

## CHAPTER 274

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**NATURAL RESOURCES**


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**HOUSE BILL 21-1326**

BY REPRESENTATIVE(S) McLachlan and Will, Bird, Cutter, Exum, Froelich, Gonzales-Gutierrez, Lynch, McCluskie, McCormick, Ricks, Roberts, Snyder, Valdez D., Weissman, Young;  
also SENATOR(S) Story, Bridges, Buckner, Danielson, Fenberg, Ginal, Gonzales, Lee, Pettersen, Priola, Garcia.

**AN ACT**

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

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

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

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

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.

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

**33-1-112. Funds - cost accounting - definition - repeal.** (1.5) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1.5), THE STATE TREASURER SHALL TRANSFER THREE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE WILDLIFE CASH FUND FOR USE BY THE DIVISION TO IMPLEMENT ITS STATE WILDLIFE ACTION PLAN AND THE CONSERVATION OF NATIVE SPECIES.

(b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024.

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

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*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.*

**33-1-112.5. Search and rescue fund - repeal.** (9) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (9), THE STATE TREASURER SHALL TRANSFER TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND 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, INCLUDING TO COVER RESPONSE COSTS, EQUIPMENT, AND OTHER RELATED EXPENSES.

(b) THE RESTRICTIONS ON USE OF MONEY SET FORTH IN THIS SECTION DO NOT APPLY TO THE DEPARTMENT OF LOCAL AFFAIRS' USE OF THE MONEY TRANSFERRED PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION.

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

**SECTION 4.** In Colorado Revised Statutes, 33-9-206, as added by House Bill 21-1318 add (4) as follows:

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

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

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

**33-10-111. Parks and outdoor recreation cash fund - parks for future generations trust fund - creation - fees - accounting expenditures for roads and highways - definition - repeal.** (1.5) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1.5), THE STATE TREASURER SHALL TRANSFER SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE PARKS AND OUTDOOR RECREATION CASH FUND FOR USE BY THE DIVISION. THE DIVISION SHALL USE:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) For the 2020-21 state fiscal year and on an ongoing basis, \$43,200 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of natural resources pursuant to

subsection (2)(a)(II) of this section. To implement this act, the department of personnel may use this appropriation for vehicle replacement leases or purchases in fleet management program and motor pool services.

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

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

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

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

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

**SECTION 9. 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: June 21, 2021