

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0682.01 Bob Lackner x4350

**SENATE BILL 21-166**

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**SENATE SPONSORSHIP**

**Rankin and Fenberg,**

**HOUSE SPONSORSHIP**

**McCluskie and Will,**

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**Senate Committees**  
Agriculture & Natural Resources  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE IMPLEMENTATION OF RECOMMENDATIONS FROM**  
102         **THE COLORADO FIRE COMMISSION, AND, IN CONNECTION**  
103         **THEREWITH, MAKING AN APPROPRIATION.**

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**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 implements recommendations of the 2020 Colorado Fire Commission Annual Report.

**Sections 1, 2, and 3** of the bill update 3 mutual aid statutes affecting the responsibilities of requesting and assisting fire control. Under current statutory provisions, all resources from an agency assisting

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

in fire prevention are under the control of the requesting agency and liability is placed with the requesting agency. Under the changes made by the bill, the assisting agency, working under the direction of the incident commander, retains operational control of its resources and, therefore, retains liability for the actions of its crews. These changes also add public emergency medical services (EMS) agencies to the applicable statutory provisions to allow for better coordination of EMS mutual aid resources.

**Section 4** creates the state responsibility and large wildland fire fund (fund) in the state treasury, which fund is to be administered by the division of fire prevention and control (division) in the department of public safety. Commencing July 1, 2021, and on July 1 of all subsequent state fiscal years, the bill requires the state treasurer to make an annual transfer from the general fund into the fund. Money in the fund must be used to pay for the state's share of suppression costs on large responsibility fires that are deemed to be the responsibility of the state.

The regional and statewide mutual aid system (RSMAS) is a regional and statewide system that provides for the coordinated initial response of emergency responders to emergency incidents. **Section 5** establishes the RSMAS to be administered by the division.

The director of the division is required to establish, implement, and maintain the RSMAS. Among the duties of the director in administering the RSMAS is implementing the Colorado coordinated regional mutual aid system (CCRMAS). The CCRMAS establishes 4 roughly equal geographic areas within the state to be known as division of fire prevention and control (DFPC) districts. Each DFPC district has a regional mutual aid coordinator, whose duties include ensuring that a competent mutual aid plan exists in each DFPC district and who serves as the point of contact within the DFPC district and coordinates mutual aid requests for fire and EMS resources. The bill specifies the duties of each regional mutual aid coordinator and of the director of the division with respect to administration of the RSMAS and CCRMAS overall.

Unless an emergency responder has opted out of the RSMAS and CCRMAS, all emergency responders are part of the RSMAS and CCRMAS. An emergency responder is relieved from any duty to make its equipment and personnel available to the RSMAS and CCRMAS under circumstances specified in the bill. An emergency responder that opts out of the RSMAS and CCRMAS is only eligible for reimbursement to the extent authorized in the rules promulgated by the director of the division.

The RSMAS and CCRMAS do not affect any other mutual aid agreement that may be entered into by one or more emergency responders.

At the end of any state fiscal year commencing with the 2022 state fiscal year, **section 6** requires the state treasurer to transfer any money in the aviation resources line of the annual general appropriation act for that

same state fiscal year that would otherwise revert to the general fund into the wildfire preparedness fund (WPF). Money transferred by the state treasurer into the WPF must be used for the purpose of traditional mitigation efforts. As long as money transferred into the WPF is being expended for one of the purposes specified in the bill, the division may allocate the money to any such purpose as will maximize the impact of such funding as the division may determine in its sole discretion.

Not less than once every 3 years commencing January 15, 2025, the division is required to report to the joint budget committee concerning its expenditures from the transfers made into the WPF under the bill.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 29-5-105 as  
3 follows:

4           **29-5-105. Assignment of emergency response personnel for**  
5           **temporary duty - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
6           CONTEXT OTHERWISE REQUIRES:

7           (a) "EMERGENCY RESPONDER" MEANS A COUNTY IMPROVEMENT  
8           DISTRICT PROVIDING FIRE PROTECTION SERVICES OR ANY OTHER COUNTY  
9           DEPARTMENT OR AGENCY THAT PROVIDES FIRE OR EMERGENCY MEDICAL  
10           SERVICES, MUNICIPAL FIRE DEPARTMENTS, FIRE PROTECTION DISTRICTS,  
11           METROPOLITAN DISTRICTS PROVIDING FIRE PROTECTION SERVICES, FIRE  
12           AUTHORITIES, HAZARDOUS MATERIALS AUTHORITIES, VOLUNTEER FIRE  
13           DEPARTMENTS RECOGNIZED UNDER THE "VOLUNTEER FIRE DEPARTMENT  
14           ORGANIZATION ACT", SECTION 24-33.5-1208.5, AND ANY AMBULANCE  
15           SERVICE OPERATED BY A SUBDIVISION OF STATE GOVERNMENT.

16           (b) "EMERGENCY RESPONDER PERSONNEL" MEANS PAID OR  
17           VOLUNTEER PERSONNEL OF AN EMERGENCY RESPONDER.

18           (2) The chief ~~of the fire department of any town, city, city and~~  
19           ~~county, or fire protection district~~ OR EXECUTIVE OFFICER OF AN  
20           EMERGENCY RESPONDER may, in his or her discretion and upon A request

1       therefor MADE by the chief of any fire department of any other town, city,  
2       city and county, or fire protection district, assign members of his or her  
3       department or companies thereof, together with such OR EXECUTIVE  
4       OFFICER OF ANY OTHER EMERGENCY RESPONDER, ASSIGN SUCH PERSONNEL  
5       AND equipment as the fire chief HE OR SHE determines to be proper, to  
6       perform temporary fire fighting or other EMERGENCY SERVICES duties  
7       under the direction and control of the requesting fire chief EMERGENCY  
8       RESPONDER; except that the assigning fire chief OR EXECUTIVE OFFICER  
9       may require that such firefighters, fire companies, EMERGENCY  
10      RESPONDER PERSONNEL and equipment shall be under the immediate  
11      direction and control of a superior officer of the assigning fire department  
12      EMERGENCY RESPONDER, which superior officer shall be, during such  
13      temporary assignment, under the direction and control of the requesting  
14      fire chief OR EXECUTIVE OFFICER. Nothing contained in sections 29-5-103  
15      to 29-5-110 shall be construed to limit THIS SECTION AND SECTIONS  
16      29-5-107 TO 29-5-110 LIMITS the power of any town, city, or city and  
17      county or fire protection district THE GOVERNING BODY OF ANY  
18      EMERGENCY RESPONDER to prohibit or limit by ordinance or regulation  
19      the exercise by a fire chief OR EXECUTIVE OFFICER of the discretion  
20      granted in sections 29-5-103 to 29-5-110 THIS SECTION AND SECTIONS  
21      29-5-107 TO 29-5-110.

22                   **SECTION 2.** In Colorado Revised Statutes, amend 29-5-107 as  
23       follows:

24                   **29-5-107. Request for temporary assignment of emergency**  
25       **response personnel - definitions.** (1) AS USED IN THIS SECTION, UNLESS  
26       THE CONTEXT OTHERWISE REQUIRES:

27                   (a) "EMERGENCY INCIDENT" MEANS A NATURAL OR MANMADE

1       EMERGENCY INCIDENT THAT OVERWHELMS OR HAS THE POTENTIAL TO  
2       OVERWHELM LOCAL RESOURCES, WHICH INCIDENTS INCLUDE, WITHOUT  
3       LIMITATION, WILDLAND FIRES, FIRES OCCURRING IN WILDLAND-URBAN  
4       INTERFACE AREAS, STRUCTURAL FIRES, TORNADOES, FLOODS, EXPLOSIONS,  
5       WEAPONS OF MASS DESTRUCTION, MASS CASUALTY, HAZARDOUS  
6       MATERIALS INCIDENTS, TECHNICAL RESCUE AND EXTRICATION,  
7       EMERGENCY MEDICAL TRANSPORT, AND EMERGENCY MEDICAL SERVICES.

8               (b) "EMERGENCY RESPONDER" HAS THE SAME MEANING AS  
9       SPECIFIED IN SECTION 29-5-105 (1).

10               (c) "EMERGENCY RESPONDER PERSONNEL" HAS THE SAME  
11       MEANING AS SPECIFIED IN SECTION 29-5-105 (1).

