

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
10/11/23

Bill 1

LLS NO. 24-0419.01 Josh Schultz x5486

INTERIM COMMITTEE BILL

Wildfire Matters Review Committee

---

**BILL TOPIC:** Study Biochar In Wildfire Mitigation Efforts

---

**A BILL FOR AN ACT**

101 CONCERNING A COMPREHENSIVE STUDY ON BIOCHAR, AND, IN  
102 CONNECTION THEREWITH, STUDYING THE USE OF BIOCHAR IN  
103 WILDFIRE MITIGATION EFFORTS.

---

**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 directs the board of governors of the Colorado state university system (board) to conduct, or cause to be conducted, a comprehensive study on biochar, including its use in wildfire mitigation efforts. The bill specifies minimum topics that the study must include. The board is required to submit a report on the

*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words indicate deletions from existing law.*

findings of the study to specified committees of the general assembly.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 23-31-209 as  
3 follows:

4           **23-31-209. Comprehensive study on biochar - report -**  
5 **definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6 OTHERWISE REQUIRES:

7           (a) "BIOCHAR" MEANS THE SOLID, CARBON-RICH PRODUCT MADE  
8 WHEN BIOMASS UNDERGOES PYROLYSIS IN AN OXYGEN-DEPLETED  
9 ATMOSPHERE IN A PROCESS THAT SEQUESTERS CARBON.

10           (b) "BIOMASS" MEANS:

11           (I) NONTOXIC PLANT MATTER CONSISTING OF AGRICULTURAL  
12 CROPS OR THEIR BY-PRODUCTS, URBAN WOOD WASTE, MILL RESIDUE,  
13 SLASH, OR BRUSH;

14           (II) ANIMAL WASTES AND PRODUCTS OF ANIMAL WASTES; OR

15           (III) METHANE PRODUCED AT LANDFILLS OR AS A BY-PRODUCT OF  
16 THE TREATMENT OF WASTEWATER RESIDUALS.

17           (2) (a) THE BOARD SHALL CONDUCT OR CAUSE TO BE CONDUCTED  
18 A COMPREHENSIVE STUDY ON BIOCHAR, INCLUDING ITS USE IN WILDFIRE  
19 MITIGATION EFFORTS.

20           (b) THE STUDY MUST, AT A MINIMUM:

21           (I) CREATE PARAMETERS AROUND WHAT CONSTITUTES GOOD  
22 QUALITY BIOCHAR;

23           (II) EVALUATE BENEFICIAL USES FOR BIOCHAR;

24           (III) EVALUATE THE IMPACT OF BIOMASS AND BIOCHAR ON FOREST  
25 HEALTH;

1 (IV) IDENTIFY POTENTIAL MARKETS FOR BIOCHAR;

2 (V) IDENTIFY POTENTIAL TRANSPORTATION ISSUES THAT COULD  
3 ARISE IN THE BIOCHAR CREATION PROCESS AND POSSIBLE SOLUTIONS; AND

4 (VI) EVALUATE BEST PRACTICES FOR CREATING BIOCHAR IN A  
5 MANNER THAT OPTIMIZES CARBON SEQUESTRATION.

6 (3) ON OR BEFORE JULY 1, 2026, THE BOARD SHALL SUBMIT A  
7 REPORT TO THE WILDFIRE MATTERS REVIEW COMMITTEE CREATED IN  
8 SECTION 2-3-1602, OR, IF THE WILDFIRE MATTERS REVIEW COMMITTEE IS  
9 REPEALED, TO THE HOUSE OF REPRESENTATIVES ENERGY AND  
10 ENVIRONMENT COMMITTEE AND THE SENATE TRANSPORTATION AND  
11 ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT  
12 MUST INCLUDE THE STUDY'S RESEARCH, FINDINGS, AND  
13 RECOMMENDATIONS, IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS  
14 SECTION.

15 (4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

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