

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

**ENGROSSED**

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

LLS NO. 25-0182.01 Rebecca Bayetti x4348

**HOUSE BILL 25-1053**

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**HOUSE SPONSORSHIP**

**Mauro and Weinberg**, Boesenecker, Velasco

**SENATE SPONSORSHIP**

**Marchman and Baisley**, Cutter

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**House Committees**

Agriculture, Water & Natural Resources

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING LIMITED IMMUNITY FROM CIVIL LIABILITY FOR**  
102                    **LANDOWNERS WHO ALLOW ACCESS TO THEIR PROPERTY FOR**  
103                    **ENTRY AND EXIT IN CONNECTION WITH AN EMERGENCY.**

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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/>.)*

**Wildfire Matters Review Committee.** The bill provides immunity from civil liability for damage or injury to persons or property, other than that which arises from gross negligence or willful misconduct, to a landowner who allows access to the landowner's property for entry and exit in connection with an emergency.

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.*

HOUSE  
2nd Reading Unamended  
February 5, 2025

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 13-21-108.9 as  
3 follows:

4           **13-21-108.9. Landowner allowing access to property during**  
5 **emergency - limited immunity - definitions.** (1) AS USED IN THIS  
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7           (a) "EMERGENCY" MEANS:

8           (I) A FIRE, RESCUE CALL, OR HAZARDOUS MATERIALS INCIDENT;

9           (II) A NATURAL OR HUMAN-CAUSED DISASTER SUCH AS AN  
10 EARTHQUAKE, WILDFIRE, FLOOD, OR SEVERE WEATHER EVENT; OR

11           (III) AN INCIDENT REASONABLY DETERMINED TO BE AN  
12 EMERGENCY BY A FIRST RESPONDER.

13           (b) "FIRST RESPONDER" MEANS:

14           (I) A PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101;

15           (II) A FIREFIGHTER, AS DEFINED IN SECTION 29-5-203 (10);

16           (III) A VOLUNTEER FIREFIGHTER, AS DEFINED IN SECTION  
17 31-30-1102 (9)(a);

18           (IV) AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN  
19 SECTION 25-3.5-103 (8); OR

20           (V) ANY OTHER INDIVIDUAL WHO RESPONDS IN A PROFESSIONAL  
21 CAPACITY TO AN INCIDENT THAT THREATENS PUBLIC SAFETY.

22           (c) "LANDOWNER" HAS THE SAME MEANING SET FORTH IN SECTION  
23 13-21-115 (7)(b).

24           (2) (a) A LANDOWNER WHO, IN GOOD FAITH AND WITHOUT  
25 COMPENSATION, ALLOWS ACCESS TO THE LANDOWNER'S PROPERTY FOR  
26 ENTRY AND EXIT IN CONNECTION WITH AN EMERGENCY IS IMMUNE FROM

1 CIVIL LIABILITY FOR DAMAGE OR INJURY TO PERSONS OR PROPERTY AS A  
2 RESULT OF ALLOWING SUCH ACCESS. THIS IMMUNITY DOES NOT APPLY TO  
3 ACTS OR OMISSIONS THAT ARE GROSSLY NEGLIGENT OR WILLFUL AND  
4 WANTON.

5 (b) THE ACT OF ALLOWING ACCESS TO A LANDOWNER'S PROPERTY  
6 FOR ENTRY AND EXIT IN CONNECTION WITH AN EMERGENCY IS NOT A  
7 GUARANTEE THAT THE PROPERTY IS MAINTAINED OR IN A PASSABLE  
8 CONDITION.

9 (3) NOTHING IN THIS SECTION:

10 (a) ABROGATES OR LIMITS THE SOVEREIGN IMMUNITY GRANTED TO  
11 PUBLIC ENTITIES PURSUANT TO THE "COLORADO GOVERNMENTAL  
12 IMMUNITY ACT", ARTICLE 10 OF TITLE 24;

13 (b) REQUIRES OR IMPOSES A DUTY ON A LANDOWNER TO MAINTAIN  
14 THE LANDOWNER'S PROPERTY IN A SPECIFIC CONDITION;

15 (c) AUTHORIZES TRESPASS ONTO PRIVATE PROPERTY; OR

16 (d) PRECLUDES A LANDOWNER FROM NEGOTIATING ADDITIONAL  
17 AGREEMENTS GOVERNING ACCESS TO THE LANDOWNER'S PROPERTY.

18 **SECTION 2. Act subject to petition - effective date -**  
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
20 the expiration of the ninety-day period after final adjournment of the  
21 general assembly; except that, if a referendum petition is filed pursuant  
22 to section 1 (3) of article V of the state constitution against this act or an  
23 item, section, or part of this act within such period, then the act, item,  
24 section, or part will not take effect unless approved by the people at the  
25 general election to be held in November 2026 and, in such case, will take  
26 effect on the date of the official declaration of the vote thereon by the  
27 governor.

1           (2) This act applies to access to property granted on or after the  
2   applicable effective date of this act.