

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 17-1140.01 Ed DeCecco x4216

SENATE BILL 17-259

SENATE SPONSORSHIP

Lundberg, Lambert, Moreno

HOUSE SPONSORSHIP

Rankin, Hamner, Young

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING A TRANSFER OF MONEY FROM THE GENERAL FUND TO**
102 **CASH FUNDS ADMINISTERED BY STATE DEPARTMENTS FOR THE**
103 **PROTECTION OF THE STATE'S NATURAL RESOURCES.**

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/>.)

Joint Budget Committee. On July 1, 2017, the bill requires the state treasurer to transfer money from the general fund as follows:

- ! \$2,272,727 million to the forest restoration and wildfire risk mitigation grant program cash fund;
- ! \$4,090,909 million to the species conservation trust fund;

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

HOUSE
Amended 2nd Reading
April 7, 2017

SENATE
3rd Reading Unamended
March 30, 2017

SENATE
2nd Reading Unamended
March 29, 2017

- ! \$2,452,193 million to the division of parks and outdoor recreation aquatic nuisance species fund; and
- ! \$1,184,171 million to the division of wildlife aquatic nuisance species fund.

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 **as amended by Senate Bill 17-050** (8.5)(a)(I); and **add** (8.7) as follows:

4 **23-31-310. Forest restoration and wildfire risk mitigation**
5 **grant program - legislative declaration - definitions - technical**
6 **advisory panel - repeal.** (8.5) **Forest restoration and wildfire risk**
7 **mitigation grant program cash fund.** (a) There is hereby created in the
8 state treasury the forest restoration and wildfire risk mitigation grant
9 program cash fund. The department of higher education shall administer
10 the fund, which consists of:

11 (I) All money transferred by the treasurer as specified in section
12 39-29-109.3 (2)(k) AND SUBSECTION (8.7) OF THIS SECTION; and

13 (8.7) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER
14 **NINE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED FORTY-FIVE**
15 **DOLLARS FROM THE GENERAL FUND TO THE FOREST RESTORATION AND**
16 **WILDFIRE RISK MITIGATION GRANT PROGRAM CASH FUND.**

17 **SECTION 2.** In Colorado Revised Statutes, 23-31-313, **amend**
18 **(10)(a)** as follows:

19 **23-31-313. Healthy forests - vibrant communities - funds**
20 **created - repeal.** (10) **Healthy forests and vibrant communities fund.**

21 (a) (I) There is hereby created in the state treasury the healthy forests and
22 vibrant communities fund. The fund ~~shall consist~~ **CONSISTS** of all ~~moneys~~
23 **MONEY** that may be appropriated thereto by the general assembly, all

1 private and public moneys MONEY received through gifts, grants,
2 reimbursements, or donations that are transmitted to the state treasurer
3 and credited to the fund, and all moneys MONEY transferred to the fund
4 pursuant to section 39-29-109.3 (2)(n) C.R.S. AND SUBSECTION (10)(a)(II)
5 OF THIS SECTION. All interest earned from the investment of moneys
6 MONEY in the fund shall be IS credited to the fund. The moneys MONEY in
7 the fund are IS hereby continuously appropriated for the purposes
8 specified in this subsection (10) and shall remain REMAINS available until
9 expended. Any moneys MONEY not expended at the end of the fiscal year
10 shall remain in the fund and shall not be transferred to or revert to the
11 general fund.

12 (II) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER ONE
13 MILLION ONE HUNDRED EIGHTY-SIX THOUSAND THREE HUNDRED
14 SIXTY-THREE DOLLARS FROM THE GENERAL FUND TO THE HEALTHY
15 FORESTS AND VIBRANT COMMUNITIES FUND.

16 SECTION 3. In Colorado Revised Statutes, 24-33-111, amend
17 (2)(a)(I) as follows:

18 24-33-111. Conservation of native species - fund created.

19 (2) Species conservation trust fund - creation. (a) (I) (A) There is
20 hereby created in the state treasury the species conservation trust fund,
21 which is subject to annual authorization by the general assembly to carry
22 out the purposes of this section. ~~The state treasurer shall transfer all~~
23 ~~revenues previously allocated to the operation and maintenance account~~
24 ~~and the capital account, as such accounts existed before June 8, 2012, to~~
25 ~~the fund.~~ THE FUND CONSISTS OF ALL MONEY TRANSFERRED BY THE
26 TREASURER AS SPECIFIED IN SECTION 39-29-109.3 (2)(e) AND SUBSECTION
27 (2)(a)(I)(B) OF THIS SECTION. All income derived from the deposit and

1 investment of ~~moneys~~ MONEY in the fund ~~shall be~~ IS credited to the fund.
2 At the end of any fiscal year, all unexpended ~~moneys~~ MONEY in the fund
3 ~~remain~~ REMAINS in the fund and shall not be credited or transferred to the
4 general fund or any other fund. To the maximum extent practical, only
5 interest from the fund shall be expended for activities pursuant to this
6 section.

7 (B) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER
8 FOUR MILLION NINETY THOUSAND NINE HUNDRED NINE DOLLARS FROM THE
9 GENERAL FUND TO THE SPECIES CONSERVATION TRUST FUND.

10 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1212,
11 **amend** (5)(a) as follows:

12 **24-33.5-1212. Training for directors of fire protection districts**
13 **- pilot program - advisory board - training fund - repeal.**

14 (5) (a) (I) The division shall offer courses to directors of fire protection
15 districts in accordance with this section at no charge and shall seek gifts,
16 grants, and donations to fund the pilot program created pursuant to this
17 section. EXCEPT FOR THE MONEY TRANSFERRED IN ACCORDANCE WITH
18 SUBSECTION (5)(a)(II) OF THIS SECTION, no general fund ~~moneys~~ MONEY
19 shall be expended for the implementation of the program.
20 Notwithstanding any other provision of this section, the division shall not
21 implement the program until the division receives sufficient
22 appropriations, gifts, grants, or donations to cover the costs of
23 implementing the program. The division shall transmit gifts, grants, and
24 donations received in accordance with this subsection (5) to the state
25 treasurer, who shall credit the moneys, along with any moneys
26 appropriated by the general assembly, to the wildland-urban interface
27 training fund, which fund is hereby created in the state treasury. Any

1 moneys MONEY in the fund in excess of those needed for the training of
2 directors of fire protection districts shall be used for the purpose of
3 providing firefighters with basic wildland firefighting and wildland-urban
4 interface firefighting training through existing wildland fire training
5 programs. All interest derived from the deposit and investment of moneys
6 MONEY in the fund shall be IS credited to the fund. Moneys MONEY not
7 expended at the end of a fiscal year shall remain in the fund and shall not
8 be transferred or revert to the general fund.

9 (II) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER
10 FORTY-FIVE THOUSAND FOUR HUNDRED FIFTY-FIVE DOLLARS FROM THE
11 GENERAL FUND TO THE WILDLAND-URBAN INTERFACE TRAINING FUND.

12 **SECTION 5.** In Colorado Revised Statutes, 24-33.5-1227,
13 **amend** (1)(a) as follows:

14 **24-33.5-1227. Wildfire preparedness fund - creation - gifts,**
15 **grants, and donations authorized - wildfire preparedness plan -**
16 **report.** (1) (a) (I) There is hereby created in the state treasury the
17 wildfire preparedness fund. The fund consists of all moneys MONEY that
18 may be appropriated thereto by the general assembly, all private and
19 public moneys MONEY received through gifts, grants, reimbursements, or
20 donations that are transmitted to the state treasurer and credited to the
21 fund, all moneys MONEY transferred to the fund pursuant to section
22 34-63-102 (5.4)(b)(II), ~~C.R.S.~~, all moneys MONEY transferred to the fund
23 from the healthy forests and vibrant communities fund created in section
24 23-31-313 (10), ~~C.R.S.~~, and moneys MONEY transferred pursuant to
25 section 39-29-109.3 (2)(n)(I)(C), ~~C.R.S.~~ AND MONEY TRANSFERRED
26 PURSUANT TO SUBSECTION (1)(a)(II) OF THIS SECTION. All interest earned
27 from the investment of moneys MONEY in the fund shall be credited to the

1 fund. The ~~moneys~~ MONEY in the fund ~~are~~ IS hereby continuously
2 appropriated for the purposes indicated in this section. Any ~~moneys~~
3 MONEY not expended at the end of the fiscal year shall remain in the fund
4 and shall not be transferred to or revert to the general fund.

5 (II) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER
6 EIGHTY-SIX THOUSAND THREE HUNDRED SIXTY-FOUR DOLLARS FROM THE
7 GENERAL FUND TO THE WILDFIRE PREPAREDNESS FUND.

8 **SECTION 6.** In Colorado Revised Statutes, 33-10.5-108, **amend**
9 (1)(a) and (2)(a); and **add** (1.5) as follows:

10 **33-10.5-108. Division of parks and outdoor recreation aquatic**
11 **nuisance species fund - creation - division of wildlife aquatic nuisance**
12 **species fund - creation.** (1) (a) There is hereby created in the state
13 treasury the division of parks and outdoor recreation aquatic nuisance
14 species fund, which shall be administered by the division of parks and
15 wildlife in the department of natural resources and ~~shall consist~~ CONSISTS
16 of all ~~moneys~~ MONEY transferred by the treasurer as specified in section
17 39-29-109.3 (2)(m) ~~C.R.S.~~ AND SUBSECTION (1.5)(a) OF THIS SECTION. All
18 ~~moneys~~ MONEY in the fund ~~are~~ IS continuously appropriated to the
19 division of parks and wildlife for the purpose of implementing the
20 provisions of this ~~article~~ ARTICLE 10.5. All ~~moneys~~ MONEY in the fund at
21 the end of each fiscal year shall remain in the fund and shall not revert to
22 the general fund or any other fund.

23 (1.5) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER
24 FROM THE GENERAL FUND:

25 (a) TWO MILLION FOUR HUNDRED FIFTY-TWO THOUSAND ONE
26 HUNDRED NINETY-THREE DOLLARS TO THE DIVISION OF PARKS AND
27 OUTDOOR RECREATION AQUATIC NUISANCE SPECIES FUND; AND

1 (b) ONE MILLION ONE HUNDRED EIGHTY-FOUR THOUSAND ONE
2 HUNDRED SEVENTY-ONE DOLLARS TO THE DIVISION OF WILDLIFE AQUATIC
3 NUISANCE SPECIES FUND.

4 (2) (a) There is hereby created in the state treasury the division of
5 wildlife aquatic nuisance species fund, which shall be administered by the
6 division of parks and wildlife in the department of natural resources and
7 ~~shall consist~~ CONSISTS of all ~~moneys~~ MONEY transferred by the treasurer
8 as specified in sections 33-1-112 and 39-29-109.3 (2)(m) ~~C.R.S.~~ AND
9 SUBSECTION (1.5)(b) OF THIS SECTION. All ~~moneys~~ MONEY in the fund ~~are~~
10 IS continuously appropriated to the division of parks and wildlife for the
11 purpose of implementing the provisions of this ~~article~~ ARTICLE 10.5. All
12 ~~moneys~~ MONEY in the fund at the end of each fiscal year shall remain in
13 the fund and shall not revert to the general fund or any other fund.

14 **SECTION 7. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.