12               (2) The chief OR EXECUTIVE OFFICER of ~~the fire department of any~~  
13 ~~town, city, city and county, or fire protection district~~ AN EMERGENCY  
14       RESPONDER may, when in his or her opinion the same is required by ~~any~~  
15 ~~conflagration, fire, or other such~~ AN emergency INCIDENT, request the  
16       chief of ~~the fire department of any other town, city, city and county, or~~  
17 ~~fire protection district~~ OR EXECUTIVE OFFICER of ANOTHER EMERGENCY  
18       RESPONDER to assign to him or her ~~firefighters, fire companies,~~  
19       EMERGENCY RESPONDER PERSONNEL and equipment ~~of such other fire~~  
20       ~~department~~ to perform temporary duty within the boundaries of such  
21       requesting ~~town, city, city and county, or fire protection district,~~  
22       EMERGENCY RESPONDER under the direction and control of such  
23       requesting fire chief OR EXECUTIVE OFFICER and under such terms and  
24       conditions as shall be agreed upon between the requesting and assigning  
25       fire chiefs OR EXECUTIVE OFFICERS. Such firefighters EMERGENCY  
26 RESPONDER PERSONNEL shall, while so assigned and performing duties  
27       subject to the direction and control of the requesting fire chief OR

1 EXECUTIVE OFFICER, have the same power as ~~regular firefighters and fire~~  
2 ~~companies~~ THE EMERGENCY RESPONDER PERSONNEL of the requesting  
3 ~~town, city, city and county, or fire protection district~~ EMERGENCY  
4 RESPONDER.

5 **SECTION 3.** In Colorado Revised Statutes, **amend** 29-5-108 as  
6 follows:

7 **29-5-108. Liability of requesting jurisdiction.** (1) During the  
8 time that a police officer OR deputy sheriff, ~~or firefighter~~, AS APPLICABLE,  
9 of a town, city, city and county, county, ~~or fire protection district~~ or of a  
10 state institution of higher education employing a peace officer in  
11 accordance with article 7.5 of title 24 ~~C.R.S.~~, is assigned to temporary  
12 duty within the jurisdiction of another town, city, city and county, county,  
13 ~~or fire protection district~~, or of another state institution of higher  
14 education employing a peace officer in accordance with article 7.5 of title  
15 24, ~~C.R.S.~~, as provided in ~~sections 29-5-103 to 29-5-107~~ **SECTIONS**  
16 29-5-103, 29-5-104, AND 29-5-106, any liability that accrues under the  
17 provisions of article 10 of title 24, ~~C.R.S.~~, on account of the negligent or  
18 otherwise tortious act of the police officer OR deputy sheriff ~~or firefighter~~  
19 while performing the duty ~~shall be~~ IS imposed upon the requesting town,  
20 city, city and county, county, ~~fire protection district~~, or state institution of  
21 higher education, and not upon the assigning jurisdiction.

22 ~~(2) During the time that a person from another state is performing~~  
23 ~~firefighting duties within the jurisdiction of a county, municipality, fire~~  
24 ~~protection district, or fire protection authority in this state under an~~  
25 ~~agreement authorized in section 29-1-206.5 (1), any liability that accrues~~  
26 ~~under the provisions of article 10 of title 24, C.R.S., on account of the~~  
27 ~~negligent or otherwise tortious act of the firefighter while performing the~~

1       duty is imposed upon the county, municipality, fire protection district, or  
2       fire protection authority of this state that is a party to the agreement.

3               ==

4       **SECTION 4.** In Colorado Revised Statutes, **add 24-33.5-1235 as**  
5       **follows:**

6       **24-33.5-1235. Regional and statewide mutual aid system -**  
7       **powers and duties of division director - rules - legislative declaration**

8       **- definitions.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS,  
9       DETERMINES, AND DECLARES THAT:

10               (I) NATURAL AND MANMADE EMERGENCIES THAT OVERWHELM OR  
11       HAVE THE POTENTIAL TO OVERWHELM LOCAL FIRE AND EMS RESOURCES  
12       POSE A SERIOUS THREAT TO LIFE, PROPERTY, CRITICAL INFRASTRUCTURE,  
13       THE ECONOMY, AND THE ENVIRONMENT ACROSS THE STATE;

