

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 22-0860.03 Megan Waples x4348

SENATE BILL 22-206

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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, _____ THE OFFICE OF CLIMATE**
105 **PREPAREDNESS, AND 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>.)

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.*

SENATE
3rd Reading Unamended
May 3, 2022

SENATE
Amended 2nd Reading
May 2, 2022

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) IN
25 OR AFTER 2018 THAT RESULTED IN WIDESPREAD OR SEVERE DAMAGE OR
26 LOSS OF PROPERTY OR INFRASTRUCTURE AS DETERMINED PURSUANT TO
27 POLICIES ADOPTED BY THE DIVISION PURSUANT TO SUBSECTION (4) OF THIS

1 SECTION.

2 (c) "ELIGIBLE APPLICANT" MEANS:

3 (I) A PERSON WHO OWNS OR RENTS A HOME THAT IS THE PERSON'S
4 PRIMARY RESIDENCE, INCLUDING AN APARTMENT OR A MODULAR,
5 MANUFACTURED, OR MOBILE HOME, THAT WAS AFFECTED BY A DECLARED
6 DISASTER AND MEETS ELIGIBILITY CRITERIA ESTABLISHED BY POLICIES
7 ADOPTED PURSUANT TO SUBSECTION (5) OF THIS SECTION;

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

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

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

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

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

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

1 (e) "GOVERNMENTAL ENTITY" MEANS ANY AUTHORITY, COUNTY,
2 MUNICIPALITY, CITY AND COUNTY, DISTRICT, OR OTHER POLITICAL
3 SUBDIVISION OF THE STATE; ANY TRIBAL GOVERNMENT WITH JURISDICTION
4 IN COLORADO; AND ANY INSTITUTION, DEPARTMENT, AGENCY, OR
5 AUTHORITY OF ANY OF THE FOREGOING.

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

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

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

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

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

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

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

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

17 (d) LOAN TERMS, INCLUDING INTEREST RATES AND REPAYMENT
18 TERMS;

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

22 (f) ANY REPORTING REQUIREMENTS FOR RECIPIENTS, WHICH MUST
23 INCLUDE THE DEMOGRAPHIC DATA OF EACH RECIPIENT AGGREGATED BY
24 RACE, ETHNICITY, DISABILITY STATUS, AND INCOME LEVEL;

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

27 (h) UNDERWRITING AND RISK MANAGEMENT POLICIES;

1 (i) ANY REQUIREMENTS FOR APPLICANTS TO APPLY FOR OR
2 EXHAUST OTHER SOURCES OF ASSISTANCE OR REIMBURSEMENT TO BE
3 ELIGIBLE FOR A LOAN OR GRANT UNDER THE PROGRAM. IF THE POLICIES
4 ESTABLISH SUCH A REQUIREMENT, THE POLICIES MUST SPECIFY TO WHICH
5 APPLICANTS THE REQUIREMENT APPLIES, WHICH SOURCES MUST BE
6 APPLIED FOR AND DENIED OR EXHAUSTED, AND WHAT DOCUMENTATION IS
7 NECESSARY TO ESTABLISH THE APPLICANT HAS MET THE REQUIREMENT.

8 (j) EQUITABLE COMMUNITY OUTREACH AND EQUITABLE ACCESS TO
9 PROGRAM INFORMATION, INCLUDING COMMUNICATIONS IN THE RELEVANT
10 LANGUAGES OF THE COMMUNITY AND EQUITABLE HEARING, SIGHT, AND
11 PHYSICAL ACCESSIBILITY; AND

12 (k) ANY ADDITIONAL POLICIES NECESSARY TO ADMINISTER THE
13 PROGRAM.

14 (5) THE PROGRAM MAY PROVIDE LOANS OR GRANTS OR A
15 COMBINATION OF BOTH TO ELIGIBLE APPLICANTS. IN REVIEWING
16 APPLICATIONS AND AWARDING GRANTS, THE DIVISION SHALL GIVE
17 PRIORITY TO ELIGIBLE APPLICANTS WHO DEMONSTRATE THAT THEIR NEEDS
18 CANNOT BE MET BY OTHER SOURCES OF ASSISTANCE. LOANS OR GRANTS
19 MAY BE USED TO:

20 (a) SUBSIDIZE COSTS TO REPAIR OR REBUILD A HOMEOWNER'S
21 PRIMARY RESIDENCE THAT ARE INSUFFICIENTLY COVERED BY THE
22 HOMEOWNER'S INSURANCE OR BY LOANS, GRANTS, OR OTHER ASSISTANCE
23 AVAILABLE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE
24 FEDERAL SMALL BUSINESS ADMINISTRATION, OR OTHER STATE OR FEDERAL
25 ASSISTANCE PROGRAMS. COSTS THAT MAY BE COVERED INCLUDE, BUT ARE
26 NOT LIMITED TO:

