

## CHAPTER 240

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**GOVERNMENT - STATE**


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## SENATE BILL 11-251

BY SENATOR(S) Nicholson, Boyd;  
also REPRESENTATIVE(S) Loooper, Fields, Gerou, Hamner, Schafer S., Stephens, Todd.

**AN ACT**

**CONCERNING THE AUTHORITY OF THE DIVISION OF FIRE SAFETY WITHIN THE DEPARTMENT OF PUBLIC SAFETY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 12-28-104 (6) (c), Colorado Revised Statutes, is amended to read:

**12-28-104. Licensing - creation of fireworks licensing cash fund.**

(6) (c) (I) The executive director of the department of public safety shall set REASONABLE fees pursuant to this article at such rates as are necessary to provide for the ACTUAL direct and indirect costs and expenses of the department of public safety in the administration of this article; except that the fee for a:

(A) Retailer of fireworks license shall not exceed ~~twenty-five~~ FIFTY dollars;

(B) Display retailer of fireworks license, a wholesaler of fireworks license, or an exporter of fireworks license shall not exceed ~~seven hundred fifty~~ ONE THOUSAND FIVE HUNDRED dollars; and

(II) Such rates shall be reviewed annually by the executive director of the department of public safety.

**SECTION 2.** 12-28-108, Colorado Revised Statutes, is amended to read:

**12-28-108. Storage of fireworks.** All storage of fireworks shall be in accordance with the building and fire codes adopted by the governing body. IF THE GOVERNING BODY HAS NOT ADOPTED A FIRE CODE, ALL STORAGE OF FIREWORKS SHALL BE IN ACCORDANCE WITH THE FIRE CODE ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE SAFETY PURSUANT TO SECTION 24-33.5-1203.5, C.R.S.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 3.** 12-47.1-516 (1) (a) and (3), Colorado Revised Statutes, are amended to read:

**12-47.1-516. Licensed premises - safety conditions - fire and electrical.**

(1) (a) The building in which limited gaming will be conducted and the areas where limited gaming will occur shall meet safety standards and conditions for the protection of life and property as determined by the local fire official and the local building official. In making such determinations, the ~~following codes are hereby~~ **CODES** adopted by the ~~Colorado~~ DIRECTOR OF THE division of fire safety ~~as~~ **PURSUANT TO SECTION 24-33.5-1203.5, C.R.S., SHALL CONSTITUTE THE** minimum safety standards for limited gaming structures, EXCEPT THAT, IN CONNECTION WITH STRUCTURES LICENSED FOR LIMITED GAMING AND OPERATING AS SUCH ON OR BEFORE JULY 1, 2011, ANY NEWLY ADOPTED BUILDING CODES SHALL NOT BE APPLIED RETROACTIVELY TO STRUCTURES THAT WERE NEWLY CONSTRUCTED OR REMODELED TO ACCOMMODATE LICENSED LIMITED GAMING.

~~(f) The uniform code for building conservation, 1987 edition;~~

~~(H) The uniform building code, 1988 edition; and~~

~~(H) The uniform fire code, 1988 edition.~~

~~(3) From October 1, 1991, to October 1, 1994, any owner may file a written hardship notice and a letter of intent to meet fire safety standards with the commission for its approval. The time period for compliance shall not exceed thirty-six months. The letter of intent shall include temporary life safety measures and time frames for the installation of permanent life safety measures. Upon receipt and approval of the notice by the commission, the local fire officials, local building officials, and the division of fire safety shall issue a temporary certificate of compliance once they have deemed that the building has adequate life safety provisions to temporarily operate with limited gaming.~~

**SECTION 4.** 22-32-124 (2) (a) (I) (A), Colorado Revised Statutes is amended to read:

**22-32-124. Building codes - zoning - planning - fees - rules - definitions.**

(2) (a) (I) (A) This subsection (2) shall apply to building or structure construction. Except as specified in subparagraph (II) of this paragraph (a), the division shall conduct the necessary plan reviews, issue building permits, cause the necessary inspections to be performed, perform final inspections, and issue certificates of occupancy to assure that a building or structure constructed pursuant to subsection (1) or (1.5) of this section has been constructed in conformity with the building and fire codes adopted by the director of the division and that the school district or charter school, whichever is appropriate, has complied with the provisions of paragraph (b) of subsection (1) of this section. Pursuant to this sub-subparagraph (A), the division ~~shall~~ **MAY** contract with third-party inspectors that are certified in accordance with section 24-33.5-1213.5, C.R.S., to perform inspections. The affected board of education, state charter school institute, or charter school ~~shall~~ **MAY** hire and compensate third-party inspectors under contract with the division or hire and compensate other third-party inspectors that are certified in accordance

with section 24-33.5-1213.5, C.R.S., to perform inspections. ~~If the board of education, state charter school institute, or charter school is unable to obtain a third-party inspector, an appropriate building department that has been prequalified by the division shall oversee the project pursuant to subparagraph (H) of this paragraph (a).~~ If the board of education, state charter school institute, or charter school is unable to obtain a third-party inspector and no building department has been prequalified, the division shall perform the required inspections. IF A THIRD-PARTY INSPECTOR IS USED, the division shall require a sufficient number of third-party inspection reports to be submitted by the inspector to the division based upon the scope ~~and cost~~ of the project to ensure quality inspections are performed. Except as specified in sub-subparagraph (B) of this subparagraph (I), the third-party inspector shall attest that inspections are complete and all violations are corrected before the board of education, state charter school institute, or charter school is issued a certificate of occupancy. Inspection records shall be retained by the third-party inspector for two years after the certificate of occupancy is issued. If the division finds that inspections are not completed satisfactorily, as determined by rule of the division, or that all violations are not corrected, the division shall take enforcement action against the appropriate board of education, state charter school institute, or charter school pursuant to section 24-33.5-1213, C.R.S. ~~and shall require that the next project undertaken by the board of education, state charter school institute, or charter school be delegated to the prequalified building department.~~

**SECTION 5.** 23-71-122 (1) (v) (II) (A), Colorado Revised Statutes, is amended to read:

**23-71-122. Junior college board of trustees - specific powers - rules - definitions.** (1) In addition to any other power granted by law to a board of trustees of a junior college district, each board shall have the power to:

(v) (II) (A) This paragraph (v) shall apply to building or structure construction. Except as specified in sub-subparagraph (A.5) of this subparagraph (II), the division shall conduct the necessary plan reviews, issue building permits, cause the necessary inspections to be performed, perform all final inspections, and issue certificates of occupancy to assure that a building or structure constructed pursuant to subparagraph (I) of this paragraph (v) has been constructed in conformity with the building and fire codes adopted by the director of the division. Pursuant to this sub-subparagraph (A), the division ~~shall~~ MAY contract with third-party inspectors that are certified by the division in accordance with section 24-33.5-1213.5, C.R.S., to perform inspections. The junior college district ~~shall~~ MAY hire and compensate third-party inspectors under contract with the division to perform inspections or hire and compensate other third-party inspectors that are certified in accordance with section 24-33.5-1213.5, C.R.S., to perform inspections. ~~If the junior college district is unable to obtain a third-party inspector, an appropriate building department that has been prequalified by the division shall oversee the project pursuant to sub-subparagraph (A.5) of this subparagraph (H).~~ If the junior college district is unable to obtain a third-party inspector and no building department has been prequalified, the division shall perform the required inspections. IF A THIRD-PARTY INSPECTOR IS USED, the director of the division shall require a sufficient number of inspection reports to be submitted to the division based upon the scope ~~and cost~~ of the project to ensure quality inspections are performed. The third-party inspector

shall attest that inspections are complete before the junior college district is issued a certificate of occupancy unless the criteria for a temporary certificate of occupancy are met. Inspection records shall be retained by the third-party inspector for two years after the certificate of occupancy is issued. If the division finds that inspections are not completed satisfactorily, as determined by rule of the division, or that all violations are not corrected, the division shall take enforcement action against the junior college district pursuant to section 24-33.5-1213, C.R.S. ~~and shall require that the next project undertaken by the junior college district be delegated to the prequalified building department.~~ If inspections are not complete and a building requires immediate occupancy, and if the junior college district has passed the appropriate inspections that indicate there are no life safety issues, the division may issue a temporary certificate of occupancy. The temporary certificate of occupancy shall expire ninety days after the date of occupancy. If no renewal of the temporary certificate of occupancy is issued or a permanent certificate of occupancy is not issued, the building shall be vacated upon expiration of the temporary certificate. The division shall enforce this sub-subparagraph (A) pursuant to section 24-33.5-1213, C.R.S.

**SECTION 6.** 24-33.5-1201 (2), Colorado Revised Statutes, is amended to read:

**24-33.5-1201. Division of fire safety - creation.** (2) The division, the office of the director, the advisory ~~boards~~ BOARD created by ~~sections 24-33.5-1204 and 24-33.5-1402~~ SECTION 24-33.5-1204, and the board of appeals created by section 24-33.5-1213.7 shall exercise their powers and perform their duties and functions under the department of public safety and the executive director as if the same were transferred to the department by a **type 2** transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.

**SECTION 7.** 24-33.5-1202, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

**24-33.5-1202. Definitions.** As used in this part 12, unless the context otherwise requires:

(6.5) "FIRST RESPONDER" MEANS A DESIGNATED LEVEL OF EMERGENCY MEDICAL CARE PROVIDER AS DESCRIBED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION OR SUCCESSOR AGENCY.

(7.6) "HAZARDOUS MATERIALS RESPONDER" MEANS ANY PERSON, WHETHER SUCH PERSON IS PAID OR A VOLUNTEER, ACTIVELY PARTICIPATING IN OR EMPLOYED BY A PUBLIC OR PRIVATE AGENCY WHOSE DUTIES INCLUDE RESPONSE TO HAZARDOUS MATERIALS INCIDENTS IN THIS STATE.

(10.5) "RESCUER" MEANS ANY PERSON SEEKING CERTIFICATION UNDER THIS PART 12, WHETHER SUCH PERSON IS PAID OR A VOLUNTEER, ACTIVELY PARTICIPATING IN OR EMPLOYED BY A PUBLIC OR PRIVATE AGENCY WHOSE DUTIES INCLUDE RESPONSE INCIDENTS IN THIS STATE RELATING TO NATIONALLY RECOGNIZED FIRE SERVICE STANDARDS.

**SECTION 8.** 24-33.5-1203 (1) (i) and (1) (j), Colorado Revised Statutes, are amended to read:

**24-33.5-1203. Duties of division.** (1) The division shall perform the following duties:

(i) Coordinate fire service education and training programs, hazardous materials responder training programs, and firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs, which shall be available statewide;

(j) Administer the certification programs for firefighters, ~~and~~ first responders, AND HAZARDOUS MATERIALS RESPONDERS, providing office space, equipment, and the services of a clerical staff as necessary for the carrying out of the intent of this part 12;

**SECTION 9.** 24-33.5-1203.5 (1) (b) and (2) (b), Colorado Revised Statutes, are amended to read:

**24-33.5-1203.5. Powers and duties of director.** (1) In addition to any other duties prescribed by law, the director of the division shall perform the following duties:

(b) Adopt such rules as the director of the division deems necessary to carry out the purposes and provisions of ~~articles 12 and 14 of this title~~ THIS PART 12 and amend such rules from time to time as necessary. Such rules and amendments shall be adopted in accordance with article 4 of this title.

(2) In order to carry out the purposes and provisions of this part 12 and section 25-17-206, C.R.S., the director of the division shall promulgate rules in accordance with article 4 of this title:

(b) Adopting nationally recognized standards that the director of the division reasonably finds necessary to carry out the purposes and provisions of this part 12 and ~~section~~ SECTIONS 12-28-108, 12-47.1-516, AND 25-17-206, C.R.S.

**SECTION 10.** 24-33.5-1204, Colorado Revised Statutes, is amended to read:

**24-33.5-1204. Voluntary education and training program - voluntary certification of firefighters, first responders, and hazardous materials responders - advisory board.** (1) For the purposes of advising the director on the administration of the voluntary fire service education and training program within the division of fire safety and the voluntary firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs, there is hereby created in the division of fire safety an advisory board to the director, to be known as the fire service training and certification advisory board and referred to in this part 12 as the "advisory board".

(2) (a) The advisory board shall consist of ~~nine~~ TWELVE members, ~~seven~~ NINE of whom shall be appointed by the governor. Four of the ~~seven~~ NINE members appointed by the governor shall represent each of the following organizations:

(I) Colorado state fire fighters association;

(II) Colorado state fire chiefs association;

(III) Colorado fire training officers association; and

(IV) Colorado professional fire fighters association.

(b) Of the remaining ~~five~~ EIGHT members of the advisory board, the following ~~three~~ FIVE members shall be appointed by the governor:

(I) A fire chief or training officer from a volunteer fire department participating in the certification program;

(II) A fire chief or training officer from a career fire department participating in the certification program; ~~and~~

(III) A representative of the property and casualty insurance industry;

(IV) A HAZARDOUS MATERIALS RESPONDER TEAM LEADER; AND

(V) A PERSON EXPERIENCED IN THE TRANSPORTATION INDUSTRY.

(c) The remaining ~~two~~ THREE nonvoting members shall be the president of the Colorado community college and occupational education system, ~~and~~ the chief of the emergency medical and trauma services section within the health facilities and emergency medical services division in the department of public health and environment, AND THE CHIEF OF THE STATE PATROL, or their respective designees.

(d) The advisory board members appointed by the governor shall be geographically apportioned and at least ~~two~~ THREE members of such board shall be from a community or communities with a resident population of fifteen thousand persons or less.

(e) The governor shall INITIALLY appoint ~~the seven~~ FIVE members described in paragraphs (a) and (b) of this subsection (2) for terms of four years each AND THE REMAINING FOUR MEMBERS FOR TERMS OF TWO YEARS EACH. THEREAFTER, THE GOVERNOR SHALL APPOINT THEIR SUCCESSORS FOR TERMS OF FOUR YEARS EACH. If any appointee vacates his or her office during the term for which appointed to the advisory board, the vacancy shall be filled by appointment by the governor for the unexpired term. The advisory board shall annually elect from its members a chairperson and a secretary.

(3) The advisory board shall meet as determined necessary by the chairperson or the director. The members of the advisory board shall receive no compensation but shall be reimbursed for necessary travel and other expenses actually incurred in the performance of their official duties. The expenses shall be paid from the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification fund created in section 24-33.5-1207.

**SECTION 11.** 24-33.5-1204.5 (1) (b), Colorado Revised Statutes, is amended to read:

**24-33.5-1204.5. Powers of administrator - rules.** (1) In addition to any other duties and powers granted by this section or sections 24-33.5-1206.2 and

24-33.5-1206.4, the administrator has the following duties and powers:

(b) ~~(f)~~ To establish fees and charges in amounts necessary to defray the anticipated costs of administration of this article. The fees and charges may be adjusted by the administrator from time to time as necessary or appropriate. ~~but shall not exceed the maximum for the specific services described in subparagraph (H) of this paragraph (b).~~

~~(H) The administrator shall establish pursuant to subparagraph (I) of this paragraph (b) fees and charges for the following services, not to exceed the amounts indicated:~~

~~(A) For annual registration of a fire suppression contractor, fifty-five dollars;~~

~~(B) For certification of a fire suppression systems inspector, fifteen dollars;~~

~~(C) For plan registration of the fire suppression program, ten dollars;~~

~~(D) For plan review of the fire suppression program, fifty dollars per hour for actual time expended in conducting said review, and~~

~~(E) For inspection of the fire suppression program, fifty dollars per hour for actual time expended in conducting said inspection.~~

~~(H) The maximum fee schedule set forth in this paragraph (b) shall not apply to services provided by local fire safety officials providing the same services under authority of this article or to certification of a school building inspector.~~

**SECTION 12.** 24-33.5-1205, Colorado Revised Statutes, is amended to read:

**24-33.5-1205. Duties of the director and the advisory board.** (1) The director has the following duties relating to the voluntary firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs and the fire service education and training program:

(a) To establish a fire service education and training program, setting forth minimum standards for training and instructors;

(b) To promulgate rules establishing standards for the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs and for determining whether a firefighter or an applicant for first responder OR HAZARDOUS MATERIALS RESPONDER certification meets the established standards;

(c) (Deleted by amendment, L. 99, p. 332, § 2, effective April 15, 1999.)

(d) To certify firefighters and applicants for first responder AND HAZARDOUS MATERIALS RESPONDER certification or withhold or revoke certification in the manner provided for by rules adopted by the ~~advisory board~~ DIRECTOR pursuant to the provisions of article 4 of this title;

(e) To issue a certificate to any firefighter OR RESCUER who presents evidence

that the minimum firefighter certification standards have been met and to issue a certificate to any applicant who presents evidence that the minimum standards of the first responder OR HAZARDOUS MATERIALS RESPONDER certification program have been met;

(f) (Deleted by amendment, L. 99, p. 332, § 2, effective April 15, 1999.)

(g) To establish fees for the actual direct and indirect costs of the administration of the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs, which fees shall be assessed against any person participating in such programs. All fees collected shall be credited to the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification fund created in section 24-33.5-1207.

(h) To establish fees for the actual direct and indirect costs of the administration of the fire service education and training program, which fees shall be assessed against any person participating in such program. All fees collected shall be credited to the fire service education and training fund created in section 24-33.5-1207.5.

(2) The advisory board has the following duties relating to the voluntary firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs and the fire service education and training program:

(a) To advise the director on the promulgation of rules enacting standards for the certification of firefighters AND RESCUERS and procedures for determining whether a firefighter OR RESCUER meets the established standards;

(b) To advise the director on the promulgation of rules enacting standards for the certification of first responders AND HAZARDOUS MATERIALS RESPONDERS and procedures for determining whether an applicant meets such standards;

(c) To advise the director on the promulgation of rules enacting standards for fire service education and training for volunteer firefighters, the qualification of instructors, and procedures to ensure that the quality of the program is adequate to meet the minimum training requirements for volunteer firefighters as set forth in section 31-30-1122, C.R.S.;

(d) To advise the director on the establishment of fees for the actual direct and indirect costs of the administration of the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs;

(e) To advise the director on the establishment of fees for the actual direct and indirect costs of the administration of the fire service education and training program.

(3) (Deleted by amendment, L. 99, p. 332, § 2, effective April 15, 1999.)

(4) Nothing in this section shall be construed as creating mandatory certification programs for firefighters, ~~or~~ first responders, OR HAZARDOUS MATERIALS RESPONDERS, or CREATING a mandatory fire service education and training program.

All fire departments in the state shall have the option of whether or not to participate in the firefighter, ~~or~~ first responder, OR HAZARDOUS MATERIALS RESPONDER certification programs or the fire service education and training program.

**SECTION 13.** 24-33.5-1207, Colorado Revised Statutes, is amended to read:

**24-33.5-1207. Firefighter, first responder, and hazardous materials responder certification fund - created.** (1) All moneys received by the director pursuant to the coordination and administration of the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification programs and all interest earned on the moneys shall be deposited in the state treasury in the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification fund, which fund is hereby created, and the moneys shall be used, subject to annual appropriations by the general assembly, for the purposes set forth in this part 12 and shall not be deposited in or transferred to the general fund of the state of Colorado or any other fund.

~~(2) The moneys in the voluntary certification fund, which fund was repealed, shall be deposited in and consolidated with the firefighter and first responder certification fund.~~

**SECTION 14.** 24-33.5-1207.6, Colorado Revised Statutes, is amended to read:

**24-33.5-1207.6. Fire suppression cash fund - created.** (1) All moneys collected by the administrator pursuant to the administration of the fire suppression program AND PURSUANT TO SUBSECTION (2) OF THIS SECTION shall be transmitted to the state treasurer, who shall credit the same to the fire suppression cash fund, which fund is hereby created. All moneys credited to said fund and all interest earned thereon are subject to annual appropriation by the general assembly for paying the expenses of the fire suppression program, and said moneys shall remain in such fund for such purposes and shall not revert or be credited to the general fund.

(2) THE ADMINISTRATOR MAY BE REIMBURSED BY A UNIT OF LOCAL GOVERNMENT FOR THE ACTUAL, REASONABLE, AND NECESSARY EXPENSES OF THE DIVISION INCURRED IN PROVIDING TECHNICAL ASSISTANCE IN CIRCUMSTANCES WHEN THE UNIT OF LOCAL GOVERNMENT COLLECTS A FEE FOR TECHNICAL ASSISTANCE PROVIDED BY THE DIVISION. NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO REQUIRE A UNIT OF LOCAL GOVERNMENT TO COLLECT A FEE FOR TECHNICAL ASSISTANCE PROVIDED BY THE DIVISION, AND PAYMENT OF REIMBURSEMENT SHALL BE AT THE DISCRETION OF THE UNIT OF LOCAL GOVERNMENT.

**SECTION 15.** 24-33.5-1211 (4), Colorado Revised Statutes, is amended to read:

**24-33.5-1211. Inspector certification.** (4) The director of the division shall establish a fee to cover the actual direct and indirect costs of processing applications and issuing and renewing certifications pursuant to this section. Certification fees collected by the division shall be credited to the firefighter, ~~and~~ first responder, AND HAZARDOUS MATERIALS RESPONDER certification fund created in section 24-33.5-1207.

**SECTION 16.** 24-33.5-1405, Colorado Revised Statutes, is amended to read:

**24-33.5-1405. Hazardous materials responder voluntary certification fund - created.** All moneys received by the director of the division of fire safety in the administration of the hazardous materials responder voluntary certification program and all interest earned on such moneys shall be deposited in the state treasury in the hazardous materials responder voluntary certification fund, which fund is hereby created, and such moneys shall remain in such fund to be used, subject to annual appropriations by the general assembly, for the purposes of administering the hazardous materials responders voluntary certification program, and such moneys shall not be deposited in or transferred to the general fund of the state of Colorado or any other fund. ON JUNE 30, 2011, THE BALANCE OF THE FUND SHALL BE TRANSFERRED TO THE FIREFIGHTER, FIRST RESPONDER, AND HAZARDOUS MATERIALS RESPONDER CERTIFICATION FUND CREATED IN SECTION 24-33.5-1207.

**SECTION 17.** Part 14 of article 33.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-33.5-1406. Repeal of part.** THIS PART 14 IS REPEALED, EFFECTIVE JULY 1, 2011.

**SECTION 18. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for allocation to the executive director's office, for legal services, for the fiscal year beginning July 1, 2011, the sum of seven thousand three hundred thirty-seven dollars (\$7,337), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from the fireworks licensing cash fund created in section 12-28-104 (6) (b), Colorado Revised Statutes, and the fire suppression cash fund created in section 24-33.5-1207.6, Colorado Revised Statutes.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2011, the sum of seven thousand three hundred thirty-seven dollars (\$7,337), or so much thereof as may be necessary, for the provision of legal services to the department of public safety related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of public safety out of the appropriation made in subsection (1) of this section.

**SECTION 19. Effective date.** This act shall take effect June 30, 2011.

**SECTION 20. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 27, 2011