14               (II) A SYSTEMATIC, PROACTIVE APPROACH TO THE INITIAL  
15       RESPONSE TO SUCH INCIDENTS, REGARDLESS OF CAUSE, LOCATION, OR  
16       COMPLEXITY, IS NEEDED IN ORDER TO PROTECT LIFE, PROPERTY, CRITICAL  
17       INFRASTRUCTURE, THE ECONOMY, AND ENVIRONMENT ACROSS THE STATE;  
18       AND

19               (III) IT IS ESSENTIAL TO THE PROPER MANAGEMENT OF SUCH  
20       INCIDENTS TO DEVELOP A REGIONAL AND STATEWIDE MUTUAL AID SYSTEM  
21       AMONG THE VARIOUS LOCAL FIRE AND EMERGENCY MEDICAL RESPONSE  
22       AGENCIES TO ENSURE RAPID COORDINATED INITIAL RESPONSE.

23       (b) THE GENERAL ASSEMBLY INTENDS THIS SECTION TO ESTABLISH  
24       A REGIONAL AND STATEWIDE MUTUAL AID SYSTEM TO BE ADMINISTERED  
25       BY THE DIVISION.

26       (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
27       REQUIRES:

4 (b) "DIVISION OF FIRE PREVENTION AND CONTROL" OR "DFPC"  
5 MEANS THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE  
6 DEPARTMENT OF PUBLIC SAFETY CREATED IN SECTION 24-33.5-1201.

26 (II) "EMERGENCY RESPONDER" ALSO INCLUDES OTHER PUBLIC,  
27 PRIVATE, NONPROFIT, OR GOVERNMENT ORGANIZATIONS THAT HAVE BEEN

1 ACCEPTED INTO THE RSMAS BY THE DIRECTOR OF THE DIVISION AND  
2 THAT PROVIDE ONE OR MORE OF THE FOLLOWING SERVICES IN THE STATE  
3 OF COLORADO: FIRE SUPPRESSION; TECHNICAL RESCUE; EMERGENCY  
4 EXTRICATION; HAZARDOUS MATERIALS; OR ALL-HAZARDS EMERGENCY  
5 RESPONSE, AMBULANCE, OR EMERGENCY MEDICAL SERVICES.

6 (e) "EMS" MEANS EMERGENCY MEDICAL SERVICES.

7 (f) "REGIONAL AND STATEWIDE MUTUAL AID SYSTEM" OR  
8 "RSMAS" MEANS A REGIONAL AND STATEWIDE SYSTEM THAT PROVIDES  
9 FOR THE COORDINATED INITIAL RESPONSE OF EMERGENCY RESPONDERS TO  
10 EMERGENCY INCIDENTS.

11 (3) THE DIRECTOR OF THE DIVISION SHALL ESTABLISH, IMPLEMENT,  
12 AND MAINTAIN THE RSMAS, WHICH AUTHORITY ENCOMPASSES THE  
13 FOLLOWING ADDITIONAL POWERS AND DUTIES, WITHOUT LIMITATION:

14 (a) IMPLEMENTING THE COLORADO COORDINATED REGIONAL  
15 MUTUAL AID SYSTEM. THE CCRMAS ESTABLISHES GEOGRAPHIC AREAS  
16 WITHIN THE STATE TO BE KNOWN AS DFPC DISTRICTS. EACH DFPC  
17 DISTRICT MUST BE OPERATED BY A REGIONAL MUTUAL AID COORDINATOR,  
18 WHO SHALL ENSURE THAT A COMPETENT MUTUAL AID PLAN FOR FIRE,  
19 EMS, AND EMERGENCY RESPONDERS EXISTS IN EACH DFPC DISTRICT AND  
20 WHO SHALL SERVE AS THE POINT OF CONTACT WITHIN THE DFPC DISTRICT  
21 AND COORDINATE MUTUAL AID REQUESTS. THE DUTIES OF EACH REGIONAL  
22 MUTUAL AID COORDINATOR SHALL INCLUDE WITHOUT LIMITATION:

23 (I) GATHERING AND PROVIDING INFORMATION FOR A STATEWIDE  
24 COMMON OPERATING PICTURE;

25 (II) COORDINATING, ASSISTING, AND BRIDGING GAPS WITH THE  
26 INTERAGENCY DISPATCH SYSTEM;

27 (III) COORDINATING WITH THE OFFICE OF EMERGENCY

1       MANAGEMENT CREATED IN SECTION 24-33.5-705 (1) TO ENSURE EFFICIENT  
2       AND EFFECTIVE IMPLEMENTATION AND INTEGRATION OF THE  
3       MOBILIZATION PLAN REQUIRED BY SECTION 24-33.5-705.4 (3)(a) AND  
4       OTHER STATE AND LOCAL EMERGENCY OPERATIONS PLANS, AS  
5       APPROPRIATE.

