

-Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
10.11.19

BILL 1

LLS NO. 20-0377.01 Bob Lackner x4350

INTERIM COMMITTEE BILL

Wildfire Matters Review Committee

BILL TOPIC: "Modify Wildfire Risk Mitigation Grant Program"

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE "FOREST RESTORATION AND**
102 **WILDFIRE RISK MITIGATION ACT".**

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/>.)

Wildfire Matters Review Committee. The bill makes the following modifications to the existing "Forest Restoration and Wildfire Risk Mitigation Act" (act) and, specifically, the grant program funded by the act:

- Currently, grant applicants are required to self-finance 50% of the cost of a project funded by a grant. The bill, in the

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

case of a project that is located in an area with fewer economic resources, lessens this requirement so that grant applicants are required to self-finance 25% of the total cost of the project. The forest service is required to establish by rule the criteria by which a project will satisfy such requirements.

- Adds to the list of projects eligible to receive grant funding ongoing maintenance efforts undertaken by eligible recipients to reduce the threat of large, high-intensity wildfires.
- Adds to the list of recipients eligible to receive grant funding a fire protection district and a nonprofit organization or entity engaged in firefighting activities.
- Requires the forest service to adopt and implement rules as necessary for the effective administration of the grant program.
- Extends the date by which the grant program will be repealed to September 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend**
3 (3), (4)(f)(II), (4)(g), (4.5)(d), and (9); and **add** (4)(h), (4.5)(f), (4.5)(g),
4 and (8.9) as follows:

5 **23-31-310. Forest restoration and wildfire risk mitigation**
6 **grant program - technical advisory panel - legislative declaration -**
7 **definitions - rules - repeal.** (3) **Grant projects.** The forest service shall
8 issue a statewide request for proposals for cost-share grants for projects
9 that are designed through a collaborative community process. The
10 projects may be entirely on, or on any combination of, private, state,
11 county, or municipal forest lands. The grant share of an individual project
12 cost must not exceed fifty percent of the total cost of the project or exceed
13 one million dollars per project. IN THE CASE OF A PROJECT THAT IS
14 LOCATED IN AN AREA WITH FEWER ECONOMIC RESOURCES, THE GRANT
15 SHARE OF AN INDIVIDUAL PROJECT COST MUST NOT EXCEED SEVENTY-FIVE

1 PERCENT OF THE TOTAL COST OF THE PROJECT OR EXCEED ONE BILLION
2 DOLLARS PER PROJECT. The remaining portion of the project's funding
3 may be in the form of cash, stumpage, or in-kind contribution. THE
4 FOREST SERVICE SHALL ESTABLISH BY RULE THE CRITERIA BY WHICH A
5 PARTICULAR PROJECT WILL SATISFY THE REQUIREMENT OF THIS
6 SUBSECTION (3) THAT IT IS LOCATED IN AN AREA WITH FEWER ECONOMIC
7 RESOURCES, AS APPLICABLE.

8 (4) **Eligibility requirements.** To be eligible to receive funding
9 under this section, a project must:

10 (f) Include an assessment to:

11 (II) Report, upon project completion, to the forest service on the
12 number of acres treated, cost per acre to treat, tonnage of material
13 generated, number of jobs created, and use of any forest products
14 generated; ~~and~~

15 (g) Leverage state funding through in-kind, stumpage, or cash
16 matching contributions; AND

17 (h) IN ADDITION TO ANY OF THE OTHER REQUIREMENTS SPECIFIED
18 IN SUBSECTIONS (4)(a) TO (4)(g) OF THIS SECTION, SUPPORT ONGOING
19 MAINTENANCE EFFORTS BY ELIGIBLE RECIPIENTS TO REDUCE THE THREAT
20 OF LARGE, HIGH-INTENSITY WILDFIRES.

21 (4.5) **Eligible recipients.** Eligible grant recipients include:

22 (d) State agencies, such as the state land board or the division of
23 parks and wildlife, that own lands or property in areas of high risk for
24 catastrophic wildfires; ~~and~~

25 (f) A FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103
26 (7); AND

27 (g) A NONPROFIT ORGANIZATION OR ENTITY ENGAGED IN

1 FIREFIGHTING ACTIVITIES.

2 (8.9) **Rules.** THE FOREST SERVICE SHALL ADOPT AND IMPLEMENT
3 RULES AS NECESSARY TO FACILITATE THE EFFECTIVE ADMINISTRATION OF
4 THIS SECTION.

5 (9) **Repeal.** This section is repealed, effective ~~September 1, 2022~~
6 SEPTEMBER 1, 2029.

7 **SECTION 2. Act subject to petition - effective date.** This act
8 takes effect September 1, 2020; except that, if a referendum petition is
9 filed pursuant to section 1 (3) of article V of the state constitution against
10 this act or an item, section, or part of this act within the ninety-day period
11 after final adjournment of the general assembly, then the act, item,
12 section, or part will not take effect unless approved by the people at the
13 general election to be held in November 2020 and, in such case, will take
14 effect on the date of the official declaration of the vote thereon by the
15 governor.