

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 21-1043.01 Jennifer Berman x3286

HOUSE BILL 21-1326

HOUSE SPONSORSHIP

McLachlan and Will,

SENATE SPONSORSHIP

Story,

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING 2020-21 STATE FISCAL YEAR TRANSFERS FROM THE
102 GENERAL FUND TO SUPPORT OUTDOOR RECREATION, AND, IN
103 CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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>.)

In the 2020-21 state fiscal year, the bill transfers \$25 million from the general fund as follows:

- **Section 1** transfers \$750,000 to the Colorado avalanche information center fund for use by the Colorado avalanche information center in the department of natural resources

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.

HOUSE
Amended 2nd Reading
June 3, 2021

(department) to support backcountry avalanche safety programs;

- **Section 2** transfers \$3.5 million to the wildlife cash fund for use by the division of parks and wildlife (division) in the department to implement its statewide wildlife action plan and the conservation of native species;
- **Section 3** transfers \$2.25 million to the search and rescue fund for use by the department of local affairs in consultation with the division to support backcountry search and rescue efforts;
- **Section 4** transfers \$1 million to the outdoor equity fund for use by the division to implement the outdoor equity grant program; and
- **Section 5** transfers \$17.5 million to the parks and outdoor recreation cash fund for use by the division as follows:
 - \$3.5 million for staffing and maintenance projects; and
 - \$14 million for infrastructure and state park development projects.

Section 6 appropriates the amounts transferred in sections 1 to 5 to the department and the department of local affairs for the uses specified in sections 1 to 5 and authorizes the use of the money through the 2023-24 state fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33-116, **add** (3)
3 as follows:

4 **24-33-116. Colorado avalanche information center - creation**
5 **- duties - fund - repeal.** (3) (a) WITHIN THREE DAYS AFTER THE
6 EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL
7 TRANSFER SEVEN HUNDRED FIFTY THOUSAND DOLLARS FROM THE
8 GENERAL FUND TO THE FUND FOR USE BY THE COLORADO AVALANCHE
9 INFORMATION CENTER TO SUPPORT BACKCOUNTRY AVALANCHE SAFETY
10 PROGRAMS.

11 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1,
12 **2023.**

1 **SECTION 2.** In Colorado Revised Statutes, 33-1-112, **add** (1.5)
2 as follows:

3 **33-1-112. Funds - cost accounting - definition - repeal.**

4 (1.5) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
5 SUBSECTION (1.5), THE STATE TREASURER SHALL TRANSFER THREE
6 MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO
7 THE WILDLIFE CASH FUND FOR USE BY THE DIVISION TO IMPLEMENT ITS
8 STATE WILDLIFE ACTION PLAN AND THE CONSERVATION OF NATIVE
9 SPECIES.

10 (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
11 2024.

12 **SECTION 3.** In Colorado Revised Statutes, 33-1-112.5, **add** (9)
13 as follows:

14 **33-1-112.5. Search and rescue fund - repeal.** (9) (a) WITHIN
15 THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (9), THE
16 STATE TREASURER SHALL TRANSFER TWO MILLION TWO HUNDRED FIFTY
17 THOUSAND DOLLARS FROM THE GENERAL FUND TO THE SEARCH AND
18 RESCUE FUND FOR USE BY THE DEPARTMENT OF LOCAL AFFAIRS IN
19 CONSULTATION WITH THE DIVISION TO SUPPORT BACKCOUNTRY SEARCH
20 AND RESCUE EFFORTS, INCLUDING TO COVER RESPONSE COSTS,
21 EQUIPMENT, AND OTHER RELATED EXPENSES.

22 (b) THE RESTRICTIONS ON USE OF MONEY SET FORTH IN THIS
23 SECTION DO NOT APPLY TO THE DIVISION'S USE OF THE MONEY
24 TRANSFERRED PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION.

25 (c) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE SEPTEMBER 1,
26 2024.

27 **SECTION 4.** In Colorado Revised Statutes, 33-9-206, **as added**

1 **by House Bill 21-1318 add (4) as follows:**

2 **33-9-206. Outdoor equity fund - repeal.** (4) (a) WITHIN THREE
3 DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (4) OR WITHIN
4 THREE DAYS AFTER THE EFFECTIVE DATE OF SUBSECTIONS (1) TO (3) OF
5 THIS SECTION, WHICHEVER IS LATER, THE STATE TREASURER SHALL
6 TRANSFER ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE
7 OUTDOOR EQUITY FUND FOR USE BY THE DIVISION TO IMPLEMENT THE
8 OUTDOOR EQUITY GRANT PROGRAM.

9 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
10 2024.

11 **SECTION 5.** In Colorado Revised Statutes, 33-10-111, **add (1.5)**
12 as follows:

13 **33-10-111. Parks and outdoor recreation cash fund - parks for**
14 **future generations trust fund - creation - fees - accounting**
15 **expenditures for roads and highways - definition - repeal.**

16 (1.5) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
17 SUBSECTION (1.5), THE STATE TREASURER SHALL TRANSFER SEVENTEEN
18 MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO
19 THE PARKS AND OUTDOOR RECREATION CASH FUND FOR USE BY THE
20 DIVISION. THE DIVISION SHALL USE:

21 (I) THREE MILLION FIVE HUNDRED THOUSAND DOLLARS OF THE
22 TRANSFERRED MONEY FOR STAFFING AND MAINTENANCE PROJECTS TO
23 MANAGE INCREASED VISITATION TO STATE PARKS AND THE RESULTANT
24 IMPACTS ON TRAILS AND OTHER RECREATIONAL AMENITIES; AND

25 (II) FOURTEEN MILLION DOLLARS OF THE TRANSFERRED MONEY
26 FOR INFRASTRUCTURE AND STATE PARK DEVELOPMENT PROJECTS,
27 INCLUDING:

1 (A) INVESTMENT IN CAMPGROUNDS, TRAILS, ROADS, RESTROOMS,
2 AND OTHER FACILITIES;

3 (B) ANY PROJECT PLANNING OR CULTURAL OR NATURAL
4 RESOURCES STUDIES AS NECESSARY TO COMPLETE THE PROJECTS; AND

5 (C) ANY NECESSARY EXPENSES TO ALLOW FOR THE USE OF
6 PROPERTIES THAT THE DIVISION HOLDS FOR STATE PARKS PURPOSES.

7 (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
8 2024.

9 **SECTION 6. Appropriation.** (1) (a) For the 2020-21 state fiscal
10 year, \$750,000 is appropriated to the department of natural resources for
11 use by the Colorado avalanche information center (center). This
12 appropriation is from the Colorado avalanche information center fund
13 created in section 24-33-116 (2)(c), C.R.S., and is based on an assumption
14 that the center will require an additional 3.0 FTE. To implement this act,
15 the center may use this appropriation for personal services, operating
16 expenses, and other expenses to support backcountry avalanche safety
17 programs.

18 (b) The money appropriated pursuant to subsection (1)(a) of this
19 section remains available for the center's use through the 2022-23 state
20 fiscal year.

21 (2) (a) For the 2020-21 state fiscal year, \$21,000,000 is
22 appropriated to the department of natural resources for use by the division
23 of parks and wildlife (division) as follows:

24 (I) \$3,500,000 is from the wildlife cash fund created in section
25 33-1-112 (1)(a), C.R.S., for use by the division to implement its state
26 wildlife action plan and the conservation of native species;

27

1 (II) \$3,500,000 is from the parks and outdoor recreation cash fund
2 created in section 33-10-111 (1), C.R.S., and is based on an assumption
3 that the division will require an additional 14.0 FTE and includes \$43,200
4 for vehicle lease payments. To implement this act, the division may use
5 this appropriation for staffing, including for personal services and
6 operating expenses, and maintenance projects to manage increased
7 visitation to state parks and the resultant impacts on trails and other
8 recreational amenities; and

9 (III) \$14,000,000 is from the parks and outdoor recreation cash
10 fund created in section 33-10-111 (1), C.R.S., for use by the division for
11 infrastructure and state park development projects, including:

12 (A) Investment in campgrounds, trails, roads, restrooms, and other
13 facilities;

14 (B) Any project planning or cultural or natural resources studies
15 as necessary to complete the projects; and

16 (C) Any necessary expenses to allow for the use of properties that
17 the division holds for state parks purposes.

18 (b) The money appropriated pursuant to subsection (2)(a) of this
19 section remains available for the division's use through the 2023-24 state
20 fiscal year.

21 (3) For the 2020-21 state fiscal year and on an ongoing basis,
22 \$43,200 is appropriated to the department of personnel. This
23 appropriation is from reappropriated funds received from the department
24 of natural resources pursuant to subsection (2)(a)(III) of this section. To
25 implement this act, the department of personnel may use this
26 appropriation for vehicle replacement leases or purchases in fleet
27 management program and motor pool services.

1 (4) (a) For the 2020-21 state fiscal year, \$2,250,000 is
2 appropriated to the department of local affairs. This appropriation is from
3 the search and rescue fund created in section 33-1-112.5 (1), C.R.S. To
4 implement this act, the department of local affairs in consultation with the
5 division may use this appropriation to support backcountry search and
6 rescue efforts, including to cover response costs, equipment, and other
7 related expenses.

8 (b) The money appropriated pursuant to subsection (4)(a) of this
9 section remains available for the department's use through the 2023-24
10 state fiscal year.

11 **SECTION 7. Appropriation.** (1) For the 2020-21 state fiscal
12 year, \$1,000,000 is appropriated to the department of natural resources
13 for use by the division of parks and wildlife (division). This appropriation
14 is from the outdoor equity fund created in section 33-9-206 (1), C.R.S. To
15 implement this act, the division may use this appropriation to implement
16 the outdoor equity grant program.

17 (2) The money appropriated under subsection (1) of this section
18 remains available for the division's use through the 2023-24 state fiscal
19 year.

20 **SECTION 8. Effective date.** This act takes effect upon passage;
21 except that sections 4 and 7 of this act take effect only if House Bill
22 21-1318 becomes law and take effect either upon the effective date of this
23 act or House Bill 21-1318, whichever is later.

24 **SECTION 9. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, or safety.