6           (IV) FACILITATING TRANSITION FROM INITIAL ATTACK AND  
7       MUTUAL AID RESPONSE TO EXTENDED ATTACK AND LARGE SCALE  
8       RESOURCE MOBILIZATION;

9           (V) DEVELOPING MUTUAL AID PLANS WHERE NONE EXIST;

10          (VI) ENSURING AN ACCURATE INVENTORY OF RESOURCES IN THE  
11       REGION AND ENSURING THE INVENTORY IS INCLUDED IN THE MOBILIZATION  
12       SYSTEM DESCRIBED IN SECTION 24-33.5-705.4;

13          (VII) ENSURING THE PARTICIPATION OF ALL AGENCIES;

14          (VIII) EXERCISING EXISTING AND NEWLY DEVELOPED MUTUAL AID  
15       PLANS; AND

16          (IX) ACTIVATING MUTUAL AID PLANS WITHIN A REGION IN  
17       RESPONSE TO REQUESTS;

18           (b) ESTABLISHING, STAFFING, AND MAINTAINING A STATE  
19       COORDINATION CENTER, WHICH CENTER IS RESPONSIBLE FOR THE OVERALL  
20       COORDINATION OF THE RSMAS AND CCRMAS, INCLUDING THE  
21       OVERSIGHT AND COORDINATION WITH THE DFPC DISTRICTS AND THE  
22       REGIONAL MUTUAL AID COORDINATORS;

23           (c) ESTABLISHING THE MECHANISMS BY WHICH AN EMERGENCY  
24       RESPONDER CAN ACTIVATE THE RSMAS AND CCRMAS; AND

25           (d) PROMULGATING RULES FOR THE APPROPRIATE  
26       IMPLEMENTATION, OPERATION, AND MAINTENANCE OF THE RSMAS AND  
27       CCRMAS.

1 (4)(a) UNLESS AN EMERGENCY RESPONDER HAS OPTED OUT OF THE  
2 RSMAS AND CCRMAS IN ACCORDANCE WITH SUBSECTION (4)(c) OF THIS  
3 SECTION, ALL EMERGENCY RESPONDERS ARE PART OF THE RSMAS AND  
4 CCRMAS. AN EMERGENCY RESPONDER IS RELIEVED FROM ANY DUTY TO  
5 MAKE ITS EQUIPMENT AND PERSONNEL AVAILABLE IF THE EMERGENCY  
6 RESPONDER DETERMINES THAT SUCH EQUIPMENT AND PERSONNEL:

7 (I) ARE NEEDED WITHIN THE EMERGENCY RESPONDER'S SERVICE  
8 AREA;

9                   (II) ARE NOT AVAILABLE BECAUSE OF THEIR PRIOR USE AT  
10                   ANOTHER LOCATION; OR

11 (III) ARE NOT AVAILABLE BECAUSE OF EQUIPMENT MECHANICAL  
12 BREAK DOWN, INSUFFICIENT PERSONNEL, OR OTHERWISE.

16 (c) AN EMERGENCY RESPONDER, INCLUDING AN EMERGENCY  
17 RESPONDER THAT THE DIRECTOR OF THE DIVISION HAS PREVIOUSLY  
18 ACCEPTED INTO THE RSMAS AND CCRMAS, MAY OPT OUT OF THE  
19 RSMAS AND CCRMAS BY SUBMITTING TO THE DIRECTOR OF THE  
20 DIVISION WRITTEN NOTICE OF THE EMERGENCY RESPONDER'S INTENT TO  
21 OPT OUT OF THE RSMAS AND CCRMAS. AN EMERGENCY RESPONDER  
22 THAT OPTS OUT OF THE RSMAS AND CCRMAS IS ONLY ELIGIBLE FOR  
23 REIMBURSEMENT TO THE EXTENT AUTHORIZED IN THE RULES  
24 PROMULGATED BY THE DIRECTOR OF THE DIVISION.

25 (d) NOTHING IN THIS SECTION AFFECTS ANY OTHER MUTUAL AID  
26 AGREEMENT THAT MAY BE ENTERED INTO BY ONE OR MORE EMERGENCY  
27 RESPONDERS.

6 (f) NOTWITHSTANDING ANY RULE OR REGULATION ADOPTED BY  
7 THE COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT OR ANY  
8 FEDERAL OR STATE STATUTE, AN EMERGENCY RESPONDER THAT IS DULY  
9 LICENSED TO OPERATE AN AMBULANCE IN A COUNTY WITHIN THE STATE  
10 AND IS PROVIDING SUCH AMBULANCE SERVICES PURSUANT TO THE  
11 RSMAS AND CCRMAS IS NOT REQUIRED TO BE LICENSED IN ANY COUNTY  
12 IN WHICH IT RESPONDS.

16 **SECTION 5.** In Colorado Revised Statutes, 24-33.5-705.4,  
17 **amend (3)(a); and add (3)(a.3) and (3)(a.5) as follows:**

18 24-33.5-705.4. All-hazards resource mobilization system -  
19 creation - plan - duties - reimbursement for expenses incurred by  
20 mobilized entities - eligibility - resource mobilization fund - creation  
21 - definitions - legislative declaration. (3) **Powers and duties.** (a) The  
22 director, IN CONSULTATION WITH THE DIRECTOR OF THE DIVISION OF FIRE  
23 PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY  
24 CREATED IN SECTION 24-33.5-1201 (1)(a), shall develop and maintain a  
25 statewide all-hazards resource mobilization plan that sets forth procedures  
26 for mobilization, allocation, deployment, coordination, tracking, cost  
27 accounting, and demobilization of resources during disasters and other

1 large-scale emergencies and local incidents that require more resources  
2 than those available under any existing interjurisdictional or mutual aid  
3 agreement. In developing the mobilization plan, the director shall consult  
4 with and solicit recommendations from the homeland security and  
5 all-hazards senior advisory committee created in section 24-33.5-1614  
6 and other appropriate representatives of state, tribal, and local  
7 governmental and private sector emergency management organizations.  
8 The director shall ensure that the mobilization plan is consistent with, and  
9 incorporated into, the Colorado state comprehensive emergency  
10 management program described in section 24-33.5-705 (2) AND THE  
11 COLORADO COORDINATED REGIONAL AND STATEWIDE MUTUAL AID  
12 SYSTEM CREATED IN SECTION 24-33.5-1235 (3).

13 (a.3) THE DIRECTOR SHALL ENSURE THAT RESOURCES IN THE  
14 COLORADO COORDINATED REGIONAL AND STATEWIDE MUTUAL AID  
15 SYSTEM CREATED IN SECTION 24-33.5-1235 (3)(a) ARE INCLUDED IN THE  
16 ALL-HAZARDS RESOURCE MOBILIZATION SYSTEM DESCRIBED IN THIS  
17 SECTION.

18 (a.5) THE DIRECTOR SHALL COORDINATE WITH THE STATE  
19 COORDINATION CENTER CREATED IN SECTION 24-33.5-1235 (3)(b) TO  
20 ENSURE SUFFICIENT AND EFFECTIVE IMPLEMENTATION AND INTEGRATION  
21 OF THE RESOURCE MOBILIZATION PLAN REQUIRED BY SUBSECTION (3)(a)  
22 OF THIS SECTION AND STATE AND LOCAL EMERGENCE OPERATIONS PLANS,  
23 AS APPROPRIATE.

