

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 22-0933.01 Pierce Lively x2059

HOUSE BILL 22-1379

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House Committees

Agriculture, Livestock, & Water
Appropriations

Senate Committees

Appropriations

SENATE
3rd Reading Unamended
April 29, 2022

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, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

SENATE
2nd Reading Unamended
April 28, 2022

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>.)

HOUSE
3rd Reading Unamended
April 25, 2022

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

HOUSE
Amended 2nd Reading
April 22, 2022

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.

fund for projects that will help communities address the urgent need to reduce wildfire risks by supporting 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

1 VIBRANT COMMUNITIES FUND CREATED IN SECTION 23-31-313 (10), WHICH
2 MUST BE EXPENDED FOR THE PURPOSES SPECIFIED IN SECTION 23-31-313
3 (6)(a)(IV);

4 (II) TWO MILLION DOLLARS TO THE WILDFIRE MITIGATION
5 CAPACITY DEVELOPMENT FUND CREATED IN SECTION 24-33-117 (1),
6 WHICH MUST BE EXPENDED FOR THE PURPOSES SPECIFIED IN SECTION
7 24-33-117 (3);

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

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

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

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

26 (c) ANY DEPARTMENT THAT RECEIVES MONEY FROM THE
27 TRANSFER MADE BY THE STATE TREASURER PURSUANT TO SUBSECTION

1 (2.5)(a) OF THIS SECTION SHALL COMPLY WITH THE COMPLIANCE,
2 REPORTING, RECORD-KEEPING, AND PROGRAM EVALUATION
3 REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE PLANNING AND
4 BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE WITH SECTION
5 24-75-226 (5).

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

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

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

1 ADAPTIVE MANAGEMENT, AND OVERALL PROGRAM MANAGEMENT.

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

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

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

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

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

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

26 (b) THE BOARD MAY ADOPT POLICIES AND PROCEDURES AS
27 NECESSARY FOR IMPLEMENTING A GRANT PROGRAM NECESSARY TO

1 AWARD THE GRANTS DESCRIBED IN SUBSECTION (14)(a) OF THIS SECTION.

2 **SECTION 3. Appropriation.** For the 2022-23 state fiscal year,
3 \$15,000,000 is appropriated to the department of natural resources for use
4 by the Colorado water conservation board. This appropriation is from the
5 Colorado water conservation board construction fund created in section
6 37-60-121 (1)(a), C.R.S. To implement this act, the board may use this
7 appropriation for watershed restoration and flood mitigation project
8 grants. Any money appropriated in this section not expended prior to July
9 1, 2023, is further appropriated to the board from July 1, 2023, through
10 December 30, 2024, for the same purpose.

11 **SECTION 4. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety.