

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB23-166 be amended as follows:

1 Amend printed bill, page 3, strike lines 10 through 12 and substitute  
2 "COMMUNITIES FROM THE EFFECTS OF WILDFIRES. THIS RISK INCLUDES THE  
3 LOSS OF LIFE, HOMES, BUSINESSES, AND OTHER STRUCTURES AND THE LOSS  
4 OF JOBS AND ECONOMIC VITALITY. RISK EVALUATION IS BASED ON MANY  
5 FACTORS, INCLUDING PROXIMITY TO STRUCTURES. HARDENING  
6 STRUCTURES IS THE PROCESS OF MAKING STRUCTURES MORE RESILIENT TO  
7 IGNITION AND INVOLVES BEST PRACTICES TO PROTECT A STRUCTURE FROM  
8 THE RISK OF WILDFIRE AND TO PREVENT A STRUCTURE FIRE FROM  
9 STARTING A WILDFIRE."

10 Page 3, before line 13 insert:

11 "(IV) BUILDING STRUCTURES, INCLUDING HOUSES, THAT ARE  
12 RESILIENT TO WILDFIRE RISK IS AS AFFORDABLE OR MORE AFFORDABLE  
13 THAN BUILDING NONRESILIENT STRUCTURES AND REDUCES STRUCTURE  
14 LOSS, THE FINANCIAL INVESTMENT REQUIRED TO REBUILD STRUCTURES,  
15 COST OF INSURANCE, AND PROBLEMS RELATED TO UNDERINSURANCE. IN  
16 LIGHT OF THESE FINANCIAL IMPLICATIONS, INCREASING HOUSING STOCK  
17 WITH WILDFIRE RESILIENT STRUCTURES INCREASES AND PROTECTS THE  
18 AFFORDABLE HOUSING STOCK."

19 Renumber succeeding subparagraphs accordingly.

20 Page 3, line 24, after "CODES." add "AS ONE OF ITS FUNCTIONS, THE CODE  
21 BOARD WILL ENDEAVOR TO ESTABLISH A CONSISTENT STATE-LEVEL  
22 DEFINITION FOR THE WILDLAND-URBAN INTERFACE THAT CAN BE USED BY  
23 ALL APPLICABLE STATE AGENCIES."

24 Page 4, line 20, strike "EACH OF WHOM EITHER IS" and substitute "TWO OF  
25 WHICH ARE EITHER".

26 Page 4, line 21, strike "ENGINEER," and substitute "ENGINEER AND ONE OF  
27 WHICH HAS SPECIALIZED EXPERTISE IN WILDLAND FIRE BEHAVIOR OR  
28 WILDFIRE MITIGATION SCIENCE AND STRATEGIES,".

29 Page 7, strike lines 3 and 4 and substitute "VACANCY, THE APPLICABLE  
30 PERSON AUTHORIZED TO APPOINT A MEMBER OR MEMBERS AS SET FORTH  
31 IN SUBSECTION (3)(a) OF THIS SECTION FOR THE APPLICABLE POSITION  
32 THAT IS VACANT SHALL APPOINT A NEW MEMBER TO THE VACANT POSITION  
33 FOR THE REMAINDER OF THE UNEXPIRED TERM. A MEMBER APPOINTED TO  
34 FILL".

1 Page 7, line 27, after "OF" insert "MINIMUM".

2 Page 8, line 17, after "CODES;" insert "ANY EXISTING DEFINITIONS OF THE  
3 TERM WILDLAND-URBAN INTERFACE;"

4 Page 8, line 20, strike "YEARS." and substitute "YEARS, AS THE BOARD  
5 DETERMINES MAY BE NECESSARY."

6 Page 9, strike lines 5 through 16 and substitute:

7 "(C) APPLY TO PERMITTING AND INSPECTIONS FOR NEW  
8 CONSTRUCTION OF STRUCTURES OR DEFENSIBLE SPACE AROUND  
9 STRUCTURES AND FOR NEW CONSTRUCTION FOR AN EXTERNAL ADDITION,  
10 ALTERATION, OR REPAIR TO A STRUCTURE OR THE DEFENSIBLE SPACE  
11 AROUND THE STRUCTURE IN ACCORDANCE WITH THIS SUBSECTION  
12 (4)(b)(II)(C). COMPLIANCE WITH THE CODES IS REQUIRED FOR PERMITS  
13 AND INSPECTIONS IN CONNECTION WITH INCREASING THE FOOTPRINT OF A  
14 STRUCTURE BY FIVE HUNDRED SQUARE FEET, INCLUDING ADDING  
15 ATTACHMENTS TO THE STRUCTURE. COMPLIANCE WITH THE CODES IS  
16 REQUIRED FOR PERMITS AND INSPECTIONS IN CONNECTION WITH AN  
17 ALTERATION OR REPAIR TO THE EXTERIOR OF AN EXISTING STRUCTURE, OR  
18 AN ATTACHMENT TO IT, IF TWENTY-FIVE PERCENT OR MORE OF THE  
19 EXTERIOR OF THE STRUCTURE OR THE ATTACHMENT TO IT IS AFFECTED BY  
20 THE ALTERATION OR REPAIR. COMPLIANCE WITH THE CODES IS REQUIRED  
21 FOR THE ADDITION OF A WOODEN DECK TO A STRUCTURE. THE CODES  
22 SHALL NOT APPLY TO INTERIOR ALTERATIONS OF EXISTING STRUCTURES."

23 Page 9, strike lines 18 and 19 and substitute "1, 2025, AND REVIEWED BY  
24 THE BOARD EVERY THREE YEARS AND UPDATED OR SUPPLEMENTED AS THE  
25 BOARD DETERMINES MAY BE NECESSARY;"

26 Page 10, strike lines 5 and 6 and substitute "APPROVAL OF AN EXEMPTION  
27 FROM THE CODE FOR ACTIVITIES OR"

28 Page 10, line 18, strike "(2)." and substitute "(2);".

29 Page 10, after line 18 insert:

30 "(II) PURSUANT TO THE BOARD'S COLLABORATION WITH THE  
31 ENERGY CODE BOARD AS REQUIRED BY SUBSECTION (4)(c)(I)(C) OF THIS  
32 SECTION, THE BOARD SHALL WORK WITH THE ENERGY CODE BOARD TO  
33 IDENTIFY ANY CONFLICTS BETWEEN CODES DEVELOPED BY THE ENERGY  
34 CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5) AND (6) AND RULES  
35 PROMULGATED BY THE BOARD AND MAKE BEST EFFORTS TO RESOLVE ANY  
36 CONFLICTS;"

- 1    Renumber succeeding subparagraphs accordingly.
- 2    Page 14, line 17, after "INTERFACE" insert "THAT HAS THE AUTHORITY TO
- 3    ADOPT BUILDING CODES OR FIRE CODES".
- 4    Page 14, line 18, strike "CODES." and substitute "CODES WITHIN THREE
- 5    MONTHS OF THE BOARD ADOPTING THE CODES IN ACCORDANCE WITH
- 6    SECTION 24-33.5-1236 (4)(b)(II)(D)".
- 7    Page 14, line 24, strike "SIX" and substitute "THREE".
- 8    Page 15, line 14, after "FEE" insert "TO THE PROPERTY OWNER".
- 9    Page 15, line 26, strike "EFFECT." and substitute "EFFECT, OR THE BOARD
- 10    AT ITS DISCRETION AND THROUGH ITS OWN ACTION MAY EXTEND THE
- 11    MODIFICATION AND SPECIFY A NEW EXPIRATION DATE."

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