24 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1227,  
25 **amend (1)(a)(I); and add (1.5) as follows:**

26 **24-33.5-1227. Wildfire preparedness fund - creation - gifts,**  
27 **grants, and donations authorized - wildfire preparedness plan -**

1       **report.** (1) (a) (I) There is hereby created in the state treasury the  
2       wildfire preparedness fund. The fund consists of all money that may be  
3       appropriated thereto by the general assembly, all private and public  
4       money received through gifts, grants, reimbursements, or donations that  
5       are transmitted to the state treasurer and credited to the fund, all money  
6       transferred to the fund from the healthy forests and vibrant communities  
7       fund created in section 23-31-313 (10), money transferred pursuant to  
8       section 39-29-109.3 (2)(n)(I)(C), MONEY TRANSFERRED PURSUANT TO  
9       SUBSECTION (1.5)(a) OF THIS SECTION, and money transferred pursuant to  
10      subsection (1)(a)(II) of this section. All interest earned from the  
11      investment of money in the fund shall be credited to the fund. The money  
12      in the fund is hereby continuously appropriated for the purposes indicated  
13      in this section. Any money not expended at the end of the fiscal year shall  
14      remain in the fund and shall not be transferred to or revert to the general  
15      fund.

16                   (1.5) (a) AT THE END OF ANY STATE FISCAL YEAR COMMENCING  
17      WITH THE 2022 STATE FISCAL YEAR, THE STATE TREASURER SHALL  
18      TRANSFER ANY MONEY IN THE AVIATION RESOURCES LINE OF THE ANNUAL  
19      GENERAL APPROPRIATION ACT FOR THAT SAME STATE FISCAL YEAR THAT  
20      WOULD OTHERWISE REVERT TO THE GENERAL FUND INTO THE WILDFIRE  
21      PREPAREDNESS FUND CREATED IN SUBSECTION (1)(a) OF THIS SECTION.  
22      MONEY TRANSFERRED BY THE STATE TREASURER INTO THE WILDFIRE  
23      PREPAREDNESS FUND IN ACCORDANCE WITH THIS SUBSECTION (1.5)(a)  
24      MUST BE USED FOR THE PURPOSE OF TRADITIONAL MITIGATION EFFORTS  
25      INCLUDING BUT NOT LIMITED TO MAINTAINING STAFF AND NECESSARY  
26      EQUIPMENT FOR PRESCRIBED FIRE PROJECTS; MECHANICAL AND OTHER  
27      FUELS TREATMENT PROJECTS; PROJECT PLANNING, COORDINATION, AND

1 AGREEMENTS; AND COMMUNITY ASSISTANCE AND PLANNING EFFORTS. AS  
2 LONG AS MONEY TRANSFERRED INTO THE WILDFIRE PREPAREDNESS FUND  
3 PURSUANT TO THIS SUBSECTION (1.5)(a) IS BEING EXPENDED FOR ONE OF  
4 THE PURPOSES SPECIFIED IN THIS SUBSECTION (1.5)(a), THE DIVISION MAY  
5 ALLOCATE THE MONEY TO ANY SUCH PURPOSE AS WILL MAXIMIZE THE  
6 IMPACT OF SUCH FUNDING AS THE DIVISION MAY DETERMINE IN ITS SOLE  
7 DISCRETION.

8 (b) NOT LESS THAN ONCE EVERY THREE YEARS COMMENCING  
9 JANUARY 15, 2025, THE DIVISION SHALL REPORT TO THE JOINT BUDGET  
10 COMMITTEE CONCERNING THE AMOUNT OF MONEY TRANSFERRED INTO THE  
11 WILDFIRE PREPAREDNESS FUND PURSUANT TO SUBSECTION (1.5)(a) OF THIS  
12 SECTION DURING THE PRIOR THREE-YEAR PERIOD, THE AMOUNT EXPENDED  
13 BY THE DIVISION FROM THE MONEY TRANSFERRED INTO IT, AND THE  
14 PURPOSES FOR WHICH THE MONEY HAS BEEN EXPENDED.

15 **SECTION 7. Appropriation.** (1) For the 2021-22 state fiscal  
16 year, \$1,033,500 is appropriated to the department of public safety. This  
17 appropriation is from the general fund. To implement this act, the  
18 department may use this appropriation as follows:

19 (a) \$56,555 for use by the executive director's office for vehicle  
20 lease payments;

21 (b) \$42,240 for use by the executive director's office for leased  
22 space; and

23 (c) \$934,705 for use by the division of fire prevention and control  
24 for wildland fire management services, which amount is based on an  
25 assumption that the department will require an additional 6.4 FTE.

26 **SECTION 8. Safety clause.** The general assembly hereby finds,

1      determines, and declares that this act is necessary for the immediate  
2      preservation of the public peace, health, or safety.