

CHAPTER 91

GOVERNMENT - STATE

SENATE BILL 21-221

BY SENATOR(S) Hansen and Rankin, Moreno, Bridges, Cooke, Coram, Donovan, Fenberg, Fields, Gardner, Ginal, Hisey, Holbert, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Pettersen, Priola, Simpson, Smallwood, Story, Winter, Woodward, Garcia;
 also REPRESENTATIVE(S) McCluskie, Herod, Ransom, Bennett, Bird, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Hooton, Jackson, Jodeh, Kipp, Lontine, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Pico, Ricks, Roberts, Sirota, Snyder, Titone, Valdez D., Weissman, Will, Young, Garnett.

AN ACT**CONCERNING PROJECTS UNDER THE FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT PROGRAM.**

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

SECTION 1. In Colorado Revised Statutes, 23-31-310, **amend** (3) and (5) introductory portion as follows:

23-31-310. Forest restoration and wildfire risk mitigation grant program - technical advisory panel - legislative declaration - definitions - repeal.
(3) Grant projects. The forest service shall issue a statewide request for proposals for cost-share grants for projects that are designed through a collaborative community process. The projects may be entirely on, or on any combination of, private, state, county, or municipal forest lands. The grant share of an individual project cost must not exceed fifty percent of the total cost of the project. ~~or exceed one million dollars per project.~~ In the case of a project that is located in an area with fewer economic resources, the grant share of an individual project cost must not exceed seventy-five percent of the total cost of the project. ~~or exceed one million dollars per project.~~ The remaining portion of the project's funding may be in the form of cash, stumpage, or in-kind contribution. In meeting the match requirements under this subsection (3), a project may be funded, in whole or in part, from gifts, grants, or donations received from any organization, entity, or individual. In measuring an in-kind contribution for purposes of meeting the fifty percent and twenty-five percent matches required by this subsection (3), "in-kind contribution" may include volunteer hours provided by the staff of an entity or organization

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

applying for grant funding and the time for which staff receives monetary compensation in the form of salary or other financial benefits. Such compensated time that counts toward the in-kind contribution is limited to the estimated time of paid staff in planning and implementing the mitigation project. The forest service shall establish a policy that specifies the criteria by which a particular project will satisfy the requirement of this subsection (3) that it is located in an area with fewer economic resources, as applicable.

(5) **Technical advisory panel.** The director shall convene a technical advisory panel to evaluate the proposals for forest restoration and wildfire risk mitigation grants and provide recommendations regarding which proposals would best meet the objectives of this section. The panel shall consider eligibility criteria established in subsections (4) and (4.5) of this section, a project's effect on long-term forest management, and the number of acres treated for state dollars spent and seek to use a consensus-based decision-making process to develop such recommendations. FOR HAZARDOUS FUEL REDUCTION PROJECTS PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, THE PANEL SHALL SHOW PREFERENCE TO APPLICANTS THAT HAVE ADOPTED OR PLAN TO ADOPT LOCAL MEASURES THAT REDUCE WILDFIRE RISKS TO PEOPLE, PROPERTY, AND INFRASTRUCTURE THAT COMPLEMENT FUNDS PROVIDED THROUGH THE PROGRAM. STRONGER MEASURES SHALL RECEIVE GREATER PREFERENCE, WHILE TAKING INTO ACCOUNT GEOGRAPHIC DIFFERENCES AND NEEDS FOR MITIGATION. A panel member shall recuse himself or herself if he or she has an actual or potential conflict of interest with respect to a grant applicant. The panel is composed of ten to eleven members, to be appointed by the director. The composition of the panel includes:

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: May 4, 2021