

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 23-0968.01 Megan McCall x4215

**HOUSE BILL 23-1273**

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**HOUSE SPONSORSHIP**

**Snyder and Joseph,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Agriculture, Water & Natural Resources  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE WILDFIRE RESILIENT HOMES**  
102 **GRANT PROGRAM.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill creates the wildfire resilient homes grant program (program) within the division of fire prevention and control (division). The program allows homeowners to apply to receive a grant for retrofitting or improving a house or other structure on the homeowner's property with strategies and technologies for structure hardening in order to make the house or structure more resilient to the risk of wildfire.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

The bill also creates the wildfire resilient homes grant program cash fund (fund) for use by the division to award grants and to promote best practices for structure hardening, and on August 15, 2023, the state treasurer is required to transfer \$2 million from the general fund to the fund. The division is required to annually report to the wildfire matters review committee on expenditures made from the fund and grants that are awarded pursuant to the program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Home ownership in the United States has long been a  
5 cornerstone of the American dream;

6 (b) Home ownership presents an opportunity to accumulate  
7 wealth, build community, reduce wealth inequality, and improve  
8 generational wealth;

9 (c) Wildfires in Colorado threaten the American dream;

10 (d) Wildfires have become one of the greatest threats to  
11 Coloradans, their homes, and their aspirations to build wealth and  
12 community as evidenced by the ever increasing devastating wildfires in  
13 the state;

14 (e) Over the last ten years, the most destructive wildfires in the  
15 state led to the loss of over 2,544 homes;

16 (f) These wildfires not only destroy homes and communities, but  
17 also contribute negatively to the environment and public health;

18 (g) The toxic chemicals released during wildfires include nitrogen  
19 oxides, sulfur dioxide, volatile organic chemicals, and polycyclic organic  
20 matter. Plastic and treated wood burns also release heavy metals and other  
21 toxic chemicals, such as dioxin.

22 (h) When household waste, like wood and leaves, burn, it

1 produces smoke-containing vapors and particulate matter, both solid and  
2 liquid droplets suspended in the air;

3 (i) Air pollution from smoke can impact human health. People  
4 exposed to these air pollutants can experience eye and nose irritation,  
5 difficulty breathing, coughing, and headaches. People with heart disease,  
6 asthma, emphysema, or other respiratory diseases are especially sensitive  
7 to air pollutants. Other health problems aggravated by wildfires include  
8 lung infections, pneumonia, bronchiolitis, and allergies.

9 (j) Our climate continues to trend towards warmer and drier  
10 temperatures, coupled with the fact that the average homes in Colorado  
11 are decades old, creating optimum conditions for destructive wildfires;

12 (k) While no home is fireproof, a home constructed with  
13 mitigation measures can limit the catastrophic reach of wildfire into our  
14 neighborhoods;

15 (l) Natural hazard mitigation can save four times the amount that  
16 would have been spent on construction costs for rebuilding;

17 (m) Retrofitting a home can range from \$4,000 to \$80,000 and is  
18 far cheaper than rebuilding a home;

19 (n) According to the United Nations, the publicly recognized costs  
20 of wildfires are usually based on direct economic costs to the public  
21 sectors, including fire suppression costs, asset loss, loss of lives, and  
22 insurance costs. However, wildfires also have broad and long-lasting  
23 impacts on the economic, social, and environmental aspects of sustainable  
24 development. Traditionally, such costs have not been factored into the  
25 costs of fires, as they are difficult to assess and quantify. Underestimating  
26 the full costs of wildfires has often led to less political attention and  
27 inadequate budget allocations being devoted to address wildfires.

1 (o) Protecting Colorado homes from wildfires by retrofitting them  
2 with wildfire resilient strategies and technologies will lower the damage  
3 done by destructive wildfires and lessen the cost of these fires on our  
4 economy, environment, and society.

5 (2) Therefore, the general assembly finds and declares that it is  
6 necessary to create a wildfire resilient homes grant program to protect  
7 Coloradans and their homes and surrounding communities from the ever  
8 increasing threats and destruction of wildfires.

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

11 **24-33.5-1236. Wildfire resilient homes grant program - fund**  
12 **- rules - report - definitions - repeal.** (1) AS USED IN THIS SECTION,  
13 UNLESS THE CONTEXT OTHERWISE REQUIRES:

14 (a) "FUND" MEANS THE WILDFIRE RESILIENT HOMES GRANT  
15 PROGRAM CASH FUND CREATED IN SUBSECTION (4)(a) OF THIS SECTION.

16 (b) "HOMEOWNER" MEANS A PERSON WHO OWNS PROPERTY ON  
17 WHICH THERE IS A HOUSE AND ON WHICH THERE MAY ALSO BE OTHER  
18 NONRESIDENTIAL STRUCTURES THAT IS IN THE STATE AND LOCATED IN AN  
19 AREA THAT IS SUSCEPTIBLE TO RISK OF WILDFIRES.

20 (c) "PROGRAM" MEANS THE WILDFIRE RESILIENT HOMES GRANT  
21 PROGRAM CREATED IN SUBSECTION (2)(a) OF THIS SECTION.

22 (2) (a) THERE IS HEREBY CREATED WITHIN THE DIVISION THE  
23 WILDFIRE RESILIENT HOMES GRANT PROGRAM TO PROVIDE GRANTS TO  
24 HOMEOWNERS FOR THE PURPOSE OF RETROFITTING OR OTHERWISE  
25 IMPROVING A HOUSE OR OTHER EXISTING NONRESIDENTIAL STRUCTURES  
26 ON A HOMEOWNER'S PROPERTY WITH BEST PRACTICE TECHNIQUES FOR  
27 STRUCTURE HARDENING IN ORDER TO MAKE THEM MORE RESILIENT TO

1 WILDFIRE RISK. TO IMPLEMENT THE PROGRAM, THE DIVISION MAY USE  
2 FEDERAL FUNDS THAT ARE OR BECOME AVAILABLE TO THE DIVISION FOR  
3 THE SAME PURPOSES AS THE PURPOSES OF THE PROGRAM.

4 (b) TO RECEIVE A GRANT, A HOMEOWNER MUST SUBMIT AN  
5 APPLICATION TO THE DIVISION IN A FORM AND MANNER PRESCRIBED BY  
6 THE DIVISION.

7 (c) IN AWARDING GRANTS PURSUANT TO THE PROGRAM, THE  
8 DIVISION SHALL CONSIDER THE LOCATION OF THE HOMEOWNER'S  
9 PROPERTY, THE TYPE OF IMPROVEMENT PROPOSED BY THE HOMEOWNER,  
10 AND ANY OTHER CRITERIA ESTABLISHED BY THE DIVISION PURSUANT TO  
11 SUBSECTION (3) OF THIS SECTION.

12 (d) A HOMEOWNER WHO RECEIVES A GRANT PURSUANT TO THIS  
13 SUBSECTION (2) SHALL NOT USE THE MONEY FOR ANY PURPOSE THAT IS  
14 NOT AUTHORIZED BY THIS SECTION OR BY ANY RULES PROMULGATED BY  
15 THE DIRECTOR PURSUANT TO SUBSECTION (3) OF THIS SECTION. UPON  
16 COMPLETION OF THE RETROFIT OR IMPROVEMENTS FOR WHICH THE GRANT  
17 WAS AWARDED, A HOMEOWNER SHALL SUBMIT TO THE DIVISION A  
18 CERTIFICATION OF COSTS AND ANY OTHER DOCUMENTATION THE DIVISION  
19 MAY REQUIRE.

20 (3) THE DIRECTOR MAY ADOPT RULES FOR THE IMPLEMENTATION  
21 AND ADMINISTRATION OF THE PROGRAM.

22 (4) (a) THE WILDFIRE RESILIENT HOMES GRANT PROGRAM CASH  
23 FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS  
24 OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY THE  
25 GENERAL ASSEMBLY, ALL PRIVATE AND PUBLIC MONEY RECEIVED  
26 THROUGH GIFTS, GRANTS, OR DONATIONS THAT ARE TRANSMITTED TO THE  
27 STATE TREASURER AND CREDITED TO THE FUND, AND MONEY

1 TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (5) OF THIS  
2 SECTION. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
3 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
4 FUND TO THE FUND.

5 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
6 ASSEMBLY, THE DIVISION MAY EXPEND MONEY FROM THE FUND FOR THE  
7 FOLLOWING PURPOSES:

8 (I) TO AWARD GRANTS FOR THE PROGRAM; OR

9 (II) TO PROMOTE STRATEGIES AND TECHNOLOGIES THAT INCREASE  
10 RESILIENCY AGAINST WILDFIRES FOR A HOUSE OR OTHER NONRESIDENTIAL  
11 STRUCTURES ON A PROPERTY, INCLUDING FOR NEW BUILDS, NEW  
12 CONSTRUCTION, OR REBUILDS, THROUGH OUTREACH TO HOMEOWNERS  
13 AND BY PREPARING EDUCATIONAL MATERIALS FOR HOMEOWNERS.

14 (5) (a) ON AUGUST 15, 2023, THE STATE TREASURER SHALL  
15 TRANSFER TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

16 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2024.

17 (6) THE DIVISION SHALL SUBMIT AN ANNUAL REPORT ON THE  
18 EXPENDITURES FROM THE FUND TO THE WILDFIRE MATTERS REVIEW  
19 COMMITTEE CREATED IN SECTION 2-3-1602. THE REPORT MUST INCLUDE  
20 INFORMATION ON THE NUMBER OF GRANTS MADE, OUTREACH THE DIVISION  
21 UNDERTAKES TO EDUCATE HOMEOWNERS ON BEST PRACTICES FOR  
22 STRUCTURE HARDENING, DETAILS ON THE RETROFITS OR IMPROVEMENTS  
23 MADE BY GRANT RECIPIENTS, AND ANY FEDERAL FUNDS THE DIVISION  
24 USED IN CONNECTION WITH IMPLEMENTATION OF THE PROGRAM.  
25 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),  
26 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION  
27 (6) CONTINUES FOR THE DURATION OF THE PROGRAM.

1           **SECTION 3. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly; except  
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
5 of the state constitution against this act or an item, section, or part of this  
6 act within such period, then the act, item, section, or part will not take  
7 effect unless approved by the people at the general election to be held in  
8 November 2024 and, in such case, will take effect on the date of the  
9 official declaration of the vote thereon by the governor.