

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0860.03 Megan Waples x4348

SENATE BILL 22-206

SENATE SPONSORSHIP

Fenberg,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING RESOURCES FOR DISASTER PREPAREDNESS AND
102 RECOVERY, AND, IN CONNECTION THEREWITH, CREATING THE
103 DISASTER RESILIENCE REBUILDING PROGRAM, THE SUSTAINABLE
104 REBUILDING PROGRAM, AND THE OFFICE OF CLIMATE
105 PREPAREDNESS.

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>.)

Section 2 creates the disaster resilience rebuilding program in the division of local government (division) in the department of local affairs.

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.

The disaster resilience rebuilding program's purpose is to provide loans and grants to homeowners, owners of residential rental property, businesses, governmental entities, and other organizations working to rebuild after a disaster emergency. The division may contract with a governmental entity, bank, credit union, community development financial institution (CDFI), or other entity to administer the disaster resilience rebuilding program. If the division contracts with an entity other than a governmental entity or CDFI, the division is required to engage in an open and competitive process to select the entity.

The division or an administrator is required to establish policies for administering the disaster resilience rebuilding program, including application requirements, eligibility requirements for applicants, maximum assistance levels, loan terms, and any specific criteria for the allowable uses of the loans and grants. Loans and grants may be used to:

- Subsidize costs to repair or rebuild a homeowner's primary residence that are insufficiently covered by the homeowner's insurance or by federal assistance programs, including costs to rebuild to advanced fire resistance standards and to replant climate ready trees and vegetation;
- Repair or reconstruct housing stock in areas that are experiencing a shortage of available housing by housing authorities and nonprofit organizations working to repair or reconstruct housing stock, or by owners of rental housing who agree to requirements to provide affordable rent;
- Rebuild neighborhoods planned to resist the impacts of natural disasters;
- Provide operating capital to a business experiencing a loss or interruption of business or to pay to repair or replace damaged business property and inventory; or
- Reimburse governmental entities for costs associated with a declared disaster that are not covered by available federal assistance, including costs associated with disaster management, fee waivers for building permits, infrastructure repairs, and replacement of lost revenue.

The bill creates the disaster resilience rebuilding program fund. The state treasurer is required to transfer \$15 million to the fund after the effective date of the bill. The money in the fund is continuously appropriated to the division for the rebuilding program.

Section 3 creates the sustainable rebuilding program in the Colorado energy office. The office is required to consult with the Colorado resiliency office and the department of local affairs in creating the sustainable rebuilding program. The sustainable rebuilding program's purpose is to provide loans and grants to homeowners, owners of residential rental property, and businesses that are rebuilding after a wildfire or other natural disaster to cover costs associated with building

high performing, energy efficient, and resilient homes and structures. The office may contract with a governmental entity, Colorado-based nonprofit green bank with history and expertise in providing loans and grants for energy efficiency projects and services, business nonprofit, bank, credit union, or community development financial institution to administer the sustainable rebuilding program. If the office contracts with an entity other than a governmental entity, the office is required to engage in an open and competitive process to select the entity.

The Colorado energy office or an administrator is required to establish policies for administering the sustainable rebuilding program, including application requirements, eligibility requirements for homeowners and businesses, maximum assistance levels, loan terms, and any specific criteria for the allowable uses of the loans and grants.

The loans and grants may be used to:

- Install high-efficiency heat pumps for heating space or water;
- Achieve advanced energy certifications, including from Energy Star, the Passive House Institute U.S., the United States department of energy zero energy ready homes, or other similar programs;
- Achieve net zero energy or net zero carbon buildings with the addition of renewable energy generation;
- Assist with the costs of installing battery storage and electric vehicle charging stations;
- Cover the incremental costs of building to the most recent energy standard adopted by a local jurisdiction compared to the earlier version of the jurisdiction's energy code; and
- Support other similar uses identified by the office.

The bill creates the sustainable rebuilding program fund. The state treasurer is required to transfer \$20 million to the fund after the effective date of the bill. The money in the fund is continuously appropriated to the office for the resiliency program.

Section 4 creates the office of climate preparedness in the governor's office. The office is required to coordinate disaster recovery efforts for the governor's office as well as the development and implementation of the statewide climate preparedness roadmap (roadmap) that the office is also charged with preparing and publishing.

The office of climate preparedness may establish interagency and intergovernmental task forces and community advisory groups to inform and support the work of the office. The office may promote community engagement and information sharing and further efforts to implement the recommendations of the roadmap.

The office of climate preparedness is required to coordinate the implementation of the roadmap and may establish criteria for evaluating existing programs in all other state agencies to ensure implementation of

the roadmap and its governing principles.

No later than December 1, 2023, the office of climate preparedness is required to prepare and publish and, every 3 years thereafter, update the roadmap. The roadmap must integrate and include information from all existing state plans that address climate mitigation, adaptation, resiliency, and recovery. The roadmap must build upon this previous body of work, seek to align existing plans, and identify any gaps in policy, planning, or resources. The roadmap must identify strategies for how the state will grow in population and continue to develop in a manner that meets certain goals specified in the bill.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) In recent years, hundreds of Colorado residents have lost their homes and businesses to wildfires, floods, and other disasters across the state;

(b) Many homeowners and owners of residential rental property affected by wildfires or floods do not have adequate resources to rebuild in the face of their loss, and may need hundreds of thousands of dollars to rebuild a home similar to what they lost;

(c) Local business owners similarly face destruction of their property, as well as interruptions to their business and resulting losses in revenue;

(d) Local governments are also negatively affected by natural disasters, both directly through damage to public infrastructure and indirectly due to decreased property values, lowered tax revenues, and increased work load in responding to the disaster and to the needs of community members and residents working to recover;

(e) Rebuilding homes, businesses, and infrastructure in the wake of wildfires, floods, and other disasters is essential to sustaining the

1 communities affected by the disaster, as well as to the recovery of the
2 local and state economies that depend on those homeowners and
3 businesses;

4 (f) Creating a disaster resilience rebuilding program to help
5 homeowners, businesses, local governments, and communities rebuild
6 after natural disasters will help local communities and the state recover
7 from the devastating physical and economic effects of disasters and
8 serves an important and discrete public purpose; and

9 (g) Supporting the physical and economic recovery of local
10 communities and the state is the primary purpose of the disaster resilience
11 rebuilding program and outweighs any benefit to private individuals or
12 entities.

13 (2) The general assembly further finds and declares that:

14 (a) The need to rebuild homes and business structures after a
15 disaster also presents an opportunity to build homes and structures that
16 meet high performance building standards adopted by local communities
17 and voluntary sustainable building elements that exceed local code
18 requirements, including by incorporating fire-resistant building materials,
19 high-efficiency equipment and materials, and renewable energy and
20 battery storage technologies;

21 (b) Ensuring that homeowners and owners of residential rental
22 property can rebuild their homes as energy efficient and resilient
23 structures will lower utility costs for homeowners, residents, and
24 businesses, reduce greenhouse gas emissions, and produce healthier,
25 safer, and more resilient homes and businesses;

26 (c) Creating a sustainable rebuilding program to provide grants
27 and loans to homeowners, owners of rental housing, mobile home parks,

1 and businesses seeking to rebuild or rehabilitate from a wildfire or other
2 disaster will help local communities and the state recover from the
3 devastating effects of the disaster while also providing public health and
4 environmental benefits to local communities and the state;

5 (d) By supporting the state and local communities in recovering
6 from wildfires and other disasters and promoting the public health and
7 environmental goals associated with high performance and resilient
8 buildings, a sustainable rebuilding program serves an important and
9 discrete public purpose; and

10 (e) Supporting the recovery of local communities and the state
11 from wildfires and other disasters and promoting the public health and
12 environmental benefits of high efficiency and resilient building is the
13 primary purpose of the program and outweighs any benefit to private
14 individuals or entities.

15 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-132 as
16 follows:

17 **24-32-132. Disaster resilience rebuilding program - fund -**
18 **creation - policies - report - definitions.** (1) AS USED IN THIS SECTION,
19 UNLESS THE CONTEXT OTHERWISE REQUIRES:

20 (a) "ADMINISTRATOR" MEANS AN ENTITY OR ENTITIES THAT THE
21 DIVISION CONTRACTS WITH PURSUANT TO SUBSECTION (2)(b) OF THIS
22 SECTION TO ADMINISTER THE PROGRAM.

23 (b) "DECLARED DISASTER" MEANS A DISASTER EMERGENCY
24 DECLARED BY THE GOVERNOR PURSUANT TO SECTION 24-33.5-704 (4).

25 (c) "ELIGIBLE APPLICANT" MEANS:

26 (I) A PERSON WHO OWNS A HOME THAT IS THE PERSON'S PRIMARY
27 RESIDENCE, INCLUDING A MODULAR, MANUFACTURED, OR MOBILE HOME,

1 THAT WAS AFFECTED BY A DECLARED DISASTER AND MEETS ELIGIBILITY
2 CRITERIA ESTABLISHED BY POLICIES ADOPTED PURSUANT TO SUBSECTION
3 (5) OF THIS SECTION;

4 (II) A PERSON WHO OWNS RENTAL HOUSING, INCLUDING A
5 MODULAR, MANUFACTURED, OR MOBILE HOME, THAT WAS AFFECTED BY
6 A DECLARED DISASTER AND MEETS ELIGIBILITY CRITERIA ESTABLISHED BY
7 POLICIES ADOPTED PURSUANT TO SUBSECTION (4) OF THIS SECTION;

8 (III) A BUSINESS THAT OWNS REAL OR PERSONAL PROPERTY THAT
9 WAS AFFECTED BY A DECLARED DISASTER OR EXPERIENCED AN
10 INTERRUPTION OR LOSS OF BUSINESS DUE TO A DECLARED DISASTER AND
11 MEETS ELIGIBILITY CRITERIA ESTABLISHED BY POLICIES ADOPTED
12 PURSUANT TO SUBSECTION (4) OF THIS SECTION;

13 (IV) A HOUSING AUTHORITY CREATED PURSUANT TO PART 2 OR
14 PART 5 OF ARTICLE 4 OF TITLE 29 OR A LOW-INCOME HOUSING TAX CREDIT
15 PARTNERSHIP THAT SERVES AN AREA AFFECTED BY A DECLARED DISASTER;

16 (V) A COLORADO NONPROFIT CORPORATION THAT PROVIDES
17 CONSTRUCTION ASSISTANCE TO LOW-INCOME HOUSEHOLDS AND MEETS
18 ELIGIBILITY CRITERIA ESTABLISHED BY POLICIES ADOPTED PURSUANT TO
19 SUBSECTION (4) OF THIS SECTION; OR

20 (VI) A GOVERNMENTAL ENTITY WITH JURISDICTION IN AN AREA
21 AFFECTED BY A DECLARED DISASTER.

22 (d) "FUND" MEANS THE DISASTER RESILIENCE REBUILDING
23 PROGRAM FUND CREATED IN SUBSECTION (7) OF THIS SECTION.

24 (e) "GOVERNMENTAL ENTITY" MEANS ANY AUTHORITY, COUNTY,
25 MUNICIPALITY, CITY AND COUNTY, DISTRICT, OR OTHER POLITICAL
26 SUBDIVISION OF THE STATE; ANY TRIBAL GOVERNMENT WITH JURISDICTION
27 IN COLORADO; AND ANY INSTITUTION, DEPARTMENT, AGENCY, OR

1 AUTHORITY OF ANY OF THE FOREGOING.

2 (f) "PROGRAM" MEANS THE DISASTER RESILIENCE REBUILDING
3 PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

4 (2) (a) THE DIVISION SHALL ESTABLISH THE DISASTER RESILIENCE
5 REBUILDING PROGRAM AS A LOAN AND GRANT PROGRAM IN ACCORDANCE
6 WITH THE REQUIREMENTS OF THIS SECTION AND THE POLICIES
7 ESTABLISHED BY THE DIVISION. THE PROGRAM MAY PROVIDE LOANS AND
8 GRANTS FROM THE FUND TO ELIGIBLE APPLICANTS SEEKING ASSISTANCE
9 AS THEY REBUILD THEIR COMMUNITY AFTER A DECLARED DISASTER.

10 (b) THE DIVISION MAY CONTRACT WITH A GOVERNMENTAL ENTITY,
11 HOUSING AUTHORITY, COLORADO-BASED NONPROFIT ORGANIZATION,
12 BUSINESS NONPROFIT ORGANIZATION, BANK, CREDIT UNION,
13 NONDEPOSITORY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION,
14 BUSINESS DEVELOPMENT CORPORATION, OR OTHER ENTITY AS
15 DETERMINED BY THE DIVISION TO ADMINISTER THE PROGRAM. IF THE
16 OFFICE CONTRACTS WITH AN ENTITY OR ENTITIES OTHER THAN A
17 GOVERNMENTAL ENTITY OR COMMUNITY DEVELOPMENT FINANCIAL
18 INSTITUTION, THE OFFICE SHALL USE AN OPEN AND COMPETITIVE PROCESS
19 TO SELECT THE ENTITY OR ENTITIES. A CONTRACT WITH AN
20 ADMINISTRATOR MAY INCLUDE AN ADMINISTRATION FEE ESTABLISHED BY
21 THE DIVISION AT AN AMOUNT REASONABLY CALCULATED TO COVER THE
22 ADMINISTRATIVE COSTS OF THE DIVISION IN OVERSEEING THE PROGRAM.
23 THE DIVISION MAY GRANT MONEY FROM THE FUND TO AN ADMINISTRATOR
24 TO CAPITALIZE THE PROGRAM IN PREPARATION FOR ISSUING LOANS AND
25 GRANTS.

26 (3) A CONTRACT WITH AN ADMINISTRATOR MAY REQUIRE THE
27 ADMINISTRATOR TO REPAY ALL LENDING CAPITAL THAT IS NOT

1 COMMITTED TO LOANS OR GRANTS UNDER THE PROGRAM AND ALL
2 PRINCIPAL AND INTEREST THAT IS REPAID BY BORROWERS UNDER THE
3 PROGRAM AT THE END OF THE CONTRACT PERIOD IF, IN THE JUDGMENT OF
4 THE DIVISION, THE ADMINISTRATOR HAS NOT PERFORMED SUCCESSFULLY
5 UNDER THE TERMS OF THE CONTRACT. THE DIVISION MAY REDEPLOY
6 MONEY REPAID UNDER THIS SUBSECTION (3) AS GRANTS OR LOANS UNDER
7 THE PROGRAM OR THROUGH ANOTHER ADMINISTRATOR.

8 (4) THE DIVISION SHALL ESTABLISH AND PUBLICIZE POLICIES FOR
9 THE PROGRAM. AT A MINIMUM, THE POLICIES MUST ADDRESS:

10 (a) THE PROCESS AND ANY DEADLINES FOR APPLYING FOR AND
11 RECEIVING A LOAN OR GRANT UNDER THE PROGRAM, INCLUDING THE
12 INFORMATION AND DOCUMENTATION REQUIRED FOR THE APPLICATION;

13 (b) ELIGIBILITY CRITERIA FOR APPLICANTS TO THE PROGRAM;

14 (c) MAXIMUM ASSISTANCE LEVELS FOR LOANS AND GRANTS;

15 (d) LOAN TERMS, INCLUDING INTEREST RATES AND REPAYMENT
16 TERMS;

17 (e) ANY ADDITIONAL SPECIFICATIONS OR CRITERIA FOR THE USES
18 OF THE GRANT OR LOAN MONEY ALLOWED BY SUBSECTION (5) OF THIS
19 SECTION;

20 (f) ANY REPORTING REQUIREMENTS FOR RECIPIENTS;

21 (g) ANY PROGRAM FEES, INCLUDING ANY APPLICATION FEE OR
22 ORIGINATION FEE, AND CLOSING COSTS;

23 (h) UNDERWRITING AND RISK MANAGEMENT POLICIES;

24 (i) ANY REQUIREMENTS FOR APPLICANTS TO APPLY FOR OR
25 EXHAUST OTHER SOURCES OF ASSISTANCE OR REIMBURSEMENT TO BE
26 ELIGIBLE FOR A LOAN OR GRANT UNDER THE PROGRAM. IF THE POLICIES
27 ESTABLISH SUCH A REQUIREMENT, THE POLICIES MUST SPECIFY TO WHICH

1 APPLICANTS THE REQUIREMENT APPLIES, WHICH SOURCES MUST BE
2 APPLIED FOR AND DENIED OR EXHAUSTED, AND WHAT DOCUMENTATION IS
3 NECESSARY TO ESTABLISH THE APPLICANT HAS MET THE REQUIREMENT.

4 (j) ANY ADDITIONAL POLICIES NECESSARY TO ADMINISTER THE
5 PROGRAM.

6 (5) THE PROGRAM MAY PROVIDE LOANS OR GRANTS OR A
7 COMBINATION OF BOTH TO ELIGIBLE APPLICANTS. LOANS OR GRANTS MAY
8 BE USED TO:

9 (a) SUBSIDIZE COSTS TO REPAIR OR REBUILD A HOMEOWNER'S
10 PRIMARY RESIDENCE THAT ARE INSUFFICIENTLY COVERED BY THE
11 HOMEOWNER'S INSURANCE OR BY LOANS, GRANTS, OR OTHER ASSISTANCE
12 AVAILABLE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE
13 FEDERAL SMALL BUSINESS ADMINISTRATION, OR OTHER STATE OR FEDERAL
14 ASSISTANCE PROGRAMS. COSTS THAT MAY BE COVERED INCLUDE, BUT ARE
15 NOT LIMITED TO:

16 (I) DIRECT COSTS OF REPAIRS OR RECONSTRUCTION OF A DAMAGED
17 OR DESTROYED PRIMARY RESIDENCE, INCLUDING COSTS TO REBUILD TO
18 ADVANCED FIRE RESISTANCE STANDARDS;

19 (II) SOFT COSTS SUCH AS ARCHITECTURAL AND ENGINEERING
20 COSTS AND PERMITTING FEES ASSOCIATED WITH REPAIRING OR REBUILDING
21 A PRIMARY RESIDENCE;

22 (III) SOIL SAMPLING AND AIR QUALITY MONITORING;

23 (IV) CLEARANCE AND DEMOLITION COSTS, INCLUDING CONCRETE
24 FLAT WORK REMOVAL AND REMOVAL OF HAZARDOUS MATERIAL,
25 INCLUDING ASBESTOS;

26 (V) PRIVATE ROAD OR BRIDGE REPAIR IF NECESSARY TO ACCESS A
27 PRIMARY RESIDENCE;

1 (VI) COSTS ASSOCIATED WITH USING BUILDING AND SITE DESIGN
2 MEASURES THAT REDUCE RISK TO NATURAL HAZARDS, INCLUDING FIRE
3 RESISTANT BUILDING MATERIALS AND LANDSCAPE DESIGN;

4 (VII) COSTS TO REPLANT CLIMATE READY TREES AND
5 VEGETATION;

6 (VIII) TEMPORARY RENTAL ASSISTANCE DURING REBUILDING OR
7 RECOVERY WORK; AND

8 (IX) OTHER RECOVERY COSTS NOT COVERED BY OTHER SOURCES
9 THAT WILL INCREASE RESILIENCE TO FUTURE DISASTERS;

10 (b) REPAIR OR RECONSTRUCT HOUSING STOCK IN AN AREA THAT IS
11 AFFECTED BY A DECLARED DISASTER AND IS EXPERIENCING A SHORTAGE
12 OF ADEQUATE HOUSING OR HAS A SIGNIFICANT NUMBER OF AFFECTED
13 HOUSEHOLDS. THE PROGRAM MAY PROVIDE A GRANT OR LOAN UNDER THIS
14 SUBSECTION (5)(b) TO:

15 (I) A HOUSING AUTHORITY OR LOW-INCOME HOUSING TAX CREDIT
16 PARTNERSHIP TO FUND THE REPLACEMENT OR REPAIR OF MULTI-FAMILY
17 HOUSING IN AN AREA AFFECTED BY A DECLARED DISASTER;

18 (II) A NONPROFIT CORPORATION TO PROVIDE CONSTRUCTION
19 ASSISTANCE TO LOW-INCOME HOUSEHOLDS IN AN AREA AFFECTED BY A
20 DECLARED DISASTER;

21 (III) A PERSON WHO OWNS RENTAL HOUSING AND REQUIRES
22 ADDITIONAL RESOURCES TO REBUILD OR REPAIR THE RENTAL HOUSING. A
23 LOAN OR GRANT MADE PURSUANT TO THIS SUBSECTION (5)(b)(III) MUST
24 INCLUDE PROVISIONS REQUIRING THE RECIPIENT TO PROVIDE AFFORDABLE
25 RENT FOR THE RENTAL HOUSING FOLLOWING THE REPAIR OR
26 RECONSTRUCTION, AS DETERMINED BY THE DIVISION.

