



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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<b>Drafting Number:</b>	LLS 24-0734	<b>Date:</b>	February 26, 2024
<b>Prime Sponsors:</b>	Rep. Taggart Sen. Rich	<b>Bill Status:</b>	House Ag., Water & Natural Res.
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**Bill Topic:**                    **USE OF AIRCRAFT IN SEARCH AND RESCUE OPERATIONS**

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<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill extends civil immunity to individuals or organizations that assists local governments with volunteer helicopter flights in search and rescue operations. The bill may decrease state revenue and expenditures in the Judicial Department by a minimal amount.

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**Appropriation Summary:**                    No appropriation is required.

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**Fiscal Note Status:**                    The fiscal note reflects the introduced bill.

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## Summary of Legislation

The bill extends immunity from civil liability for damage or injury to an individual, nonprofit organization, for-profit corporation, private organization, or other person that voluntarily assists a local government with use of a helicopter for search and rescue operations. To receive immunity, the individual or organization that arranges the use of, operates, or assists as a crew member of a helicopter has done so:

- for the benefit of a rescue unit or backcountry search and rescue;
- on behalf of a governmental agency leading a rescue unit;
- employs or contracts with a licensed pilot;
- under an agreement with a governmental entity;
- meeting certain safety and training requirements; and
- in compliance with all requirements of the Federal Aviation Administration (FAA).

The bill also establishes criteria that pilots and helicopters used in search and rescue operations must satisfy in order to qualify for immunity.

No later than January 1, 2025, the Office of Emergency Management in the Department of Public Safety (DPS), in consultation with the Department of Military and Veterans Affairs (DMVA) and relevant sheriffs, must establish safety, notification, and airspace deconfliction guidelines related to search and rescue operations.

### **State Revenue and Expenditures**

The bill may reduce trial court activity and filing fee revenue in the Judicial Department. The bill extends immunity from civil liability for damage or injury, except in cases of gross negligence or willful misconduct, to individuals or organizations providing volunteer helicopter flights to local governments engaged in search and rescue operations. Because the bill extends immunity from civil liability, it potentially decreases civil cases; however, given the limited scope of the legislation, the decrease is anticipated to be minimal and no change in appropriations is required.

The bill increases workload for the DPS to establish safety, notification, and deconfliction guidelines for search and rescue operations, which includes consultation with the DMVA and local sheriffs. This effort does not require additional appropriations.

### **Local Government**

Sheriffs' departments from relevant counties, determined by DPS, will have some workload to assist the Office of Emergency Management with safety, notification, and airspace deconfliction guidelines and adopting local policy for adhering to adopted guidelines when multiple aircraft may be involved in search and rescue.

### **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

### **State and Local Government Contacts**

Counties	Judicial	Military Affairs
Public Safety		

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).