27 (I) DIRECT COSTS OF REPAIRS OR RECONSTRUCTION OF A DAMAGED

1 OR DESTROYED PRIMARY RESIDENCE, INCLUDING COSTS TO REBUILD TO
2 ADVANCED FIRE AND OTHER NATURAL HAZARD MITIGATION STANDARDS;

3 (II) SOFT COSTS SUCH AS ARCHITECTURAL AND ENGINEERING
4 COSTS AND PERMITTING FEES ASSOCIATED WITH REPAIRING OR REBUILDING
5 A PRIMARY RESIDENCE;

6 (III) SOIL SAMPLING AND AIR QUALITY MONITORING;

7 (IV) CLEARANCE AND DEMOLITION COSTS, INCLUDING CONCRETE
8 FLAT WORK REMOVAL AND REMOVAL OF HAZARDOUS MATERIAL,
9 INCLUDING ASBESTOS;

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

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

15 (VII) COSTS TO REPLANT CLIMATE READY TREES AND
16 VEGETATION;

17 (VIII) TEMPORARY RENTAL ASSISTANCE DURING RELOCATION OR
18 REBUILDING OR RECOVERY WORK; AND

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

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

26 (I) A HOUSING AUTHORITY OR LOW-INCOME HOUSING TAX CREDIT
27 PARTNERSHIP TO FUND THE REPLACEMENT OR REPAIR OF MULTI-FAMILY

1 HOUSING IN AN AREA AFFECTED BY A DECLARED DISASTER;

2 (II) A NONPROFIT CORPORATION TO PROVIDE CONSTRUCTION
3 ASSISTANCE TO LOW-INCOME HOUSEHOLDS IN AN AREA AFFECTED BY A
4 DECLARED DISASTER;

5 (III) A PERSON WHO OWNS RENTAL HOUSING AND REQUIRES
6 ADDITIONAL RESOURCES TO REBUILD OR REPAIR THE RENTAL HOUSING. A
7 LOAN OR GRANT MADE PURSUANT TO THIS SUBSECTION (5)(b)(III) MUST
8 INCLUDE PROVISIONS REQUIRING THE RECIPIENT TO PROVIDE AFFORDABLE
9 RENT FOR THE RENTAL HOUSING FOLLOWING THE REPAIR OR
10 RECONSTRUCTION AND TEMPORARY RENTAL ASSISTANCE FOR DISPLACED
11 RENTERS, AS DETERMINED BY THE DIVISION.

12 (c) PROVIDE OPERATING CAPITAL TO A BUSINESS EXPERIENCING A
13 BUSINESS INTERRUPTION OR COVER THE COSTS OF REPLACING OR
14 REPAIRING THE BUSINESS'S REAL PROPERTY, EQUIPMENT, OR INVENTORY
15 THAT WAS LOST OR DAMAGED IN THE DISASTER;

16 (d) REBUILD NEIGHBORHOODS OR PORTIONS OF NEIGHBORHOODS
17 IN A MANNER THAT SERVES AS A PILOT PROJECT FOR ADVANCED
18 COMMUNITY PLANNING TO RESIST THE IMPACTS OF NATURAL DISASTERS
19 CAUSED BY CLIMATE CHANGE OR REDUCE ACTIONS THAT CONTRIBUTE TO
20 CLIMATE CHANGE, INCLUDING BUT NOT LIMITED TO MICRO-GRIDS,
21 COMMUNITY BATTERY STORAGE, COMMUNITY DISTRICT HEATING OR
22 GEOTHERMAL HEATING SYSTEMS, OR WILDFIRE RESILIENT LAND USE
23 PLANNING STRATEGIES; ==

24 (e) REIMBURSE A GOVERNMENTAL ENTITY FOR ANY UNMET NEEDS
25 ASSOCIATED WITH A DECLARED DISASTER THAT ARE NOT COVERED BY
26 PUBLIC ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT
27 AGENCY OR OTHER STATE OR FEDERAL ASSISTANCE, INCLUDING

1 ASSISTANCE PROVIDED PURSUANT TO SECTION 24-33.5-704 (7)(j). UNMET
2 NEEDS THAT MAY BE COVERED INCLUDE, BUT ARE NOT LIMITED TO:

3
4 (I) REBUILDING OR REPAIRING TRANSPORTATION
5 INFRASTRUCTURE;

6 (II) HEALTH AND SAFETY IMPROVEMENTS OR INVESTMENTS
7 RELATED TO DISASTER RECOVERY AND RESILIENCY; OR

8 (III) REPLACEMENT OF LOST REVENUE FROM SALES TAXES,
9 PROPERTY TAXES, PUBLIC UTILITY OR SERVICE FEES, OR OTHER REVENUE
10 SOURCES THAT WERE NEGATIVELY AFFECTED BY A DECLARED DISASTER;

11 OR

12 (f) ASSIST ELIGIBLE APPLICANTS IN ADDRESSING OTHER RELATED
13 UNMET NEEDS AS ALLOWED BY THE POLICIES ADOPTED BY THE DIVISION
14 PURSUANT TO SUBSECTION (4) OF THIS SECTION IN ORDER TO RECOVER OR
15 REBUILD FROM A DECLARED DISASTER.

