

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0968.01 Megan McCall x4215

HOUSE BILL 23-1273

HOUSE SPONSORSHIP

Snyder and Joseph,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE WILDFIRE RESILIENT HOMES**
102 **GRANT PROGRAM.**

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 creates the wildfire resilient homes grant program (program) within the division of fire prevention and control (division). The program allows homeowners to apply to receive a grant for retrofitting or improving a house or other structure on the homeowner's property with strategies and technologies for structure hardening in order to make the house or structure more resilient to the risk of wildfire.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

The bill also creates the wildfire resilient homes grant program cash fund (fund) for use by the division to award grants and to promote best practices for structure hardening, and on August 15, 2023, the state treasurer is required to transfer \$2 million from the general fund to the fund. The division is required to annually report to the wildfire matters review committee on expenditures made from the fund and grants that are awarded pursuant to the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-33.5-1236 as
3 follows:

4 **24-33.5-1236. Wildfire resilient homes grant program - fund**
5 **- rules - report - definitions - repeal.** (1) AS USED IN THIS SECTION,
6 UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "FUND" MEANS THE WILDFIRE RESILIENT HOMES GRANT
8 PROGRAM CASH FUND CREATED IN SUBSECTION (4)(a) OF THIS SECTION.

9 (b) "HOMEOWNER" MEANS A PERSON WHO OWNS PROPERTY ON
10 WHICH THERE IS A HOUSE AND ON WHICH THERE MAY ALSO BE OTHER
11 NONRESIDENTIAL STRUCTURES THAT IS IN THE STATE AND LOCATED IN AN
12 AREA THAT IS SUSCEPTIBLE TO RISK OF WILDFIRES.

13 (c) "PROGRAM" MEANS THE WILDFIRE RESILIENT HOMES GRANT
14 PROGRAM CREATED IN SUBSECTION (2)(a) OF THIS SECTION.

15 (2) (a) THERE IS HEREBY CREATED WITHIN THE DIVISION THE
16 WILDFIRE RESILIENT HOMES GRANT PROGRAM TO PROVIDE GRANTS TO
17 HOMEOWNERS FOR THE PURPOSE OF RETROFITTING OR OTHERWISE
18 IMPROVING A HOUSE OR OTHER EXISTING NONRESIDENTIAL STRUCTURES
19 ON A HOMEOWNER'S PROPERTY WITH BEST PRACTICE TECHNIQUES FOR
20 STRUCTURE HARDENING IN ORDER TO MAKE THEM MORE RESILIENT TO
21 WILDFIRE RISK. TO IMPLEMENT THE PROGRAM, THE DIVISION MAY USE
22 FEDERAL FUNDS THAT ARE OR BECOME AVAILABLE TO THE DIVISION FOR

1 THE SAME PURPOSES AS THE PURPOSES OF THE PROGRAM.

2 (b) TO RECEIVE A GRANT, A HOMEOWNER MUST SUBMIT AN
3 APPLICATION TO THE DIVISION IN A FORM AND MANNER PRESCRIBED BY
4 THE DIVISION.

5 (c) IN AWARDING GRANTS PURSUANT TO THE PROGRAM, THE
6 DIVISION SHALL CONSIDER THE LOCATION OF THE HOMEOWNER'S
7 PROPERTY, THE TYPE OF IMPROVEMENT PROPOSED BY THE HOMEOWNER,
8 AND ANY OTHER CRITERIA ESTABLISHED BY THE DIVISION PURSUANT TO
9 SUBSECTION (3) OF THIS SECTION.

10 (d) A HOMEOWNER WHO RECEIVES A GRANT PURSUANT TO THIS
11 SUBSECTION (2) SHALL NOT USE THE MONEY FOR ANY PURPOSE THAT IS
12 NOT AUTHORIZED BY THIS SECTION OR BY ANY RULES PROMULGATED BY
13 THE DIRECTOR PURSUANT TO SUBSECTION (3) OF THIS SECTION. UPON
14 COMPLETION OF THE RETROFIT OR IMPROVEMENTS FOR WHICH THE GRANT
15 WAS AWARDED, A HOMEOWNER SHALL SUBMIT TO THE DIVISION A
16 CERTIFICATION OF COSTS AND ANY OTHER DOCUMENTATION THE DIVISION
17 MAY REQUIRE.

18 (3) THE DIRECTOR MAY ADOPT RULES FOR THE IMPLEMENTATION
19 AND ADMINISTRATION OF THE PROGRAM.

20 (4) (a) THE WILDFIRE RESILIENT HOMES GRANT PROGRAM CASH
21 FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS
22 OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY THE
23 GENERAL ASSEMBLY, ALL PRIVATE AND PUBLIC MONEY RECEIVED
24 THROUGH GIFTS, GRANTS, OR DONATIONS THAT ARE TRANSMITTED TO THE
25 STATE TREASURER AND CREDITED TO THE FUND, AND MONEY
26 TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (5) OF THIS
27 SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND

1 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
2 FUND TO THE FUND.

3 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
4 ASSEMBLY, THE DIVISION MAY EXPEND MONEY FROM THE FUND FOR THE
5 FOLLOWING PURPOSES:

6 (I) TO AWARD GRANTS FOR THE PROGRAM; OR

7 (II) TO PROMOTE STRATEGIES AND TECHNOLOGIES THAT INCREASE
8 RESILIENCY AGAINST WILDFIRES FOR A HOUSE OR OTHER NONRESIDENTIAL
9 STRUCTURES ON A PROPERTY, INCLUDING FOR NEW BUILDS, NEW
10 CONSTRUCTION, OR REBUILDS, THROUGH OUTREACH TO HOMEOWNERS
11 AND BY PREPARING EDUCATIONAL MATERIALS FOR HOMEOWNERS.

12 (5) (a) ON AUGUST 15, 2023, THE STATE TREASURER SHALL
13 TRANSFER TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

14 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2024.

15 (6) THE DIVISION SHALL SUBMIT AN ANNUAL REPORT ON THE
16 EXPENDITURES FROM THE FUND TO THE WILDFIRE MATTERS REVIEW
17 COMMITTEE CREATED IN SECTION 2-3-1602. THE REPORT MUST INCLUDE
18 INFORMATION ON THE NUMBER OF GRANTS MADE, OUTREACH THE DIVISION
19 UNDERTAKES TO EDUCATE HOMEOWNERS ON BEST PRACTICES FOR
20 STRUCTURE HARDENING, DETAILS ON THE RETROFITS OR IMPROVEMENTS
21 MADE BY GRANT RECIPIENTS, AND ANY FEDERAL FUNDS THE DIVISION
22 USED IN CONNECTION WITH IMPLEMENTATION OF THE PROGRAM.
23 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),
24 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION
25 (6) CONTINUES FOR THE DURATION OF THE PROGRAM.

26 **SECTION 2. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2024 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.