

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 22-0430.01 Megan McCall x4215

SENATE BILL 22-080

SENATE SPONSORSHIP

Donovan,

HOUSE SPONSORSHIP

Roberts,

Senate Committees

Agriculture & Natural Resources
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A DUTY OF THE DIVISION OF FIRE PREVENTION AND**
102 **CONTROL TO CONDUCT WILDLAND FIRE INVESTIGATIONS, AND,**
103 **IN 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>.)

The bill establishes that conducting investigations of wildland fires in the state is a duty of the division of fire prevention and control within the department of public safety and makes an appropriation to fund such investigations.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1203.5,
3 **amend** (3) as follows:

4 **24-33.5-1203.5. Powers and duties of director - report.**

5 (3) Commencing in 2014, the director shall report annually to the
6 wildfire matters review committee created in section 2-3-1602 C.R.S.,
7 regarding the current nature and magnitude of the state's wildfire
8 WILDLAND FIRE situation, THE NUMBER OF WILDLAND FIRE
9 INVESTIGATIONS THE DIVISION CONDUCTED IN THE PRECEDING CALENDAR
10 YEAR, AND THE STATUS OF OR, IF THE INVESTIGATION IS COMPLETED, THE
11 RESULTS OF, EACH INVESTIGATION, the status of wildfire WILDLAND FIRE
12 preparedness and prescribed burns in the state, including available
13 resources, and the challenges to addressing the state's wildfire WILDLAND
14 FIRE threat. The report required by this subsection (3) is exempt from the
15 automatic expiration described in section 24-1-136 (11).

16 SECTION 2. In Colorado Revised Statutes, **add**
17 24-33.5-1236 as follows:

18 24-33.5-1236. Fire origin and cause investigation fund -
19 created. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
20 FIRE ORIGIN AND CAUSE INVESTIGATION FUND, REFERRED TO IN THIS
21 SECTION AS THE "FUND". THE FUND CONSISTS OF ANY MONEY THAT MAY
22 BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, ALL PRIVATE
23 AND PUBLIC MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS
24 THAT ARE TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE
25 FUND, AND MONEY TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION
26 (4) OF THIS SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST

1 AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN
2 THE FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE
3 GENERAL ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE
4 FUND FOR THE PURPOSES SPECIFIED IN THIS SECTION.

5 (2) THE DIVISION SHALL USE THE MONEY IN THE FUND TO:

6 (a) FUND STATE COSTS ASSOCIATED WITH PROVIDING SUPPORT TO
7 LOCAL FIRE DEPARTMENTS IN INVESTIGATING THE CAUSE AND ORIGIN OF
8 FIRES;

9 (b) REIMBURSE FIRE INVESTIGATORS WHO ARE NOT EMPLOYED BY
10 THE DIVISION BUT ARE ACTING UNDER THE DIRECTION AND COORDINATION
11 OF THE DIVISION AT AN ESTABLISHED RATE FOR ASSISTING IN FIRE CAUSE
12 AND ORIGIN INVESTIGATIONS OUTSIDE OF JURISDICTION;

13 (c) ENSURE FIRE ORIGIN AND CAUSE DATA IS ACCURATELY
14 COLLECTED, ANALYZED, AND DISSEMINATED; AND

15 (d) UTILIZE THE DATA COLLECTED AS SET FORTH IN THIS SECTION
16 TO MORE EFFECTIVELY PREVENT OR MITIGATE FUTURE FIRES.

17 (3) THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO
18 IMPLEMENT THIS SECTION.

19 (4) ON JULY 1, 2022, AND ON EACH JULY 1 THEREAFTER, THE
20 STATE TREASURER SHALL TRANSFER ONE MILLION FOUR HUNDRED
21 THOUSAND DOLLARS FROM THE GENERAL FUND TO THE FUND FOR USE BY
22 THE DIVISION AS SET FORTH IN SUBSECTION (2) OF THIS SECTION.

23 **SECTION 3. Appropriation.** (1) For the 2022-23 state fiscal
24 year, \$1,400,000 is appropriated to the department of public safety. This
25 appropriation is from the fire origin and cause investigation fund created
26 in section 24-33.5-1236 (1), C.R.S. To implement this act, the department
27 may use this appropriation as follows:

1 (a) \$1,293,666 for wildland fire investigations, which amount is
2 based on an assumption that the department will require an additional
3 10.0 FTE; and

4 (b) \$106,334 for vehicle services.

5 (2) For the 2022-23 state fiscal year, \$106,334 is appropriated to
6 the department of personnel. This appropriation is from reappropriated
7 funds received from the department of public safety under subsection
8 (1)(b) of this section. To implement this act, the department may use this
9 appropriation for fleet vehicle services for the department of public
10 safety.

11 **SECTION 4. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety.