

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

REREVISED

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

LLS NO. 24-0855.01 Caroline Martin x5902

SENATE BILL 24-179

SENATE SPONSORSHIP

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Senate Committees

Local Government & Housing
Appropriations

House Committees

Transportation, Housing & Local Government
Appropriations

HOUSE
3rd Reading Unamended
April 29, 2024

A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF A FLOODPLAIN MANAGEMENT**
102 **PROGRAM FOR DEVELOPMENT, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

HOUSE
2nd Reading Unamended
April 26, 2024

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/>.)

SENATE
3rd Reading Unamended
April 15, 2024

Capital Development Committee. Local government floodplain management regulations for development in floodplain areas must equal or exceed the federal emergency management agency's national flood insurance program's (national flood insurance program) minimum design and construction criteria and must comply with the Colorado water

SENATE
Amended 2nd Reading
April 12, 2024

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.*

conservation board's (CWCB) rules and regulations for regulatory floodplains in Colorado. Not all local governments participate in the national flood insurance program.

The bill requires the office of the state architect to develop a state floodplain management program (program) by June 30, 2025, which will ensure compliance with the minimum floodplain management criteria of the national flood insurance program and with the CWCB's rules and regulations for regulatory floodplains in Colorado. The program applies to development on state-owned land in counties and municipalities that do not participate in the national flood insurance program. At the discretion of the office of the state architect, the program may also apply to state-leased properties in counties and municipalities that do not participate in the national flood insurance program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1303, **add** (7)
3 as follows:

4 **24-30-1303. Office of the state architect - responsibilities.**

5 (7) BY JUNE 30, 2025, THE OFFICE OF THE STATE ARCHITECT SHALL
6 DEVELOP, IN COORDINATION WITH THE COLORADO WATER CONSERVATION
7 BOARD IN THE DEPARTMENT OF NATURAL RESOURCES, A FLOODPLAIN
8 MANAGEMENT PROGRAM FOR DEVELOPMENT, AS DEFINED IN 44 CFR 59.1,
9 ON STATE-OWNED LAND LOCATED IN COUNTIES OR MUNICIPALITIES THAT
10 DO NOT PARTICIPATE IN THE FEDERAL EMERGENCY MANAGEMENT
11 AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM OR AN EQUIVALENT
12 PROGRAM. THE PURPOSE OF THE FLOODPLAIN MANAGEMENT PROGRAM IS
13 TO ENSURE THAT ALL DEVELOPMENT, AS DEFINED IN 44 CFR 59.1, ON
14 STATE-OWNED LAND LOCATED IN SUCH COUNTIES AND MUNICIPALITIES IS
15 IN COMPLIANCE WITH THE MINIMUM FLOODPLAIN MANAGEMENT CRITERIA
16 REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM, AS WELL AS
17 THE COLORADO WATER CONSERVATION BOARD'S RULES AND REGULATIONS
18 FOR REGULATORY FLOODPLAINS IN COLORADO. AT THE DISCRETION OF

1 THE OFFICE OF THE STATE ARCHITECT, THE FLOODPLAIN MANAGEMENT
2 PROGRAM MAY ALSO APPLY TO STATE-LEASED PROPERTIES LOCATED IN
3 COUNTIES OR MUNICIPALITIES THAT DO NOT PARTICIPATE IN THE FEDERAL
4 EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE
5 PROGRAM OR AN EQUIVALENT PROGRAM.

6 **SECTION 2. Appropriation.** For the 2024-25 state fiscal year,
7 \$49,383 is appropriated to the department of personnel for use by the
8 office of the state architect. This appropriation is from the general fund
9 and is based on an assumption that the office will require an additional
10 0.8 FTE. To implement this act, the office may use this appropriation for
11 the office of the state architect.

12 **SECTION 3. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.