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

21 (7) (a) THE DISASTER RESILIENCE REBUILDING PROGRAM FUND IS
22 HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF
23 MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION
24 (7)(d) OF THIS SECTION, ANY OTHER MONEY THAT THE GENERAL ASSEMBLY
25 APPROPRIATES OR TRANSFERS TO THE FUND, AND ANY GIFTS, GRANTS, OR
26 DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS
27 SECTION.

1 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
2 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
3 FUND TO THE FUND.

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

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

10 (8) THE DIVISION AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL
11 COLLABORATE WITH THE COLORADO ENERGY OFFICE CREATED IN SECTION
12 24-38.5-101 ON THE IMPLEMENTATION OF THIS SECTION AS SET FORTH IN
13 SECTION 24-38.5-113 (8).

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

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

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

27 (a) "ADMINISTRATOR" MEANS AN ENTITY OR ENTITIES THAT THE

1 OFFICE CONTRACTS WITH PURSUANT TO SUBSECTION (2)(b) OF THIS
2 SECTION TO ADMINISTER THE PROGRAM.

3 (b) "ELIGIBLE BUSINESS" MEANS A BUSINESS THAT OWNS A
4 BUILDING OR STRUCTURE THAT WAS AFFECTED BY A DISASTER
5 EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO SECTION
6 24-33.5-704(4) AND THAT MEETS THE ELIGIBILITY CRITERIA ESTABLISHED
7 BY THE OFFICE IN POLICIES ADOPTED PURSUANT TO SUBSECTION (4) OF
8 THIS SECTION.

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

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

16 (e) "GOVERNMENTAL ENTITY" MEANS ANY AUTHORITY, COUNTY,
17 MUNICIPALITY, CITY AND COUNTY, DISTRICT, OR OTHER POLITICAL
18 SUBDIVISION OF THE STATE; ANY TRIBAL GOVERNMENT WITH JURISDICTION
19 IN COLORADO; AND ANY INSTITUTION, DEPARTMENT, AGENCY, OR
20 AUTHORITY OF ANY OF THE FOREGOING.

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

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

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

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

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

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

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

9 (2) (a) THE OFFICE SHALL, IN CONSULTATION WITH THE
10 DEPARTMENT OF LOCAL AFFAIRS, ESTABLISH THE SUSTAINABLE
11 REBUILDING PROGRAM AS A LOAN AND GRANT PROGRAM IN ACCORDANCE
12 WITH THE REQUIREMENTS OF THIS SECTION AND THE POLICIES
13 ESTABLISHED BY THE OFFICE PURSUANT TO SUBSECTION (4) OF THIS
14 SECTION. THE PROGRAM MAY PROVIDE LOANS AND GRANTS FROM THE
15 FUND TO ELIGIBLE HOMEOWNERS AND ELIGIBLE BUSINESSES SEEKING
16 ASSISTANCE TO REBUILD HIGH-EFFICIENCY HOMES AND BUILDINGS AFTER
17 A DISASTER EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO
18 SECTION 24-33.5-704 (4).

19 (b) THE OFFICE MAY CONTRACT WITH A GOVERNMENTAL ENTITY,
20 COLORADO-BASED NONPROFIT GREEN BANK WITH A HISTORY OF AND
21 EXPERTISE IN PROVIDING LOANS AND GRANTS FOR SUCCESSFUL ENERGY
22 EFFICIENCY PROJECTS AND SERVICES, BUSINESS NONPROFIT
23 ORGANIZATION, BANK, NONDEPOSITORY COMMUNITY DEVELOPMENT
24 FINANCIAL INSTITUTION, OR BUSINESS DEVELOPMENT CORPORATION OR
25 OTHER ENTITY AS DETERMINED BY THE OFFICE TO ADMINISTER THE
26 PROGRAM. IF THE OFFICE CONTRACTS WITH AN ENTITY OR ENTITIES TO
27 ADMINISTER THE PROGRAM, THE OFFICE SHALL USE AN OPEN AND

1 COMPETITIVE PROCESS TO SELECT THE ENTITY OR ENTITIES. A CONTRACT
2 WITH AN ADMINISTRATOR MAY INCLUDE AN ADMINISTRATION FEE
3 ESTABLISHED BY THE OFFICE AT AN AMOUNT REASONABLY CALCULATED
4 TO COVER THE ONGOING ADMINISTRATIVE COSTS OF THE OFFICE IN
5 OVERSEEING THE PROGRAM. THE OFFICE MAY ADVANCE MONEY TO AN
6 ENTITY UNDER A CONTRACT IN PREPARATION FOR ISSUING LOANS AND
7 GRANTS AND ADMINISTERING THE PROGRAM.

