITIES UNDERTAKEN PURSUANT
3 TO THIS SUBSECTION (12) IN ITS DEPARTMENTAL PRESENTATION TO
4 LEGISLATIVE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203.

5 (d) THIS SUBSECTION (12) IS REPEALED, EFFECTIVE JULY 1, 2027.

6 (13) THE BOARD SHALL USE THE MONEY TRANSFERRED PURSUANT
7 TO SECTION 24-75-228 (2.5)(a)(IV) FOR THE DIRECT AND INDIRECT COSTS
8 OF PROVIDING ASSISTANCE TO POLITICAL SUBDIVISIONS OF THE STATE AND
9 OTHER ENTITIES IN APPLYING FOR FEDERAL "INFRASTRUCTURE
10 INVESTMENT AND JOBS ACT", PUB.L. 117-58, MONEY AND OTHER
11 FEDERALLY AVAILABLE MONEY RELATED TO WATER FUNDING
12 OPPORTUNITIES.

13 (14) (a) THE BOARD SHALL USE THE MONEY TRANSFERRED
14 PURSUANT TO SECTION 24-75-228 (2.5)(a)(V) FOR BOTH:

15 (I) ISSUING GRANTS TO POLITICAL SUBDIVISIONS OF THE STATE OR
16 OTHER ENTITIES FOR THE HIRING OF TERM-LIMITED EMPLOYEES,
17 CONTRACTORS, OR BOTH THAT WILL ASSIST THOSE POLITICAL
18 SUBDIVISIONS AND OTHER ENTITIES IN APPLYING FOR FEDERAL
19 "INFRASTRUCTURE INVESTMENT AND JOBS ACT", PUB.L. 117-58, MONEY
20 AND OTHER FEDERALLY AVAILABLE MONEY RELATED TO NATURAL
21 RESOURCE MANAGEMENT; AND

22 (II) COVERING THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
23 ISSUING THE GRANTS DESCRIBED IN SUBSECTION (14)(a)(I) OF THIS
24 SECTION.

25 (b) THE BOARD MAY ADOPT POLICIES AND PROCEDURES AS
26 NECESSARY FOR IMPLEMENTING A GRANT PROGRAM NECESSARY TO
27 AWARD THE GRANTS DESCRIBED IN SUBSECTION (14)(a) OF THIS SECTION.

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