27 (c) PROVIDE OPERATING CAPITAL TO A BUSINESS EXPERIENCING A

1 BUSINESS INTERRUPTION OR COVER THE COSTS OF REPLACING OR
2 REPAIRING THE BUSINESS'S REAL PROPERTY, EQUIPMENT, OR INVENTORY
3 THAT WAS LOST OR DAMAGED IN THE DISASTER;

4 (d) REBUILD NEIGHBORHOODS OR PORTIONS OF NEIGHBORHOODS
5 IN A MANNER THAT SERVES AS A PILOT PROJECT FOR ADVANCED
6 COMMUNITY PLANNING TO RESIST THE IMPACTS OF NATURAL DISASTERS
7 CAUSED BY CLIMATE CHANGE, INCLUDING BUT NOT LIMITED TO
8 MICRO-GRIDS, COMMUNITY BATTERY STORAGE, COMMUNITY DISTRICT
9 HEATING OR GEOTHERMAL HEATING SYSTEMS, OR WILDFIRE RESILIENT
10 LAND USE PLANNING STRATEGIES; OR

11 (e) REIMBURSE A GOVERNMENTAL ENTITY FOR COSTS ASSOCIATED
12 WITH A DECLARED DISASTER THAT ARE NOT COVERED BY PUBLIC
13 ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR
14 OTHER STATE OR FEDERAL ASSISTANCE PROGRAMS. COSTS THAT MAY BE
15 COVERED INCLUDE, BUT ARE NOT LIMITED TO:

16 (I) LOCAL DISASTER MANAGEMENT ACTIVITIES, INCLUDING
17 ADMINISTRATIVE OVERSIGHT AND PROJECT MANAGEMENT EFFORTS
18 RELATED TO COORDINATING LARGE-SCALE AND SIMULTANEOUS
19 REBUILDING EFFORTS;

20 (II) FEE WAIVERS FOR BUILDING PERMITS;

21 (III) BUILDING OR REPAIRING RESILIENT PUBLIC INFRASTRUCTURE,
22 INCLUDING BUT NOT LIMITED TO RETAINING WALLS, IMPROVED DRAINAGE
23 INFRASTRUCTURE, AND WATER AND WASTEWATER INFRASTRUCTURE;

24 (IV) REBUILDING OR REPAIRING TRANSPORTATION
25 INFRASTRUCTURE;

26 (V) HEALTH AND SAFETY IMPROVEMENTS OR INVESTMENTS
27 RELATED TO DISASTER RECOVERY AND RESILIENCY; OR

1 (VI) REPLACEMENT OF LOST REVENUE FROM SALES TAXES,
2 PROPERTY TAXES, PUBLIC UTILITY OR SERVICE FEES, OR OTHER REVENUE
3 SOURCES THAT WERE NEGATIVELY AFFECTED BY A DECLARED DISASTER.

4 (6) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
5 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
6 THIS SECTION. THE DIVISION SHALL TRANSMIT ALL MONEY RECEIVED
7 THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO
8 SHALL CREDIT THE MONEY TO THE FUND.

9 (7) (a) THE DISASTER RESILIENCE REBUILDING PROGRAM FUND IS
10 HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF
11 MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION
12 (7)(d) OF THIS SECTION, ANY OTHER MONEY THAT THE GENERAL ASSEMBLY
13 APPROPRIATES OR TRANSFERS TO THE FUND, AND ANY GIFTS, GRANTS, OR
14 DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS
15 SECTION.

16 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
17 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
18 FUND TO THE FUND.

19 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
20 DIVISION FOR THE PURPOSES SPECIFIED IN THIS SECTION.

21 (d) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
22 (7)(d), THE STATE TREASURER SHALL TRANSFER FIFTEEN MILLION DOLLARS
23 FROM THE GENERAL FUND TO THE DISASTER RESILIENCE REBUILDING
24 PROGRAM FUND CREATED IN SUBSECTION (7)(a) OF THIS SECTION.

25 (8) ON OR BEFORE JANUARY 1, 2024, AND ON OR BEFORE EACH
26 JANUARY 1 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT
27 SUMMARIZING THE PROGRAM TO THE HOUSE OF REPRESENTATIVES

1 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE
2 LOCAL GOVERNMENT COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.
3 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),
4 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION
5 (8) CONTINUES INDEFINITELY.

6 **SECTION 3.** In Colorado Revised Statutes, **add** 24-38.5-113 as
7 follows:

8 **24-38.5-113. Sustainable rebuilding program - fund - creation**
9 **- policies - report - definitions.** (1) AS USED IN THIS SECTION, UNLESS
10 THE CONTEXT OTHERWISE REQUIRES:

11 (a) "ADMINISTRATOR" MEANS AN ENTITY OR ENTITIES THAT THE
12 OFFICE CONTRACTS WITH PURSUANT TO SUBSECTION (2)(b) OF THIS
13 SECTION TO ADMINISTER THE PROGRAM.

14 (b) "ELIGIBLE BUSINESS" MEANS A BUSINESS THAT OWNS A
15 BUILDING OR STRUCTURE THAT WAS AFFECTED BY A DISASTER
16 EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO SECTION
17 24-33.5-704 (4) AND THAT MEETS THE ELIGIBILITY CRITERIA ESTABLISHED
18 BY THE OFFICE IN POLICIES ADOPTED PURSUANT TO SUBSECTION (4) OF
19 THIS SECTION.

20 (c) "ELIGIBLE HOMEOWNER" MEANS A PERSON OR PERSONS WHO
21 OWN A HOME THAT WAS AFFECTED BY A DISASTER EMERGENCY DECLARED
22 BY THE GOVERNOR PURSUANT TO SECTION 24-33.5-704 (4) AND THAT
23 MEETS THE ELIGIBILITY CRITERIA ESTABLISHED BY THE OFFICE IN POLICIES
24 ADOPTED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

25 (d) "FUND" MEANS THE SUSTAINABLE REBUILDING PROGRAM FUND
26 ESTABLISHED IN SUBSECTION (7) OF THIS SECTION.

