

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
10/6/23

**BILL 6**

LLS NO. 24-0424.01 Pierce Lively x2059

**INTERIM COMMITTEE BILL**

**Wildfire Matters Review Committee**

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**BILL TOPIC:** Local Government Disaster-related Programs

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**A BILL FOR AN ACT**

101 **CONCERNING ASSISTING LOCAL GOVERNMENTS IN DISASTER-RELATED**  
102 **PROGRAMS, AND, IN CONNECTION THEREWITH, ESTABLISHING**  
103 **THE SLASH REMOVAL PILOT PROGRAM AND PROVIDING**  
104 **GUIDANCE TO LOCAL GOVERNMENTS ON DEBRIS REMOVAL**  
105 **PROGRAMS.**

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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 assists local governments with disaster-related programs in 2 ways.

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

First, **section 1** of the bill establishes the slash removal pilot program (pilot program) in the department of natural resources. The pilot program must support county efforts to efficiently and effectively remove slash. The department of natural resources must establish the policies and procedures by which it will select counties for the pilot program and implement the pilot program.

Second, **section 2** requires the division of homeland security and emergency management in the department of public safety to provide guidance to local governments on the following issues concerning debris removal:

- Negotiating debris removal program terms with the federal emergency management agency to provide predictability for homeowners and ensure that there are not duplicate payments for debris removal;
- Developing standard right of entry forms that include opt-in and opt-out provisions and clear insurance assignment of benefit language;
- Establishing right-of-way cleanup procedures, including the removal of private vehicles, for public roadways;
- Considering the removal of hazardous materials and other safety and environmental concerns; and
- Ensuring that local debris removal programs are limited to residential debris removal and do not include commercial debris removal.

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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** 24-33-119 as  
3 follows:

4 **24-33-119. Slash removal pilot program - definitions - repeal.**

5 (1) THE DEPARTMENT SHALL DEVELOP A SLASH REMOVAL PILOT PROGRAM  
6 FOR COUNTIES. THE PILOT PROGRAM MUST SUPPORT COUNTY EFFORTS TO  
7 EFFICIENTLY AND EFFECTIVELY REMOVE SLASH.

8 (2) IN DEVELOPING THE PILOT PROGRAM, THE DEPARTMENT SHALL  
9 CONSULT WITH LEADING COUNTIES TO DETERMINE BEST PRACTICES FOR  
10 THE EFFICIENT AND EFFECTIVE REMOVAL OF SLASH AND HOW SUCH A PILOT  
11 PROGRAM COULD ASSIST THOSE PRACTICES.

1           (3) THE DEPARTMENT SHALL ESTABLISH THE POLICIES AND  
2 PROCEDURES BY WHICH IT WILL SELECT COUNTIES TO PARTICIPATE IN THE  
3 PILOT PROGRAM AND IMPLEMENT THE PILOT PROGRAM.

4           (4) THE DEPARTMENT SHALL PROVIDE THE COUNTIES IT SELECTS  
5 TO PARTICIPATE IN THE PILOT PROGRAM WITH THE KNOWLEDGE AND  
6 RESOURCES NECESSARY FOR THE EFFICIENT AND EFFECTIVE REMOVAL OF  
7 SLASH.

8           (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
9 REQUIRES:

10           (a) "COUNTY" MEANS A COUNTY OR CITY AND COUNTY.

11           (b) "LEADING COUNTIES" MEANS COUNTIES THAT HAVE  
12 IMPLEMENTED SLASH REMOVAL PROGRAMS.

13           (c) "PILOT PROGRAM" MEANS THE SLASH REMOVAL PILOT  
14 PROGRAM CREATED IN THIS SECTION.

15           (d) "SLASH" MEANS THE RESIDUE, INCLUDING TREETOPS,  
16 BRANCHES, AND BARK, CREATED AS THE RESULT OF WILDFIRE RISK  
17 MITIGATION AS DEFINED IN SECTION 23-31-313 (3)(g).

18           **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1604, **add**  
19 (6) as follows:

20           **24-33.5-1604. Duties and powers of the division.** (6) (a) IN  
21 ORDER TO FACILITATE THE REMOVAL OF DEBRIS FOLLOWING A DISASTER,  
22 THE DIVISION SHALL PROVIDE GUIDANCE TO LOCAL GOVERNMENTS ON THE  
23 FOLLOWING ISSUES CONCERNING DEBRIS REMOVAL:

24           (I) NEGOTIATING DEBRIS REMOVAL PROGRAM TERMS WITH THE  
25 FEDERAL EMERGENCY MANAGEMENT AGENCY TO PROVIDE  
26 PREDICTABILITY FOR HOMEOWNERS AND ENSURE THAT THERE ARE NOT  
27 DUPLICATE PAYMENTS FOR DEBRIS REMOVAL;

1 (II) DEVELOPING STANDARD RIGHT OF ENTRY FORMS THAT  
2 INCLUDE OPT-IN AND OPT-OUT PROVISIONS AND CLEAR INSURANCE  
3 ASSIGNMENT OF BENEFIT LANGUAGE;

4 (III) ESTABLISHING RIGHT-OF-WAY CLEANUP PROCEDURES,  
5 INCLUDING THE REMOVAL OF PRIVATE VEHICLES, FOR PUBLIC ROADWAYS;

6 (IV) CONSIDERING THE REMOVAL OF HAZARDOUS MATERIALS AND  
7 OTHER SAFETY AND ENVIRONMENTAL CONCERNS; AND

8 (V) ENSURING THAT LOCAL DEBRIS REMOVAL PROGRAMS ARE  
9 LIMITED TO RESIDENTIAL DEBRIS REMOVAL AND DO NOT INCLUDE  
10 COMMERCIAL DEBRIS REMOVAL.

11 (b) THE DIVISION SHALL PUBLISH THE GUIDANCE IT PROVIDES  
12 PURSUANT TO THIS SUBSECTION (6) ON ITS WEBSITE.

13 (c) THE DIVISION SHALL UPDATE THE INFORMATION IT PROVIDES  
14 AND PUBLISHES PURSUANT TO THIS SUBSECTION (6) AS NECESSARY.

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