

CHAPTER 57

GOVERNMENT - STATE

SENATE BILL 12-072

BY SENATOR(S) Lambert, Newell, Grantham, Scheffel, Cadman, Aguilar, King K., Lundberg, Neville, Renfro, Boyd, Carroll, Guzman, Heath, Hodge, King S., Roberts, Schwartz, Spence, Tochtrop, White;
also REPRESENTATIVE(S) Stephens, Holbert, Joshi, Looper, DelGrosso, Gerou, Liston, Nikkel, Priola.

AN ACT**CONCERNING THE COLORADO MOUNTED RANGERS.**

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) The Colorado mounted rangers, also known as the Colorado rangers, have served and protected the territory and the state of Colorado since 1861;

(b) The Colorado rangers comprised the first law enforcement agency in the new territory of Colorado;

(c) The Colorado rangers were called upon by the state's governors to protect the state during the mining strikes and the prohibition period;

(d) In 1923, the Colorado rangers were disbanded, leaving Colorado without a statewide law enforcement organization until the Colorado state patrol was formed;

(e) In 1941, by request of former Governor Teller Ammons, a volunteer group in Bailey, Colorado, formed the Colorado mounted rangers;

(f) Today, the Colorado mounted rangers are available to assist the division of emergency management within the department of local affairs; may train with and assist the office of preparedness, security, and fire safety; may provide security in emergency situations such as airline disasters, search-and-rescue operations, and forest fires; and provide assistance to local, state, and federal authorities upon request;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(g) The Colorado mounted rangers have assisted in natural disasters such as the Big Thompson flood, the Black Ridge fire, and the Hayman fire;

(h) While conducting search-and-rescue efforts during the past seventy years, the Colorado mounted rangers have saved the lives of many lost and injured mountain climbers and bikers; and

(i) During the past year, the Colorado mounted rangers volunteered more than fifty thousand hours of devoted service to the people of Colorado.

(2) Therefore, the general assembly declares that the Colorado mounted rangers should be established as an all-volunteer, unpaid auxiliary unit for the purpose of lending assistance to emergency management, fire-fighting, emergency medical service, search-and-rescue agencies, and law enforcement agencies in the state.

SECTION 2. In Colorado Revised Statutes, 24-32-2222, **amend** (1), (2) (a), (2) (b), (2) (c), and (2) (d); and **add** (5) as follows:

24-32-2222. County sheriff - local government - local emergency planning committee - memorandum of understanding with volunteer organizations.

(1) Any county sheriff, the director of any local government, any local emergency planning committee, or any state agency may develop and enter into a memorandum of understanding with one or more volunteer organizations, INCLUDING BUT NOT LIMITED TO THE COLORADO MOUNTED RANGERS, to assist the county sheriff, local government, local emergency planning committee, or state agency in providing services ~~in the event of a disaster~~ AS REQUIRED.

(2) A memorandum of understanding between a county sheriff, a local government, a local emergency planning committee, or a state agency and a volunteer organization may include the following information:

(a) The circumstances under which the county sheriff, local government, local emergency planning committee, or state agency may request the services of the volunteer organization; ~~in a disaster;~~

(b) The circumstances under which the volunteer organization may accept or refuse the request for assistance by the county sheriff, local government, local emergency planning committee, or state agency; ~~in a disaster;~~

(c) The party that will be responsible for any costs incurred by the volunteer organization in the course of assisting the county sheriff, local government, local emergency planning committee, or state agency; ~~in a disaster;~~

(d) The specific training or certification required for volunteers who are members of the volunteer organization to be authorized to assist the county sheriff, local government, local emergency planning committee, or state agency; ~~in a disaster;~~

(5) A MEMBER OF THE COLORADO MOUNTED RANGERS AND ANY OTHER VOLUNTEER ORGANIZATION LENDING ASSISTANCE TO A COUNTY SHERIFF, LOCAL GOVERNMENT, LOCAL EMERGENCY PLANNING COMMITTEE, OR STATE AGENCY

PURSUANT TO THIS SECTION IS AN AUTHORIZED VOLUNTEER FOR THE PURPOSES OF ARTICLE 10 OF THIS TITLE.

SECTION 3. In Colorado Revised Statutes, 24-32-2222, **add** (6) as follows:

24-32-2222. County sheriff - local government - local emergency planning committee - memorandum of understanding with volunteer organizations.

(6) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY CREATED IN SECTION 24-33.5-103, THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION CREATED IN SECTION 24-33.5-401, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS CREATED IN SECTION 24-1-128.5, THE DIVISION OF EMERGENCY MANAGEMENT CREATED BY PART 21 OF THIS ARTICLE, THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY CREATED IN SECTION 24-33.5-1603, AND A COUNTY SHERIFF, POLICE CHIEF, TOWN MARSHAL, OR ANY OTHER LAW ENFORCEMENT ORGANIZATION CERTIFIED PURSUANT TO THE PROVISIONS OF ARTICLE 2.5 OF TITLE 16, C.R.S., WHO ENTERS INTO A MEMORANDUM OF UNDERSTANDING PURSUANT TO THIS SECTION WITH THE COLORADO MOUNTED RANGERS OR A MEMBER OF THE COLORADO MOUNTED RANGERS IS SOLELY RESPONSIBLE FOR, AND IN DIRECT CONTROL OF, THE PERFORMANCE OF ANY COLORADO MOUNTED RANGER, INCLUDING INCURRING ANY AND ALL LIABILITIES FOR MISCONDUCT, AND IS RESPONSIBLE FOR ADDRESSING ANY MISCONDUCT AS IF THE COLORADO MOUNTED RANGER WAS A FULL-TIME EMPLOYEE OF THE ORGANIZATION.

SECTION 4. In Colorado Revised Statutes, 24-32-2222, **add** (6) as follows:

24-32-2222. County sheriff - local government - local emergency planning committee - memorandum of understanding with volunteer organizations.

(6) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY CREATED IN SECTION 24-33.5-103, THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION CREATED IN SECTION 24-33.5-401, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS CREATED IN SECTION 24-1-128.5, THE DIVISION OF EMERGENCY MANAGEMENT CREATED BY PART 21 OF THIS ARTICLE, THE DIVISION OF HOMELAND SECURITY CREATED IN SECTION 24-33.5-1603, AND A COUNTY SHERIFF, POLICE CHIEF, TOWN MARSHAL, OR ANY OTHER LAW ENFORCEMENT ORGANIZATION CERTIFIED PURSUANT TO THE PROVISIONS OF ARTICLE 2.5 OF TITLE 16, C.R.S., WHO ENTERS INTO A MEMORANDUM OF UNDERSTANDING PURSUANT TO THIS SECTION WITH THE COLORADO MOUNTED RANGERS OR A MEMBER OF THE COLORADO MOUNTED RANGERS IS SOLELY RESPONSIBLE FOR, AND IN DIRECT CONTROL OF, THE PERFORMANCE OF ANY COLORADO MOUNTED RANGER, INCLUDING INCURRING ANY AND ALL LIABILITIES FOR MISCONDUCT, AND IS RESPONSIBLE FOR ADDRESSING ANY MISCONDUCT AS IF THE COLORADO MOUNTED RANGER WAS A FULL-TIME EMPLOYEE OF THE ORGANIZATION.

SECTION 5. Act subject to petition - effective date. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote

thereon by the governor.

(2) Section 3 of this act takes effect only if House Bill 12-1283 does not become law.

(3) Section 4 of this act takes effect only if House Bill 12-1283 becomes law.

Approved: March 24, 2012