27 (e) "GOVERNMENTAL ENTITY" MEANS ANY AUTHORITY, COUNTY,

1 MUNICIPALITY, CITY AND COUNTY, DISTRICT, OR OTHER POLITICAL
2 SUBDIVISION OF THE STATE; ANY TRIBAL GOVERNMENT WITH JURISDICTION
3 IN COLORADO; AND ANY INSTITUTION, DEPARTMENT, AGENCY, OR
4 AUTHORITY OF ANY OF THE FOREGOING.

5 (f) "HOME" MEANS ANY RESIDENTIAL STRUCTURE, INCLUDING A
6 MANUFACTURED, MOBILE, OR MODULAR HOME, WHETHER THE STRUCTURE
7 IS OWNER-OCCUPIED OR IS A RENTAL PROPERTY.

8 (g) "LOW-INCOME COMMUNITY MEMBER" MEANS AN INDIVIDUAL
9 OR HOUSEHOLD MEETING ONE OR MORE OF THE FOLLOWING CRITERIA:

10 (I) A HOUSEHOLD INCOME THAT IS LESS THAN OR EQUAL TO TWO
11 HUNDRED PERCENT OF THE FEDERAL POVERTY GUIDELINE;

12 (II) A HOUSEHOLD INCOME THAT IS LESS THAN OR EQUAL TO
13 EIGHTY PERCENT OF MEDIAN INCOME FOR THE AREA; OR

14 (III) QUALIFICATION UNDER INCOME GUIDELINES ADOPTED BY THE
15 DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 40-8.5-105.

16 (h) "OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN
17 SECTION 24-38.5-101.

18 (i) "PROGRAM" MEANS THE SUSTAINABLE REBUILDING PROGRAM
19 CREATED IN SUBSECTION (2) OF THIS SECTION.

20 (2) (a) THE OFFICE SHALL, IN CONSULTATION WITH THE
21 DEPARTMENT OF LOCAL AFFAIRS, ESTABLISH THE SUSTAINABLE
22 REBUILDING PROGRAM AS A LOAN AND GRANT PROGRAM IN ACCORDANCE
23 WITH THE REQUIREMENTS OF THIS SECTION AND THE POLICIES
24 ESTABLISHED BY THE OFFICE PURSUANT TO SUBSECTION (4) OF THIS
25 SECTION. THE PROGRAM MAY PROVIDE LOANS AND GRANTS FROM THE
26 FUND TO ELIGIBLE HOMEOWNERS AND ELIGIBLE BUSINESSES SEEKING
27 ASSISTANCE TO REBUILD HIGH-EFFICIENCY HOMES AND BUILDINGS AFTER

1 A DISASTER EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO
2 SECTION 24-33.5-704 (4).

3 (b) THE OFFICE MAY CONTRACT WITH A GOVERNMENTAL ENTITY,
4 COLORADO-BASED NONPROFIT GREEN BANK WITH A HISTORY OF AND
5 EXPERTISE IN PROVIDING LOANS AND GRANTS FOR SUCCESSFUL ENERGY
6 EFFICIENCY PROJECTS AND SERVICES, BUSINESS NONPROFIT
7 ORGANIZATION, BANK, CREDIT UNION, NONDEPOSITORY COMMUNITY
8 DEVELOPMENT FINANCIAL INSTITUTION, BUSINESS DEVELOPMENT
9 CORPORATION, OR OTHER ENTITY AS DETERMINED BY THE OFFICE TO
10 ADMINISTER THE PROGRAM. IF THE OFFICE CONTRACTS WITH AN ENTITY OR
11 ENTITIES OTHER THAN A GOVERNMENTAL ENTITY, THE OFFICE SHALL USE
12 AN OPEN AND COMPETITIVE PROCESS TO SELECT THE ENTITY OR ENTITIES.
13 A CONTRACT WITH AN ADMINISTRATOR MAY INCLUDE AN
14 ADMINISTRATION FEE ESTABLISHED BY THE OFFICE AT AN AMOUNT
15 REASONABLY CALCULATED TO COVER THE ADMINISTRATIVE COSTS OF THE
16 OFFICE IN OVERSEEING THE PROGRAM. THE OFFICE MAY GRANT MONEY
17 FROM THE FUND TO AN ADMINISTRATOR TO CAPITALIZE THE PROGRAM IN
18 PREPARATION FOR ISSUING LOANS AND GRANTS.

19 (3) A CONTRACT WITH AN ADMINISTRATOR MAY REQUIRE THE
20 ADMINISTRATOR TO REPAY ALL LENDING CAPITAL THAT IS NOT
21 COMMITTED TO LOANS OR GRANTS UNDER THE PROGRAM AND ALL
22 PRINCIPAL AND INTEREST THAT IS REPAYED BY BORROWERS UNDER THE
23 PROGRAM AT THE END OF THE CONTRACT PERIOD IF, IN THE JUDGMENT OF
24 THE OFFICE, THE ADMINISTRATOR HAS NOT PERFORMED SUCCESSFULLY
25 UNDER THE TERMS OF THE CONTRACT. THE OFFICE MAY REDEPLOY MONEY
26 REPAYED UNDER THIS SUBSECTION (3) AS GRANTS OR LOANS UNDER THE
27 PROGRAM OR THROUGH ANOTHER ADMINISTRATOR.

1 (4) (a) THE OFFICE OR, IF APPLICABLE, AN ADMINISTRATOR SHALL
2 ESTABLISH AND PUBLICIZE POLICIES FOR THE PROGRAM. AT A MINIMUM,
3 THE POLICIES MUST ADDRESS:

4 (I) THE PROCESS AND ANY DEADLINES FOR APPLYING FOR AND
5 RECEIVING A LOAN OR GRANT UNDER THE PROGRAM, INCLUDING THE
6 INFORMATION AND DOCUMENTATION REQUIRED FOR THE APPLICATION;

7 (II) ELIGIBILITY CRITERIA FOR HOMEOWNERS AND BUSINESSES
8 APPLYING TO THE PROGRAM;

9 (III) MAXIMUM ASSISTANCE LEVELS FOR LOANS AND GRANTS;

10 (IV) LOAN TERMS, INCLUDING INTEREST RATES AND REPAYMENT
11 TERMS;

12 (V) ANY ADDITIONAL SPECIFICATIONS OR CRITERIA FOR THE USES
13 OF THE GRANT OR LOAN MONEY ALLOWED BY SUBSECTION (5) OF THIS
14 SECTION;

15 (VI) ANY REPORTING REQUIREMENTS FOR RECIPIENTS;

16 (VII) ANY PROGRAM FEES, INCLUDING ANY APPLICATION FEE OR
17 ORIGINATION FEE, AND CLOSING COSTS;

18 (VIII) UNDERWRITING AND RISK MANAGEMENT POLICIES; AND

19 (IX) ANY ADDITIONAL POLICIES NECESSARY TO ADMINISTER THE
20 PROGRAM.

21 (b) THE POLICIES REQUIRED BY THIS SUBSECTION (4) SHALL BE
22 DEVELOPED AND IMPLEMENTED WITH A GOAL OF ENSURING THAT
23 LOW-INCOME COMMUNITY MEMBERS WHO ARE MOST IMPACTED BY
24 CLIMATE CHANGE RECEIVE EQUITABLE SUPPORT AND RESOURCES.

25 (5) LOANS AND GRANTS RECEIVED FROM THE PROGRAM MAY BE
26 USED:

27 (a) TO REBUILD OR REHABILITATE A HOME OR BUILDING WITH A

1 HIGHLY EFFICIENT HEAT PUMP FOR SPACE OR WATER HEATING;

2 (b) TO ACHIEVE ADVANCED ENERGY CERTIFICATIONS, INCLUDING
3 FROM ENERGY STAR, THE PASSIVE HOUSE INSTITUTE U.S., THE UNITED
4 STATES DEPARTMENT OF ENERGY ZERO ENERGY READY HOMES, OR OTHER
5 SIMILAR PROGRAMS, AS DETERMINED BY THE OFFICE;

6 (c) TO ACHIEVE NET ZERO ENERGY OR NET ZERO CARBON
7 BUILDINGS WITH THE ADDITION OF RENEWABLE ENERGY GENERATION;

8 (d) TO ASSIST WITH THE COSTS OF INSTALLING BATTERY STORAGE
9 AND ELECTRIC VEHICLE CHARGING STATIONS;

10 (e) IN A JURISDICTION THAT HAS ADOPTED THE MOST RECENT
11 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE OR
12 ENERGY REQUIREMENTS THAT EXCEED THE REQUIREMENTS OF THAT CODE,
13 TO ASSIST WITH THE INCREMENTAL COSTS OF MEETING THE REQUIREMENTS
14 OF THAT CODE COMPARED TO THE PREVIOUS EDITION OF THE CODE, TAKING
15 INTO ACCOUNT THE FUNDING AVAILABLE FROM UTILITIES AND FROM THE
16 LAW, AND ORDINANCE COVERAGE OF ANY AVAILABLE HOMEOWNERS
17 INSURANCE; AND

18 (f) FOR OTHER SIMILAR USES AS DETERMINED BY THE OFFICE.

19 (6) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
20 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
21 THIS SECTION. THE OFFICE SHALL TRANSMIT ALL MONEY RECEIVED
22 THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO
23 SHALL CREDIT THE MONEY TO THE FUND.

24 (7) (a) THE SUSTAINABLE REBUILDING PROGRAM FUND IS HEREBY
25 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
26 TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION (7)(d) OF
27 THIS SECTION, ANY OTHER MONEY THAT THE GENERAL ASSEMBLY

1 APPROPRIATES OR TRANSFERS TO THE FUND, AND ANY GIFTS, GRANTS, OR
2 DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS
3 SECTION.

4 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
5 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
6 FUND TO THE FUND.

7 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
8 OFFICE FOR THE PURPOSES SPECIFIED IN THIS SECTION.

9 (d) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
10 (7)(d), THE STATE TREASURER SHALL TRANSFER TWENTY MILLION
11 DOLLARS FROM THE GENERAL FUND TO THE SUSTAINABLE REBUILDING
12 PROGRAM FUND CREATED IN SUBSECTION (7)(a) OF THIS SECTION.

13 (8) THE OFFICE SHALL CONSULT WITH THE COLORADO RESILIENCY
14 OFFICE CREATED IN SECTION 24-32-121 ON THE IMPLEMENTATION OF THIS
15 SECTION.

16 (9) ON OR BEFORE JANUARY 1, 2024, AND ON OR BEFORE EACH
17 JANUARY 1 THEREAFTER, THE OFFICE SHALL SUBMIT A REPORT
18 SUMMARIZING THE PROGRAM TO THE HOUSE OF REPRESENTATIVES ENERGY
19 AND ENVIRONMENT COMMITTEE AND THE SENATE TRANSPORTATION AND
20 ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.
21 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),
22 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION
23 (9) CONTINUES INDEFINITELY.

24 **SECTION 4.** In Colorado Revised Statutes, **add** article 38.8 to
25 title 24 as follows:

26 **ARTICLE 38.8**

27 **Statewide Climate Preparedness Roadmap**

1 **24-38.8-101. Legislative declaration.** (1) THE GENERAL
2 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

3 (a) ENSURING A THRIVING FUTURE FOR THE STATE OF COLORADO
4 AND ITS CITIZENS REQUIRES A COLLABORATIVE, COORDINATED, AND
5 PROACTIVE STATEWIDE EFFORT TO IDENTIFY, PLAN FOR, ADDRESS, AND
6 AVOID ANY DETRIMENTAL IMPACTS OF CLIMATE CHANGE. AVOIDING
7 FUTURE DISASTERS, AND DETRIMENTAL IMPACTS TO OUR NATURAL
8 SYSTEMS, BUILT ENVIRONMENT, AND PEOPLE, BY MEANS OF THOROUGH
9 AND COORDINATED PLANNING AND PREPAREDNESS WILL BE MORE
10 EFFICIENT AND COST EFFECTIVE THAN SHORT-TERM SOLUTIONS.

11 (b) UNDERTAKING A DATA-DRIVEN, COMPREHENSIVE, AND
12 AGGREGATE ANALYSIS OF POPULATION AND ENVIRONMENTAL TRENDS TO
13 UNDERSTAND THE LIKELY IMPACT ON COLORADO'S INFRASTRUCTURE,
14 PEOPLE, LANDSCAPES, ECOSYSTEMS, AND COMMUNITIES WILL AID IN
15 INFORMING THE STATE AND LOCAL GOVERNMENTS ABOUT POTENTIAL
16 THREATS; ALIGNING RESOURCES; IDENTIFYING GAPS IN POLICY,
17 COORDINATION, OR COMMUNICATION; AND DEVELOPING EFFICIENT,
18 EFFECTIVE, AND EQUITABLE SOLUTIONS.

19 (c) A COMPREHENSIVE, STRATEGIC PLAN FOR HOW COLORADO CAN
20 GROW IN A MANNER THAT ACHIEVES THE STATE'S CLIMATE MITIGATION
21 GOALS AND ADAPTS TO A WARMING CLIMATE WILL PROVIDE THE STATE
22 WITH A PATH FOR BECOMING MORE CLIMATE-RESILIENT, AFFORDABLE,
23 INCLUSIVE, AND ECONOMICALLY COMPETITIVE.

24 (d) IN 2015, THE STATE OF COLORADO WISELY UNDERTOOK A
25 LONG-TERM, COMPREHENSIVE, LIVING APPROACH TO EVALUATING AND
26 PLANNING THE FUTURE OF THE STATE'S WATER RESOURCES THROUGH THE
27 DEVELOPMENT OF THE COLORADO WATER PLAN. MUCH AS WATER IS THE

1 LIFEblood OF THE STATE, COLORADO'S CLIMATE FUTURE IS VITAL TO THE
2 HEALTH OF COLORADO COMMUNITIES. THE STATE, THEREFORE, SHOULD
3 MAKE THE SAME EFFORT TO ADDRESS ITS CLIMATE FUTURE AS IT DOES TO
4 ADDRESS WATER CONSERVATION GIVEN THE DEMONSTRATED AND
5 INCREASING IMPACTS OF CLIMATE CHANGE ON THE STATE'S COMMUNITIES,
6 INFRASTRUCTURE, AND NATURAL SYSTEMS.

7 (e) THE STATE OF COLORADO IS EXPECTED TO CONTINUE TO GROW,
8 ADDING MORE THAN ONE MILLION EIGHT HUNDRED THOUSAND NEW
9 PEOPLE BETWEEN 2020 AND 2050. THIS POPULATION GROWTH WILL LEAD
10 TO DYNAMIC SHIFTS IN HOW THE MOVEMENT OF GOODS AND PEOPLE
11 IMPACTS STATEWIDE RESOURCES, SYSTEMS, COMMUNITIES, ECONOMIES,
12 AND THE STATE'S PUBLIC LANDS, AIR, WATER RESOURCES, AND WILDLIFE
13 RESOURCES.

14 (f) WHILE COLORADO GROWS, A CHANGING CLIMATE IS ALREADY
15 SHOWING INCREASINGLY LONG-TERM DETRIMENTAL EFFECTS ON OUR
16 WATER RESOURCES, PUBLIC LANDS, WILDLIFE POPULATIONS, AND FOREST
17 HEALTH, AS WELL AS OUR PUBLIC INFRASTRUCTURE, BUILT ENVIRONMENT,
18 AND PUBLIC HEALTH.

19 (g) THE NUMBER OF DISASTERS AROUND THE WORLD HAS
20 INCREASED BY A FACTOR OF FIVE OVER THE PREVIOUS FIFTY YEARS, AND
21 THE RATE OF INCREASE IS EXPECTED TO CONTINUE AND ACCELERATE.
22 COLORADO CONTINUES TO EXPERIENCE SIGNIFICANT CLIMATE CHANGE
23 INDUCED NATURAL DISASTERS, INCLUDING WILDFIRES, DROUGHT, FLASH
24 FLOODING, AND MUDSLIDES THAT HAVE RESULTED IN SIGNIFICANT
25 INCREASES IN THE USE OF STATE RESOURCES AND WORK TIME EXPENDED
26 BY STATE EMPLOYEES. BY 2050, WITHOUT SIGNIFICANT INTERVENTIONS,
27 THE AVERAGE AREA OF OUR STATE BURNED BY FIRE EACH YEAR IS

1 EXPECTED TO INCREASE ANYWHERE FROM FIFTY PERCENT TO TWO
2 HUNDRED PERCENT.

3 (h) THE GENERAL ASSEMBLY, THROUGH HOUSE BILL 19-1261,
4 ENACTED IN 2019, HAS SET GOALS TO ENSURE THAT THE STATE WILL
5 REDUCE GREENHOUSE GAS POLLUTION. RELATIVE TO 2005 LEVELS, THE
6 STATE HAS SET GOALS TO REDUCE GREENHOUSE GAS POLLUTION
7 STATEWIDE BY TWENTY-SIX PERCENT BY 2025, FIFTY PERCENT BY 2030,
8 AND NINETY PERCENT BY 2050.

9 (i) THE STATE'S NATURAL SYSTEMS, LANDS, WATERS, AIR, AND
10 WILDLIFE FACE SIGNIFICANT IMPACTS FROM CLIMATE CHANGE AND
11 CHANGING DEMOGRAPHICS, AND REPRESENT FOUNDATIONAL ELEMENTS OF
12 COLORADO'S CHARACTER, STATEWIDE ECONOMIES, AND LOCAL
13 ECONOMIES. A COMPREHENSIVE APPROACH TO CLIMATE PREPAREDNESS
14 MUST ADDRESS THE NEEDS OF THE STATE'S NATURAL SYSTEMS, LANDS,
15 WATERS, AIR, AND WILDLIFE TO ENSURE THRIVING SYSTEMS AND THEIR
16 LONG-TERM HEALTH. A COMPREHENSIVE APPROACH TO CLIMATE
17 PREPAREDNESS SHOULD SUPPORT THE CRITICAL ROLE THAT VOLUNTARY
18 AND INCENTIVE-BASED CONSERVATION MEASURES PLAY IN SUPPORTING
19 AGRICULTURAL PRODUCERS AND PRIVATE LANDOWNERS WHILE ACHIEVING
20 BROADER ECOSYSTEM BENEFITS. A COMPREHENSIVE APPROACH TO
21 CLIMATE PREPAREDNESS SHOULD ALSO ADDRESS THE NEED TO ENSURE
22 RESILIENT AND CONNECTED LANDSCAPES THAT ARE CRITICALLY
23 IMPORTANT FOR ECOSYSTEM HEALTH IN FACING THE IMPACTS OF CLIMATE
24 CHANGE.

25 (j) FOLLOWING PASSAGE OF THE FEDERAL "AMERICAN RESCUE
26 PLAN ACT", THE UNITED STATES CONGRESS HAS PASSED THE
27 ONCE-IN-A-GENERATION, FEDERAL "INFRASTRUCTURE INVESTMENT AND

1 JOBS ACT" THAT WILL DIRECTLY PROVIDE OVER THREE BILLION DOLLARS
2 TO COLORADO FOR CRITICAL INFRASTRUCTURE AND OTHER AREAS OF
3 NEEDED INVESTMENT OVER THE NEXT FIVE YEARS. THESE RARE, ONE-TIME
4 INVESTMENTS WILL HAVE A PROFOUND IMPACT ON THE WAY THE STATE
5 GROWS. THESE INVESTMENTS SHOULD BE PLANNED AND UNDERTAKEN IN
6 CONCERT WITH THE GOALS ARTICULATED BY HOUSE BILL 19-1261, IN A
7 MANNER THAT SEEKS TO AVOID FUTURE DISASTERS AND SUPPORT CLIMATE
8 ADAPTATION NEEDS, AND ARE ASSISTED BY A COORDINATED EFFORT.

9 (k) THE STATE CAN REALIZE THE BEST OUTCOMES IN PREPARING
10 FOR CLIMATE AND DEMOGRAPHIC CHANGES BY PROMOTING STRONG
11 PARTNERSHIPS WITH LOCAL GOVERNMENTS AND COMMUNITY PARTNERS;
12 IDENTIFYING NEEDS, SUPPORT, AND INCENTIVES FOR LOCAL COMMUNITIES;
13 AND FOSTERING COORDINATION AMONG LOCAL GOVERNMENTS TO
14 ACHIEVE REGIONAL AND STATEWIDE BENEFITS.

15 (l) THE STATE MUST ENSURE THAT EQUITY, ENVIRONMENTAL
16 JUSTICE, AND REPRESENTATION ARE CENTRAL CONSIDERATIONS OF STATE
17 PREPAREDNESS, PLANNING, COORDINATION, AND OUTCOMES. EQUITY
18 MUST BE A KEY VALUE IN PREPARING FOR A WORLD THAT IS IMPACTED BY
19 CLIMATE CHANGE AND EVER INCREASING DISASTERS TO ENSURE THE
20 REPRESENTATION OF THOSE COMMUNITIES THAT STAND TO BE THE MOST
21 AFFECTED BY A CHANGING CLIMATE.

22 **24-38.8-102. Office of climate preparedness - creation - powers**
23 **and duties.** (1) THE OFFICE OF CLIMATE PREPAREDNESS, REFERRED TO IN
24 THIS ARTICLE 38.8 AS THE "OFFICE", IS CREATED IN THE GOVERNOR'S
25 OFFICE. THE OFFICE SHALL COORDINATE DISASTER RECOVERY EFFORTS
26 FOR THE GOVERNOR'S OFFICE AS WELL AS THE DEVELOPMENT AND
27 IMPLEMENTATION OF THE STATEWIDE CLIMATE PREPAREDNESS ROADMAP

1 THAT THE OFFICE IS REQUIRED TO PREPARE AND PUBLISH PURSUANT TO
2 SECTION 24-38.8-103 (1).

3 (2) THE OFFICE MAY ESTABLISH INTERAGENCY AND
4 INTERGOVERNMENTAL TASK FORCES AND COMMUNITY ADVISORY GROUPS
5 TO INFORM AND SUPPORT THE WORK OF THE OFFICE. THE OFFICE MAY
6 PROMOTE COMMUNITY ENGAGEMENT AND INFORMATION SHARING AND
7 FURTHER EFFORTS TO IMPLEMENT THE RECOMMENDATIONS OF THE
8 ROADMAP.

9 (3) THE OFFICE SHALL DIRECT THE IMPLEMENTATION OF THE
10 ROADMAP AND MAY ESTABLISH CRITERIA FOR EVALUATING EXISTING
11 PROGRAMS IN ALL OTHER STATE AGENCIES TO ENSURE IMPLEMENTATION
12 OF THE ROADMAP AND ITS GOVERNING PRINCIPLES.

13 **24-38.8-103. Development of statewide climate preparedness**
14 **roadmap.** (1) NO LATER THAN DECEMBER 1, 2023, THE OFFICE SHALL
15 PREPARE AND PUBLISH AND, EVERY THREE YEARS THEREAFTER, UPDATE
16 A LONG-TERM, STATEWIDE CLIMATE PREPAREDNESS STRATEGIC PLAN AND
17 ROADMAP, REFERRED TO IN THIS ARTICLE 38.8 AS THE "ROADMAP". THE
18 ROADMAP MUST INTEGRATE AND INCLUDE INFORMATION FROM ALL
19 EXISTING STATE PLANS THAT ADDRESS CLIMATE MITIGATION,
20 ADAPTATION, RESILIENCY, AND RECOVERY. THE ROADMAP MUST BUILD
21 UPON THIS PREVIOUS BODY OF WORK, SEEK TO ALIGN EXISTING PLANS, AND
22 IDENTIFY ANY GAPS IN POLICY, PLANNING, OR RESOURCES. THE ROADMAP
23 SERVES TO UPDATE ANY OUTDATED ASSUMPTIONS, DEMOGRAPHIC
24 INFORMATION, AND STATEWIDE GOALS IN EXISTING PLANS WITH THE MOST
25 RECENT AND AVAILABLE INFORMATION. THE ROADMAP MUST IDENTIFY
26 STRATEGIES FOR HOW THE STATE WILL GROW IN POPULATION AND
27 CONTINUE TO DEVELOP IN A MANNER THAT:

1 (a) IS IN ALIGNMENT WITH STATE GREENHOUSE GAS REDUCTION
2 GOALS AND GREENHOUSE GAS ROADMAP AND CLIMATE MITIGATION
3 STRATEGIES, PARTICULARLY IN THE NATURAL AND WORKING LANDS, LAND
4 USE DEVELOPMENT, AND TRANSPORTATION SECTORS OF THE STATE;

5 (b) ADAPTS TO A WARMING CLIMATE, PARTICULARLY UTILIZING
6 ECOSYSTEM-BASED ADAPTATION STRATEGIES, TO ENSURE THE HEALTH OF
7 THE STATE'S LANDS, WATERS, WILDLIFE, NATIVE BIODIVERSITY, AND
8 NATURAL SYSTEMS, AND INFORMS THE DEVELOPMENT OF STATEWIDE
9 CONSERVATION GOALS IN COORDINATION WITH THE DIVISION OF PARKS
10 AND WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES CREATED IN
11 SECTION 33-9-104 (1), THE DEPARTMENT OF NATURAL RESOURCES
12 CREATED IN SECTION 24-33-101 (1), AND THE DEPARTMENT OF
13 AGRICULTURE CREATED IN SECTION 35-1-103;

14 (c) MAXIMIZES THE USE OF RESILIENCY PRINCIPLES FOR THE
15 STATE'S BUILT ENVIRONMENT TO STRENGTHEN THE STATE'S
16 INFRASTRUCTURE AND MINIMIZE THE IMPACTS OF NATURAL DISASTERS ON
17 COMMUNITIES; AND

18 (d) ACKNOWLEDGES THAT CERTAIN COMMUNITIES ARE
19 PARTICULARLY VULNERABLE TO THE IMPACTS OF CLIMATE CHANGE AND
20 IDENTIFIES OPPORTUNITIES FOR PROJECTS, POLICIES, AND STRATEGIES TO
21 PROTECT THE STATE'S MOST VULNERABLE RESIDENTS WITH THE GOAL OF
22 ATTAINING A MORE EQUITABLE FUTURE.

23 **SECTION 5. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety.