

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

**PREAMENDED**

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

LLS NO. 17-1140.01 Ed DeCecco x4216

**SENATE BILL 17-259**

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**SENATE SPONSORSHIP**

**Lundberg**, Lambert, Moreno

**HOUSE SPONSORSHIP**

**Rankin**, Hamner, Young

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**Senate Committees**  
Appropriations

**House Committees**  
Appropriations

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**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.**

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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/>.)*

**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.*

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.

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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.