8 (3) A CONTRACT WITH AN ADMINISTRATOR MAY REQUIRE THE
9 ADMINISTRATOR TO REPAY ALL LENDING CAPITAL THAT IS NOT
10 COMMITTED TO LOANS OR GRANTS UNDER THE PROGRAM AND ALL
11 PRINCIPAL AND INTEREST THAT IS REPAYED BY BORROWERS UNDER THE
12 PROGRAM AT THE END OF THE CONTRACT PERIOD IF, IN THE JUDGMENT OF
13 THE OFFICE, THE ADMINISTRATOR HAS NOT PERFORMED SUCCESSFULLY
14 UNDER THE TERMS OF THE CONTRACT. THE OFFICE MAY REDEPLOY MONEY
15 REPAYED UNDER THIS SUBSECTION (3) AS GRANTS OR LOANS UNDER THE
16 PROGRAM OR THROUGH ANOTHER ADMINISTRATOR.

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

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

23 (II) ELIGIBILITY CRITERIA FOR HOMEOWNERS AND BUSINESSES
24 APPLYING TO THE PROGRAM;

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

26 (IV) LOAN TERMS, INCLUDING INTEREST RATES AND REPAYMENT
27 TERMS;

1 (V) ANY ADDITIONAL SPECIFICATIONS OR CRITERIA FOR THE USES
2 OF THE GRANT OR LOAN MONEY ALLOWED BY SUBSECTION (5) OF THIS
3 SECTION;

4 (VI) ANY REPORTING REQUIREMENTS FOR RECIPIENTS, WHICH
5 MUST INCLUDE THE DEMOGRAPHIC DATA OF EACH RECIPIENT AGGREGATED
6 BY RACE, ETHNICITY, DISABILITY STATUS, AND INCOME LEVEL;

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

9 (VIII) UNDERWRITING AND RISK MANAGEMENT POLICIES; ==

10 (IX) EQUITABLE COMMUNITY OUTREACH AND EQUITABLE ACCESS
11 TO PROGRAM INFORMATION, INCLUDING COMMUNICATIONS IN THE
12 RELEVANT LANGUAGES OF THE COMMUNITY AND EQUITABLE HEARING,
13 SIGHT, AND PHYSICAL ACCESSIBILITY; AND

14 (X) ANY ADDITIONAL POLICIES NECESSARY TO ADMINISTER THE
15 PROGRAM.

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

20 (5) LOANS AND GRANTS RECEIVED FROM THE PROGRAM MAY BE
21 USED:

22 (a) TO REBUILD OR REHABILITATE A HOME OR BUILDING WITH A
23 HIGHLY EFFICIENT HEAT PUMP FOR SPACE OR WATER HEATING;

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

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

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

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

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

14 (6) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
15 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
16 THIS SECTION. THE OFFICE SHALL TRANSMIT ALL MONEY RECEIVED
17 THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO
18 SHALL CREDIT THE MONEY TO THE FUND.

19 (7) (a) THE SUSTAINABLE REBUILDING PROGRAM FUND IS HEREBY
20 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
21 TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION (7)(d) OF
22 THIS SECTION, ANY OTHER MONEY THAT THE GENERAL ASSEMBLY
23 APPROPRIATES OR TRANSFERS TO THE FUND, AND ANY GIFTS, GRANTS, OR
24 DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS
25 SECTION.

26 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
27 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE

1 FUND TO THE FUND.

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

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

8 (8) IN IMPLEMENTING THIS SECTION, THE OFFICE SHALL
9 COLLABORATE WITH THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN
10 SECTION 24-1-125 IN ORDER TO OFFER STREAMLINED CUSTOMER SERVICE
11 FOR THE SUSTAINABLE REBUILDING PROGRAM AND THE DISASTER
12 RESILIENCE REBUILDING PROGRAM CREATED IN SECTION 24-32-132. THE
13 OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL SEEK TO CREATE
14 A SINGLE PUBLIC-FACING, USER-FRIENDLY INTERFACE FOR THE TWO
15 PROGRAMS IN ENGLISH AND SPANISH THAT PRIORITIZES ACCESSIBILITY
16 AND EASE OF NAVIGATION FOR APPLICANTS.

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

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

27 **ARTICLE 38.8**

1 **Statewide Climate Preparedness Roadmap**

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

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

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

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

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

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

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

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

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

1 THE AVERAGE AREA OF OUR STATE BURNED BY FIRE EACH YEAR IS
2 EXPECTED TO INCREASE ANYWHERE FROM FIFTY PERCENT TO TWO
3 HUNDRED PERCENT.

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

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

26 (j) FOLLOWING PASSAGE OF THE FEDERAL "AMERICAN RESCUE
27 PLAN ACT", THE UNITED STATES CONGRESS HAS PASSED THE

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

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

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

23 **24-38.8-102. Office of climate preparedness - creation - powers**
24 **and duties.** (1) THE OFFICE OF CLIMATE PREPAREDNESS, REFERRED TO IN
25 THIS ARTICLE 38.8 AS THE "OFFICE", IS CREATED IN THE GOVERNOR'S
26 OFFICE. THE OFFICE SHALL:

27 (I) COORDINATE DISASTER RECOVERY EFFORTS FOR THE

1 GOVERNOR'S OFFICE, AS DETERMINED BY THE GOVERNOR AND CONSISTENT
2 WITH SECTIONS 24-33.5-704 (6.5) AND 24-33.5-705.2, SEEKING TO
3 INTEGRATE CLIMATE RESILIENCE AND ADAPTATION INTO RECOVERY
4 EFFORTS; AND

5 (II) DEVELOP, PUBLISH, AND IMPLEMENT THE STATEWIDE CLIMATE
6 PREPAREDNESS ROADMAP REQUIRED PURSUANT TO SECTION 24-38.8-103
7 (1).

8 (2) THE OFFICE MAY ESTABLISH INTERAGENCY AND
9 INTERGOVERNMENTAL TASK FORCES AND COMMUNITY ADVISORY GROUPS,
10 WITH PARTICULAR ATTENTION TO THE INCLUSION, ACCESSIBILITY, AND
11 ENGAGEMENT OF DISPROPORTIONATELY IMPACTED COMMUNITIES, AS
12 DEFINED IN SECTION 24-4-109 (2)(b)(II), TO INFORM AND SUPPORT THE
13 WORK OF THE OFFICE. THE OFFICE MAY PROMOTE COMMUNITY
14 ENGAGEMENT AND INFORMATION SHARING AND FURTHER EFFORTS TO
15 IMPLEMENT THE RECOMMENDATIONS OF THE ROADMAP.

16 (3) THE OFFICE SHALL DIRECT THE IMPLEMENTATION OF THE
17 ROADMAP, INCLUDING ALL SUBSEQUENT UPDATES, AND MAY ESTABLISH
18 CRITERIA FOR EVALUATING EXISTING PROGRAMS IN ALL OTHER STATE
19 AGENCIES TO ENSURE IMPLEMENTATION OF THE ROADMAP AND ITS
20 GOVERNING PRINCIPLES.

21 **24-38.8-103. Development of statewide climate preparedness**
22 **roadmap.** (1) NO LATER THAN DECEMBER 1, 2023, THE OFFICE SHALL
23 PREPARE AND PUBLISH AND, EVERY THREE YEARS THEREAFTER, UPDATE
24 A LONG-TERM, STATEWIDE CLIMATE PREPAREDNESS STRATEGIC PLAN AND
25 ROADMAP, REFERRED TO IN THIS ARTICLE 38.8 AS THE "ROADMAP". THE
26 ROADMAP MUST INTEGRATE AND INCLUDE INFORMATION FROM ALL
27 EXISTING STATE PLANS THAT ADDRESS CLIMATE MITIGATION,

1 ADAPTATION, RESILIENCY, AND RECOVERY, INCLUDING NEW OR UPDATED
2 PLANS COMPLETED AFTER THE INITIAL PUBLICATION OF THE ROADMAP.

3 THE ROADMAP MUST BUILD UPON THIS PREVIOUS BODY OF WORK, SEEK TO
4 ALIGN EXISTING PLANS, AND IDENTIFY ANY GAPS IN POLICY, PLANNING, OR
5 RESOURCES. THE ROADMAP SERVES TO UPDATE ANY OUTDATED
6 ASSUMPTIONS, DEMOGRAPHIC INFORMATION, AND STATEWIDE GOALS IN
7 EXISTING PLANS WITH THE MOST RECENT AND AVAILABLE INFORMATION.
8 THE ROADMAP MUST IDENTIFY STRATEGIES FOR HOW THE STATE WILL
9 GROW IN POPULATION AND CONTINUE TO DEVELOP IN A MANNER THAT:

10 (a) IS IN ALIGNMENT WITH STATE GREENHOUSE GAS REDUCTION
11 GOALS AND GREENHOUSE GAS ROADMAP AND CLIMATE MITIGATION
12 STRATEGIES, PARTICULARLY IN THE NATURAL AND WORKING LANDS, LAND
13 USE DEVELOPMENT, WATER QUALITY AND QUANTITY, AND
14 TRANSPORTATION SECTORS OF THE STATE;

15 (b) ADAPTS TO A WARMING CLIMATE, PARTICULARLY UTILIZING
16 ECOSYSTEM-BASED ADAPTATION STRATEGIES AND BEST AVAILABLE
17 SCIENCE, TO ENSURE THE LONG-TERM HEALTH OF THE STATE'S LANDS,
18 PEOPLE, WATERS, WILDLIFE, NATIVE BIODIVERSITY, AND NATURAL
19 SYSTEMS; INCREASE THE RESILIENCE OF COLORADO'S SPECIES, HABITATS,
20 ECOSYSTEMS, AND NATURAL INFRASTRUCTURE TO THE EFFECTS OF
21 CLIMATE CHANGE; AND INFORM THE DEVELOPMENT OF STATEWIDE
22 CONSERVATION GOALS, IN ONGOING COORDINATION WITH THE DIVISION OF
23 PARKS AND WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES
24 CREATED IN SECTION 33-9-104 (1), THE DEPARTMENT OF NATURAL
25 RESOURCES CREATED IN SECTION 24-33-101 (1), AND THE DEPARTMENT OF
26 AGRICULTURE CREATED IN SECTION 35-1-103;

27 (c) MAXIMIZES THE USE OF RESILIENCY PRINCIPLES FOR THE

1 STATE'S BUILT ENVIRONMENT TO STRENGTHEN THE STATE'S
2 INFRASTRUCTURE AND MINIMIZE THE IMPACTS OF NATURAL DISASTERS ON
3 COMMUNITIES IN COORDINATION WITH THE DEPARTMENT OF PUBLIC
4 SAFETY CREATED IN SECTION 24-33.5-103, THE DEPARTMENT OF LOCAL
5 AFFAIRS CREATED IN SECTION 24-1-125, AND THE COLORADO RESILIENCY
6 OFFICE CREATED IN SECTION 24-32-122; AND

7 (d) ACTIVELY TAKES INTO ACCOUNT THAT DISPROPORTIONATELY
8 IMPACTED COMMUNITIES, AS DEFINED IN SECTION 24-4-109 (2)(b)(II), ARE
9 PARTICULARLY VULNERABLE TO THE IMPACTS OF CLIMATE CHANGE AND
10 IDENTIFIES OPPORTUNITIES FOR PROJECTS, POLICIES, AND STRATEGIES TO
11 PROTECT THE STATE'S MOST VULNERABLE RESIDENTS WITH THE GOAL OF
12 ATTAINING A MORE EQUITABLE FUTURE.

13 **SECTION 5. In Colorado Revised Statutes, add 10-1-143 as**
14 **follows:**

15 **10-1-143. Study on homeowner's insurance - repeal. (1) THE**
16 **COMMISSIONER SHALL CONDUCT A STUDY AND PREPARE A REPORT**
17 **CONCERNING METHODS TO ADDRESS THE STABILITY, AVAILABILITY, AND**
18 **AFFORDABILITY OF HOMEOWNER'S INSURANCE FOR COLORADANS WITH A**
19 **FOCUS ON STABILIZING THE CURRENT MARKET. THE STUDY MUST TAKE**
20 **INTO CONSIDERATION:**

21 (a) CURRENT MARKET CONDITIONS, INCLUDING:
22 (I) AVAILABILITY OF COVERAGE BY COUNTY OR ZIP CODE;
23 (II) AFFORDABILITY OF COVERAGE BY PROPERTY VALUE; AND
24 (III) IDENTIFICATION OF AREAS OF THE STATE WITH PARTICULAR
25 RISK CONCERNS;

26 (b) POTENTIAL PREMIUM IMPACTS TO CONSUMERS; AND
27 (c) MEASURES AND PROGRAMS TO ENSURE THE LONG-TERM

1 SUSTAINABILITY AND AVAILABILITY OF HOMEOWNER'S INSURANCE
2 COVERAGE.

3 (2) (a) THE COMMISSIONER MAY CONTRACT WITH A THIRD PARTY
4 TO CONDUCT THE STUDY REQUIRED IN SUBSECTION (1) OF THIS SECTION.
5 THE COMMISSIONER IS NOT REQUIRED TO COMPLY WITH THE
6 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, FOR PURPOSES
7 OF THIS SUBSECTION (2), BUT SHALL USE A COMPETITIVE PROCESS TO
8 SELECT A THIRD PARTY TO CONDUCT THE STUDY.

9 (b) THE COMMISSIONER AND ANY THIRD PARTY CONDUCTING THE
10 STUDY SHALL ENGAGE WITH AND SEEK INPUT FROM CARRIERS, CONSUMER
11 GROUPS, AND OTHER INTERESTED PARTIES.

12 (c) INFORMATION SUBMITTED BY THE CARRIERS TO THE DIVISION
13 OR THIRD-PARTY CONTRACTOR SELECTED TO CONDUCT THE STUDY IN
14 ACCORDANCE WITH THIS SECTION IS SUBJECT TO PUBLIC INSPECTION ONLY
15 TO THE EXTENT ALLOWED UNDER THE "COLORADO OPEN RECORDS ACT",
16 PART 2 OF ARTICLE 72 OF TITLE 24. THE DIVISION AND THIRD-PARTY
17 CONTRACTOR SHALL NOT DISCLOSE TRADE-SECRET, CONFIDENTIAL, OR
18 PROPRIETARY INFORMATION TO ANY PERSON WHO IS NOT OTHERWISE
19 AUTHORIZED TO ACCESS SUCH INFORMATION.

20 (3) THE COMMISSIONER SHALL SUBMIT THE REPORT REQUIRED BY
21 THIS SECTION TO THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND
22 LABOR COMMITTEE, THE SENATE BUSINESS, LABOR, AND TECHNOLOGY
23 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE JOINT BUDGET
24 COMMITTEE. THE REPORT MAY BE CONSIDERED, AS NECESSARY, IN THE
25 BUDGETING PROCESS. THE REPORT MAY INCLUDE RECOMMENDATIONS FOR
26 OTHER PROPERTY INSURANCE MARKETS THAT NEED TO BE STUDIED.

27 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

1 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1203, **add**
2 **(1)(x)** as follows:

3 **24-33.5-1203. Duties of division.** (1) The division shall perform
4 **the following duties:**

5 (x) **ESTABLISH AND MAINTAIN A STATEWIDE FIRE DISPATCH**
6 **CENTER TO ENSURE RAPID RESPONSE OF FIRE-BASED RESOURCES TO**
7 **EMERGING WILDFIRE AND ALL-HAZARD INCIDENTS IN SUPPORT OF LOCAL,**
8 **COUNTY, STATE, AND FEDERAL AGENCIES IN COLORADO.**

9 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1228,
10 **amend (3)(c)(I); and add (2.5)(b)(V) and (3)(c)(III) as follows:**

11 **24-33.5-1228. Colorado firefighting air corps - creation -**
12 **powers - aircraft acquisitions required - center of excellence -**
13 **unmanned aircraft systems study and pilot program - Colorado**
14 **firefighting air corps fund - creation - report - rules.** (2.5) (b) The
15 **center of excellence shall perform, but is not limited to, the following**
16 **functions:**

17 (V) **DEVELOP AND IMPLEMENT A COLORADO TEAM AWARENESS**
18 **KIT FOR INTERESTED PUBLIC SAFETY AGENCIES IN THE STATE.**

19 (3) (c) (I) **EXCEPT AS PROVIDED IN SUBSECTION (3)(c)(III) OF THIS**
20 **SECTION, the division shall use the money in the Colorado firefighting air**
21 **corps fund for the purposes of subsection (2.5) of this section and for**
22 **paying the direct and indirect costs of maintaining the Colorado**
23 **firefighting air corps, including expenses associated with acquisition,**
24 **retrofitting, labor, equipment, supply, transportation, air, mobilization,**
25 **repair, maintenance, and demobilization.**

26 (III) **WITHIN THREE DAYS OF THE EFFECTIVE DATE OF THIS**
27 **SUBSECTION (3)(c)(III), THE STATE TREASURER SHALL TRANSFER FIFTEEN**

1 MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE DISASTER
2 EMERGENCY FUND CREATED IN SECTION 24-33.5-706 (2)(a) TO THE
3 COLORADO FIREFIGHTING AIR CORPS FUND CREATED IN SUBSECTION (3)(a)
4 OF THIS SECTION. NOTWITHSTANDING ANY OTHER REQUIREMENT OF THIS
5 SECTION, THE DIVISION SHALL USE THE MONEY TRANSFERRED PURSUANT
6 TO THIS SUBSECTION (3)(c)(III) FOR THE FOLLOWING PURPOSES IN FISCAL
7 YEAR 2021-22 AND IN FISCAL YEAR 2022-23:

8 (A) ESTABLISHING AND MAINTAINING A STATEWIDE FIRE DISPATCH
9 CENTER TO ENSURE RAPID RESPONSE OF FIRE-BASED RESOURCES TO
10 EMERGING WILDFIRE AND ALL-HAZARD INCIDENTS IN SUPPORT OF LOCAL,
11 COUNTY, STATE, AND FEDERAL AGENCIES IN COLORADO IN ACCORDANCE
12 WITH SECTION 24-33.5-1203 (1)(x);

13 (B) THE LEASING BY THE DIVISION OF APPROPRIATE AVIATION
14 RESOURCES CONFIGURED FOR WILDFIRE SUPPRESSION, FOR THE
15 OPERATIONAL COSTS ASSOCIATED WITH THE USE OF THE LEASED AND
16 PURCHASED AVIATION RESOURCES, AND THE COSTS ASSOCIATED WITH
17 LEASING, PURCHASING, OR OWNING CAPITAL INFRASTRUCTURE TO HOUSE
18 THE AVIATION RESOURCES; AND

19 (C) EXPANDING AND FURTHER IMPLEMENTING THE COLORADO
20 TEAM AWARENESS KIT SYSTEMS IN ACCORDANCE WITH SUBSECTION
21 (2.5)(b)(V) OF THIS SECTION.

22 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-706, **amend**
23 **(2)(a)** as follows:

24 **24-33.5-706. Disaster emergency fund - established - financing**
25 **- legislative intent.** (2) (a) A disaster emergency fund is hereby
26 established. The fund consists of any moneys MONEY appropriated by the
27 general assembly, moneys MONEY transferred pursuant to subsections

1 (2.5) and (4)(b) of this section, and moneys MONEY to reimburse
2 expenditures from the fund that are transmitted to the state treasurer and
3 credited to the fund. Moneys MONEY in the disaster emergency fund shall
4 remain in the fund until expended or until transferred pursuant to
5 subsection (2.5)(c), (4.3), or (4.5) of this section OR SECTION
6 24-33.5-1228 (3)(c)(III).

7 **SECTION 9. Appropriation.** (1) For the 2022-23 state fiscal
8 year, \$472,137 is appropriated to the office of the governor. This
9 appropriation is from the general fund. To implement this act, the
10 department may use this appropriation as follows:

11 (a) \$426,629 for use by the office of the governor for the office
12 of climate preparedness related to governor's office, which amount is
13 based on an assumption that the office will require an additional 2.7 FTE;

14 (b) \$30,722 for use by the Colorado energy office related to
15 sustainable building program; and

16 (c) \$14,786 for the purchase of legal services related to the
17 Colorado energy office.

18 (2) For the 2022-23 state fiscal year, \$14,786 is appropriated to
19 the department of law. This appropriation is from reappropriated funds
20 received from the office of the governor under subsection (1)(c) of this
21 section. To implement this act, the department of law may use this
22 appropriation to provide legal services for the Colorado energy office.

23 (3) For the 2022-23 state fiscal year, \$233,837 is appropriated to
24 the department of local affairs. This appropriation is from the general
25 fund. To implement this act, the department may use this appropriation
26 as follows:

27 (a) \$219,052 for use by the division of local government for

1 disaster resilience rebuilding program related to community services,
2 which amount is based on an assumption that the division will require an
3 additional 2.8 FTE; and

4 (b) \$14,785 for the purchase of legal services.

5 (4) For the 2022-23 state fiscal year, \$14,785 is appropriated to
6 the department of law. This appropriation is from reappropriated funds
7 received from the department of local affairs under subsection (1)(b) of
8 this section. To implement this act, the department of law may use this
9 appropriation to provide legal services for the department of local affairs.

10 (5) For the 2022-23 state fiscal year, \$91,937 is appropriated to
11 the department of agriculture for use by the agricultural services division.
12 This appropriation is from the general fund and is based on an assumption
13 that the division will require an additional 0.9 FTE. To implement this
14 act, the division may use this appropriation for the conservation services
15 division.

16 (6) For the 2022-23 state fiscal year, \$107,307 is appropriated to
17 the department of natural resources for use by the division of parks and
18 wildlife. This appropriation is from the general fund and is based on an
19 assumption that the division will require an additional 0.9 FTE. To
20 implement this act, the division may use this appropriation for wildlife
21 operations.

22 (7) For the 2022-23 state fiscal year, \$19,334 is appropriated to
23 the department of personnel for use by the division of capital assets. This
24 appropriation is from the Colorado firefighting air corps fund created in
25 section 24-33.5-1228 (3)(a), C.R.S. To implement this act, the division
26 may use this appropriation for vehicle replacement lease/purchase for the
27 department of public safety.

1 (8) For the 2022-23 state fiscal year, \$230,000 is appropriated to
2 the department of regulatory agencies for use by the division of insurance.
3 This appropriation is from the division of insurance cash fund created in
4 section 10-1-103 (3), C.R.S. To implement this act, the division may use
5 this appropriation for personal services.

6 **SECTION 10. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety.