

Wildfire Matters Review Committee

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Senator Pete Lee, Vice-Chair

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Senator Larry Crowder
Senator Stephen Fenberg
Senator Joann Ginal

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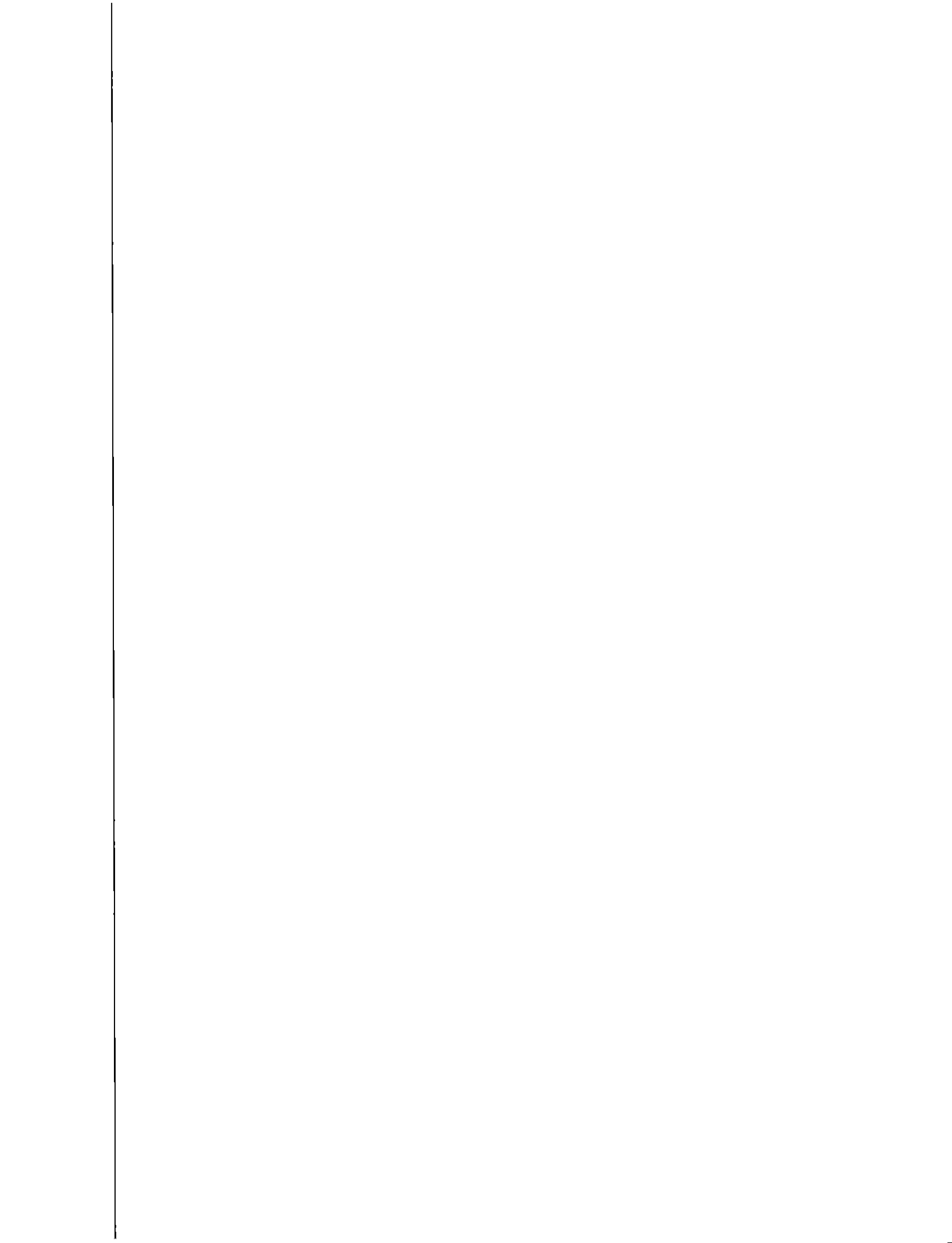
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November 2019



Wildfire Matters Review Committee

Committee Charge

Pursuant to Section 2-3-1602, C.R.S., the Wildfire Matters Review Committee is charged with reviewing and proposing legislation or other policy changes related to wildfire prevention, mitigation, and related matters, including public safety and forest health issues. Senate Bill 13-082 created the Wildfire Matters Review Committee as an interim committee and Senate Bill 18-039 extended the repeal date of the committee to September 1, 2025.

Committee Activities

The committee met three times during the 2019 interim and heard presentations from representatives of various entities involved in wildfire prevention, mitigation, and response. Entities that presented to the committee include:

- Air Pollution Control Division, Colorado Department of Public Health and Environment (CDPHE);
- AlertWildfire;
- Bureau of Land Management (BLM) Fire and Aviation Program;
- Colorado Counties, Inc.;
- Colorado Municipal League;
- the Colorado Resiliency Office, Department of Local Affairs;
- Colorado Rural Electric Association;
- the Colorado State Forest Service (CSFS), Colorado State University;
- the Division of Fire Prevention and Control (DFPC), Colorado Department of Public Safety;
- the Division of Insurance, Colorado Department of Regulatory Agencies (DORA);
- the Nature Conservancy;
- the Rocky Mountain Insurance Information Association;
- RPM Agency; and
- West Region Wildfire Council.

Aerial firefighting and wildfire response. The committee heard from DFPC and the BLM about state and federal efforts to respond to wildfires. DFPC provided information about ongoing research projects, including how drones and unmanned aerial systems are used in firefighting and the effectiveness of using aircrafts for firefighting. The BLM explained local partnerships and the distribution of resources, including aircraft. DFPC also provided recommendations concerning employee benefits for firefighters within the division.

Forest management and wildfire mitigation. The committee heard from the CSFS and the West Region Wildfire Council about managing the state's forests. The Nature Conservancy, municipal and county representatives, and utilities operating in Colorado also testified to the committee about their mitigation efforts. The committee learned about ongoing efforts and challenges in preparing for and preventing wildfire damage around the state.

Wildfire technologies. AlertWildfire, a research consortium based in California and Nevada, informed the committee about new technologies available for early detection and wildfire growth, including high definition cameras and a microwave communications network. The Air Pollution Control Division within CDPHE updated the committee on health impacts from wildfire smoke and methods of protection from these effects. The division also discussed technologies used to detect and forecast wildfire smoke and how it disseminates air quality warnings and advisories.

Homeowners' insurance in the wildland-urban interface. The Division of Insurance within DORA discussed its role in assisting homeowners after wildfires. The Rocky Mountain Insurance Information Association and the RPM Agency presented about insurance coverage for wildfires and post-fire floods and the benefits of improving residences to protect against wildfire. The committee also learned about insurance incentives for homeowners to mitigate wildfire risks on their property.

Economic recovery after wildfires. The committee heard from the Colorado Resiliency Office about its work with local entities to aid in the recovery from natural disasters. Commissioners from Eagle, Jefferson, and Summit Counties briefed the committee about the economic impact of disasters, including the Lake Christine and Buffalo wildfires, on their communities.

Committee Recommendations

As a result of committee discussion and deliberation, the Wildfire Matters Review Committee recommends the following five bills for consideration in the 2020 legislative session.

Bill A – Modify Wildfire Risk Mitigation Grant Program. The bill makes modifications to the Forest Restoration and Wildfire Mitigation Grant Program in the Department of Higher Education (DHE). Under current law, the grant program’s share of a project cannot exceed 50 percent of the total cost of a project. The bill allows projects to receive up to 75 percent of costs through the grant program if the project is located in an area with fewer economic resources, thereby reducing the applicant’s share to 25 percent. Additionally, the bill:

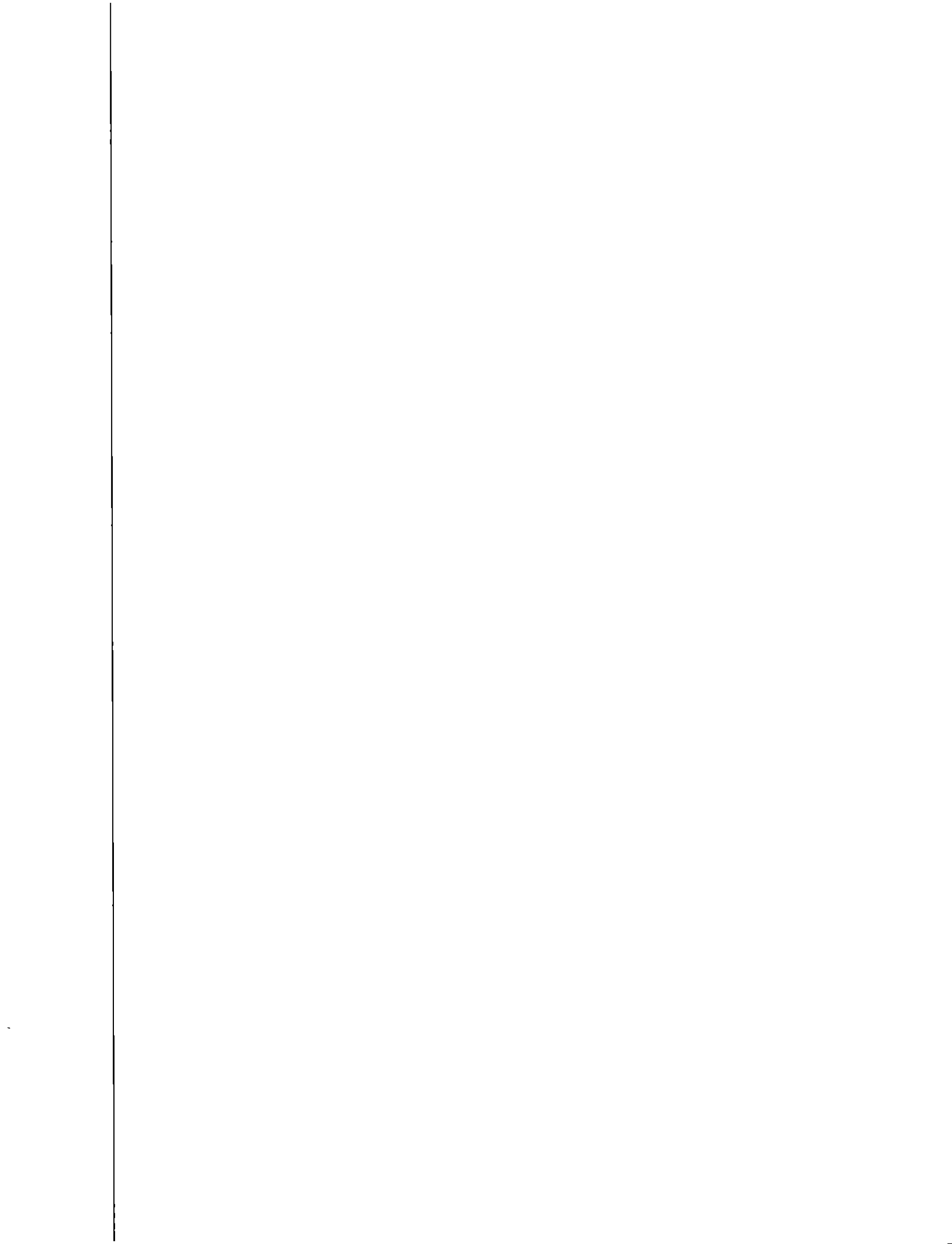
- directs the Colorado State Forest Service to establish rules to administer the grant and criteria by which a project will satisfy the requirement of being in an area with few economic resources;
- expands the list of eligible recipients to include fire protection districts and nonprofit organizations engaged in firefighting activities; and
- extends the grant program repeal date from September 1, 2022, to September 1, 2029.

Bill B – Surplus Military Vehicles Highway Use if Firefighting. The bill clarifies that a surplus military vehicle is not included in the definition of an off-highway vehicle if a municipality, county, or fire protection district uses the surplus military vehicle for firefighting efforts, including mitigation.

Bill C – Division of Fire Prevention and Control Employee Benefits. The bill makes benefit changes for Division of Fire Prevention and Control employees in the Department of Public Safety, including insurance for certain heart conditions and cancers, as well as pension benefits.

Bill D – Homeless Outreach Programs to Reduce Wildfire Risk. The bill creates the Wildfire Risk Reduction Through Homeless Outreach Grant Program in the Department of Local Affairs. The program awards grants to conduct outreach among individuals experiencing homelessness for the purpose of reducing wildfire risks in the wildland-urban interface. The department is directed to convene a working group to identify emerging, promising, and best practices for conducting this type of outreach, and to issue grants consistent with the identified practices.

Bill E – Landowner Assistance Wildfire Mitigation. The bill creates the Wildfire Mitigation Resources and Best Practices Grant Program in the Department of Local Affairs. Local governments, special districts, tribal agencies or programs, faith-based organizations, and nonprofit organizations are eligible for grant funding to be used to conduct outreach to landowners to inform them of resources available for wildfire mitigation and best practices for wildfire mitigation.



Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL A

LLS NO. 20-0377.01 Bob Lackner x4350

HOUSE BILL

HOUSE SPONSORSHIP

Carver and McCluskie, Cutter, Snyder, Will

SENATE SPONSORSHIP

Coram and Fenberg, Ginal, Lee

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO THE "FOREST RESTORATION AND
102 WILDFIRE RISK MITIGATION ACT".

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 makes the following modifications to the existing "Forest Restoration and Wildfire Risk Mitigation Act" (act) and, specifically, the grant program funded by the act:

- Currently, grant applicants are required to self-finance 50% of the cost of a project funded by a grant. The bill, in the

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case of a project that is located in an area with fewer economic resources, lessens this requirement so that grant applicants are required to self-finance 25% of the total cost of the project. The forest service is required to establish a policy that specifies the criteria by which a project will satisfy such requirements.

- Permits a grant project eligible to receive funding to support ongoing maintenance efforts undertaken by eligible recipients to reduce the threat of large, high-intensity wildfires.
- Adds to the list of recipients eligible to receive grant funding a fire protection district and a nonprofit organization or entity engaged in firefighting or fire management activities.
- Extends the date by which the grant program will be repealed to September 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-310, amend
3 (3), (4.5)(d), and (9); and add (4.3), (4.5)(f), and (4.5)(g) as follows:

4 **23-31-310. Forest restoration and wildfire risk mitigation**
5 **grant program - technical advisory panel - legislative declaration -**
6 **definitions - repeal. (3) Grant projects.** The forest service shall issue
7 a statewide request for proposals for cost-share grants for projects that are
8 designed through a collaborative community process. The projects may
9 be entirely on, or on any combination of, private, state, county, or
10 municipal forest lands. The grant share of an individual project cost must
11 not exceed fifty percent of the total cost of the project or exceed one
12 million dollars per project. IN THE CASE OF A PROJECT THAT IS LOCATED
13 IN AN AREA WITH FEWER ECONOMIC RESOURCES, THE GRANT SHARE OF AN
14 INDIVIDUAL PROJECT COST MUST NOT EXCEED SEVENTY-FIVE PERCENT OF
15 THE TOTAL COST OF THE PROJECT OR EXCEED ONE MILLION DOLLARS PER
16 PROJECT. The remaining portion of the project's funding may be in the

1 form of cash, stumpage, or in-kind contribution. THE FOREST SERVICE
2 SHALL ESTABLISH A POLICY THAT SPECIFIES THE CRITERIA BY WHICH A
3 PARTICULAR PROJECT WILL SATISFY THE REQUIREMENT OF THIS
4 SUBSECTION (3) THAT IT IS LOCATED IN AN AREA WITH FEWER ECONOMIC
5 RESOURCES, AS APPLICABLE.

6 (4.3) IN ADDITION TO SATISFYING SUBSECTION (4) OF THIS
7 SECTION, A GRANT PROJECT THAT RECEIVES FUNDING UNDER THIS SECTION
8 MAY ALSO SUPPORT ONGOING MAINTENANCE EFFORTS BY ELIGIBLE
9 RECIPIENTS TO REDUCE THE THREAT OF LARGE, HIGH-INTENSITY
10 WILDFIRES.

11 (4.5) **Eligible recipients.** Eligible grant recipients include:

12 (d) State agencies, such as the state land board or the division of
13 parks and wildlife, that own lands or property in areas of high risk for
14 catastrophic wildfires; and

15 (f) A FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103
16 (7); AND

17 (g) A NONPROFIT ORGANIZATION OR ENTITY ENGAGED IN
18 FIREFIGHTING OR FIRE MANAGEMENT ACTIVITIES.

19 (9) **Repeal.** This section is repealed, effective ~~September 1, 2022~~
20 SEPTEMBER 1, 2029.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect September 1, 2020; except that, if a referendum petition is
23 filed pursuant to section 1 (3) of article V of the state constitution against
24 this act or an item, section, or part of this act within the ninety-day period
25 after final adjournment of the general assembly, then the act, item,
26 section, or part will not take effect unless approved by the people at the

1 general election to be held in November 2020 and, in such case, will take
2 effect on the date of the official declaration of the vote thereon by the
3 governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL B

LLS NO. 20-0400.01 Richard Sweetman x4333

SENATE BILL

SENATE SPONSORSHIP

Crowder, Coram

HOUSE SPONSORSHIP

Will, Carver

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING SURPLUS MILITARY VEHICLES, AND, IN CONNECTION**
102 **THEREWITH, EXEMPTING A SURPLUS MILITARY VEHICLE FROM**
103 **THE STATUTORY DEFINITION OF AN "OFF-HIGHWAY VEHICLE"**
104 **IF THE VEHICLE IS OWNED OR LEASED BY A MUNICIPALITY,**
105 **COUNTY, OR FIRE PROTECTION DISTRICT FOR THE PURPOSE OF**
106 **ASSISTING FIREFIGHTING 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 states that a

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surplus military vehicle is not an "off-highway vehicle" if it is owned or leased by a municipality, county, or fire protection district for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-6-102, **amend**
3 (11.5)(b) as follows:

4 **42-6-102. Definitions.** As used in this part 1, unless the context
5 otherwise requires:

6 (11.5) (b) (I) EXCEPT AS DESCRIBED IN SUBSECTION (11.5)(b)(II)
7 OF THIS SECTION, "off-highway vehicle" includes vehicles commonly
8 known as all-terrain vehicles, snowmobiles, and surplus military vehicles
9 but does not include:

10 ~~(F)~~ (A) Toy vehicles;

11 ~~(H)~~ (B) Vehicles designed and used primarily for travel on, over,
12 or in the water;

13 ~~(H)~~ (C) Historical military vehicles;

14 ~~(V)~~ (D) Golf carts or golf cars;

15 ~~(V)~~ (E) Vehicles designed and used to carry persons with
16 disabilities;

17 ~~(V)~~ (F) Vehicles designed and used specifically for agricultural,
18 logging, or mining purposes; or

19 ~~(V)~~ (G) Motor vehicles.

20 (II) "OFF-HIGHWAY VEHICLE" DOES NOT INCLUDE A SURPLUS
21 MILITARY VEHICLE THAT IS OWNED OR LEASED BY A MUNICIPALITY,
22 COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103
23 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS,

1 INCLUDING MITIGATING THE RISK OF WILDFIRES.

2 **SECTION 2.** In Colorado Revised Statutes, 33-14.5-101, **amend**
3 (3) introductory portion, (3)(f), and (3)(g); and **add** (3)(h) as follows:

4 **33-14.5-101. Definitions.** As used in this article 14.5, unless the
5 context otherwise requires:

6 (3) "Off-highway vehicle" means any self-propelled vehicle that
7 is designed to travel on wheels or tracks in contact with the ground,
8 designed primarily for use off of the public highways, and generally and
9 commonly used to transport persons for recreational purposes. EXCEPT AS
10 DESCRIBED IN SUBSECTION (3)(h) OF THIS SECTION, "off-highway vehicle"
11 includes surplus military vehicles as defined in section 42-6-102.
12 "Off-highway vehicle" does not include the following:

13 (f) Vehicles designed and used specifically for agricultural,
14 logging, or mining purposes; or

15 (g) Vehicles registered pursuant to article 3 of title 42; ~~C.R.S.~~ OR

16 (h) A SURPLUS MILITARY VEHICLE, AS DEFINED IN SECTION
17 42-6-102 (20.5), THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY,
18 OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR
19 THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING
20 MITIGATING THE RISK OF WILDFIRES.

21 **SECTION 3. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2020 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL C

LLS NO. 20-0379.01 Nicole Myers x4326

SENATE BILL

SENATE SPONSORSHIP

Lee, Fenberg, Ginal

HOUSE SPONSORSHIP

Snyder and Cutter, McCluskie, Will

Senate Committees

House Committees

A BILL FOR AN ACT

101 CONCERNING THE INCLUSION OF FIREFIGHTERS EMPLOYED BY THE
102 DEPARTMENT OF PUBLIC SAFETY IN THE DIVISION OF FIRE
103 PREVENTION AND CONTROL IN CERTAIN EMPLOYEE BENEFITS.

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. Currently, certain employers of firefighters are required to maintain insurance to provide benefits to a firefighter if he or she has a heart and circulatory malfunction in connection with a stressful or strenuous activity related to an emergency response activity. In addition, certain employers of

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firefighters may make contributions into a multiple employer health trust established to provide benefits to volunteer firefighters diagnosed with certain covered cancers.

Beginning July 1, 2020, the bill adds the division of fire prevention and control in the department of public safety (division) to the definition of "employer" for the purpose of providing benefits for a heart and circulatory malfunction and to the definition of "employer" for the purpose of providing benefits for certain covered cancers.

In addition, beginning July 1, 2020, the bill expands the definition of "state trooper" for purposes of the public employees' retirement association to include all current and future employees of the division that are classified as a firefighter I through firefighter VII class titles.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-5-301, **amend** (1)
3 as follows:

4 **29-5-301. Definitions.** As used in this part 3, unless the context
5 otherwise requires:

6 (1) "Employer" means a municipality, special district, fire
7 authority, or county improvement district that employs one or more
8 firefighters. BEGINNING JULY 1, 2020, "EMPLOYER" ALSO MEANS THE
9 DIVISION OF FIRE PREVENTION AND CONTROL CREATED IN SECTION
10 24-33.5-1201. "Employer" does not include a power authority created
11 pursuant to section 29-1-204 or a municipally owned utility.

12 **SECTION 2.** In Colorado Revised Statutes, 29-5-402, **amend** (3)
13 as follows:

14 **29-5-402. Definitions.** As used in this part 4, unless the context
15 otherwise requires:

16 (3) "Employer" means a municipality, special district, fire
17 authority, or county improvement district that employs one or more
18 firefighters, part-time firefighters, or volunteer firefighters. BEGINNING
19 JULY 1, 2020, "EMPLOYER" ALSO MEANS THE DIVISION OF FIRE

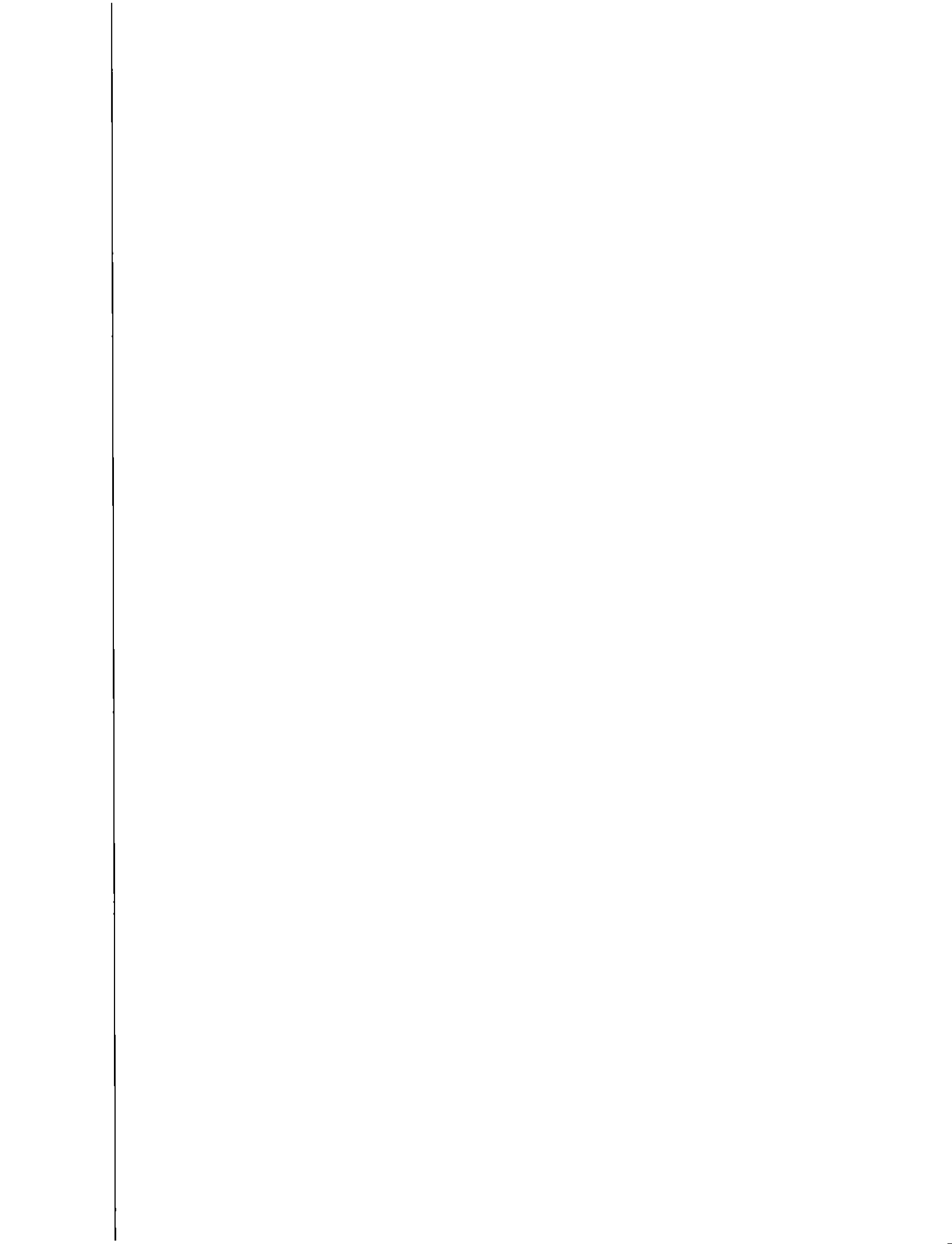
1 PREVENTION AND CONTROL CREATED IN SECTION 24-33.5-1201.
2 "Employer" does not include a power authority created pursuant to
3 section 29-1-204 or a municipally owned utility.

4 **SECTION 3.** In Colorado Revised Statutes, 24-51-101, **amend**
5 (46) as follows:

6 **24-51-101. Definitions.** As used in this article 51, unless the
7 context otherwise requires and except as otherwise defined in part 17 of
8 this article 51:

9 (46) "State trooper" means an employee of the Colorado state
10 patrol, Colorado bureau of investigation, or successors to these agencies,
11 who is vested with the powers of peace officers as provided for in section
12 24-33.5-409. In addition, for members who were not members, inactive
13 members, or retirees on December 31, 2019, "state trooper" includes a
14 county sheriff, undersheriff, deputy sheriff, noncertified deputy sheriff,
15 or detention officer hired by a local government division employer on or
16 after January 1, 2020, and a corrections officer classified as I through IV
17 hired by a state division employer on or after January 1, 2020. BEGINNING
18 JULY 1, 2020, "STATE TROOPER" ALSO INCLUDES AN EMPLOYEE OF THE
19 DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF
20 PUBLIC SAFETY WHO IS CLASSIFIED IN THE FIREFIGHTER I THROUGH
21 FIREFIGHTER VII CLASS TITLES.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety.



Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL D

LLS NO. 20-0380.01 Megan Waples x4348

SENATE BILL

SENATE SPONSORSHIP

Fenberg and Coram, Ginal, Lee

HOUSE SPONSORSHIP

McCluskie and Snyder, Cutter

Senate Committees

House Committees

A BILL FOR AN ACT

101 CONCERNING PROGRAMS TO REDUCE WILDFIRE RISK THROUGH
102 OUTREACH TO PEOPLE EXPERIENCING HOMELESSNESS, AND, IN
103 CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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 requires the division of housing within the department of local affairs (division) to create a working group to identify emerging, promising, and best practices related to homeless outreach for the purpose of reducing wildfire risk in the wildland-urban interface. The bill also establishes the

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reducing wildfire risk through homeless outreach grant program within the division. Grant recipients can use grant money to conduct outreach among individuals experiencing homelessness to reduce wildfire risk consistent with the emerging, promising, and best practices the working group identifies. The grant program prioritizes applications that take a collaborative approach and are founded in local knowledge and expertise.

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

2 **SECTION 1.** In Colorado Revised Statutes, add 24-32-726 as
3 follows:

4 **24-32-726. Reducing wildfire risk through homeless outreach**
5 **- working group - promising and best practices - grant program -**

6 **creation - report.** (1) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE
7 DATE OF THIS SECTION, THE DIVISION SHALL CONVENE A WORKING GROUP
8 TO IDENTIFY AND MAKE FINDINGS REGARDING EMERGING, PROMISING, AND
9 BEST PRACTICES FOR CONDUCTING OUTREACH TO PEOPLE EXPERIENCING
10 HOMELESSNESS FOR THE PURPOSE OF REDUCING WILDFIRE RISKS IN THE
11 WILDLAND-URBAN INTERFACE. THE WORKING GROUP MUST INCLUDE
12 STAKEHOLDERS FROM STATE AND LOCAL GOVERNMENT AND COMMUNITY
13 ORGANIZATIONS WITH RELEVANT INTERESTS, EXPERIENCE, AND
14 EXPERTISE, AND MUST INCLUDE REPRESENTATIVES FROM THE
15 DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC
16 SAFETY. THE DIVISION SHALL MAKE THE FINDINGS OF THE WORKING GROUP
17 AVAILABLE TO THE PUBLIC.

18 (2) THERE IS HEREBY CREATED IN THE DIVISION THE REDUCING
19 WILDFIRE RISK THROUGH HOMELESS OUTREACH GRANT PROGRAM,
20 REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM". GRANT
21 RECIPIENTS MAY USE THE MONEY TO CONDUCT OUTREACH AMONG
22 INDIVIDUALS EXPERIENCING HOMELESSNESS FOR THE PURPOSE OF

1 REDUCING WILDFIRE RISKS IN THE WILDLAND-URBAN INTERFACE
2 CONSISTENT WITH THE EMERGING, PROMISING, AND BEST PRACTICES
3 IDENTIFIED BY THE WORKING GROUP IN ACCORDANCE WITH SUBSECTION
4 (1) OF THIS SECTION.

5 (3) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
6 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
7 PROVIDED IN THIS SECTION. THE DIVISION SHALL DEVELOP AND PUBLISH
8 POLICIES AND PROCEDURES TO IMPLEMENT THE GRANT PROGRAM IN
9 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES AND
10 PROCEDURES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS,
11 THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE PROGRAM
12 EVALUATION AND REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.

13 (4) TO BE ELIGIBLE TO RECEIVE A GRANT, AN ENTITY MUST BE AN
14 AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT, A TRIBAL AGENCY
15 OR PROGRAM, OR A NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT
16 IS REGISTERED AND IN GOOD STANDING WITH THE COLORADO SECRETARY
17 OF STATE'S OFFICE. APPLICANTS MUST MEET ANY OTHER CRITERIA
18 SPECIFIED IN THE DIVISION'S POLICIES AND PROCEDURES.

19 (5) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
20 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE DIVISION SHALL
21 CONSIDER THE FOLLOWING CRITERIA:

22 (I) THE APPLICANT'S DEMONSTRATED ABILITY OR PAST RECORD OF
23 USING THE EMERGING, PROMISING, AND BEST PRACTICES IDENTIFIED BY
24 THE WORKING GROUP IN ACCORDANCE WITH SUBSECTION (1) OF THIS
25 SECTION;

26 (II) THE APPLICANT'S LOCAL EXPERIENCE, EXPERTISE, AND
27 CAPACITY IN THE AREA THE APPLICANT PLANS TO SERVE; AND

1 (III) THE APPLICANT'S PLAN TO COLLABORATE WITH OTHER LOCAL
2 ORGANIZATIONS, GOVERNMENT AGENCIES, AND SERVICE PROVIDERS IN
3 THE AREA THE APPLICANT PLANS TO SERVE.

4 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS THAT ADOPT A
5 COLLABORATIVE APPROACH FOUNDED ON LOCAL KNOWLEDGE AND
6 EXPERTISE.

7 (6) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
8 NOVEMBER 1 EACH YEAR OF THE GRANT PROGRAM, THE EXECUTIVE
9 DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL AWARD GRANTS
10 AS PROVIDED IN THIS SECTION. GRANTS ARE AWARDED AT THE SOLE
11 DISCRETION OF THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS
12 SECTION.

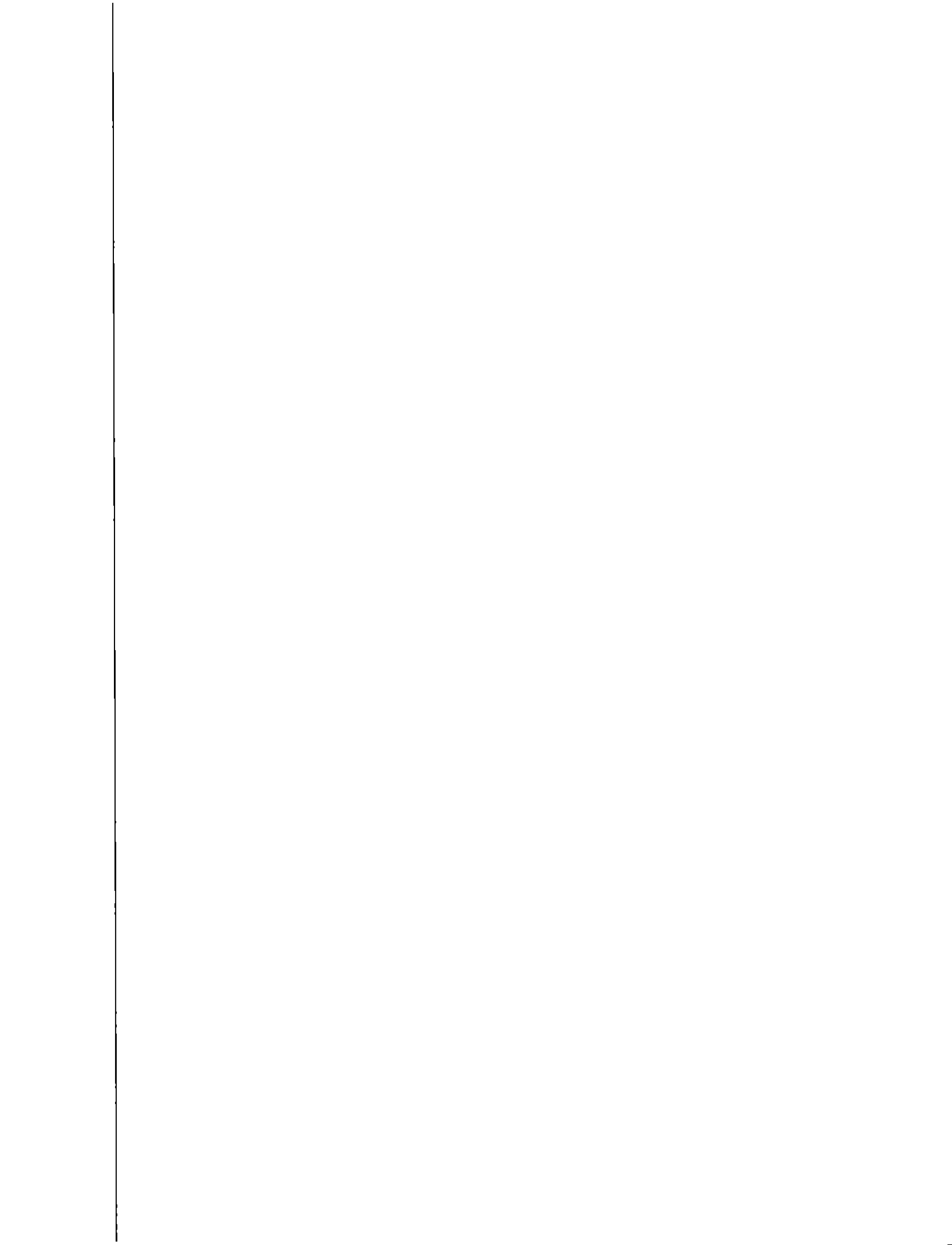
13 (7) ON OR BEFORE SEPTEMBER 1, 2021, AND ON OR BEFORE
14 SEPTEMBER 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF LOCAL
15 AFFAIRS SHALL SUBMIT A REPORT TO THE WILDFIRE MATTERS REVIEW
16 COMMITTEE, OR ANY SUCCESSOR COMMITTEE, ON THE GRANT PROGRAM.
17 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING
18 REQUIREMENT CONTINUES UNTIL THE GRANT PROGRAM REPEALS.

19 (8) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
20 MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS
21 TO IMPLEMENT THE GRANT PROGRAM. THE DEPARTMENT OF LOCAL
22 AFFAIRS MAY USE UP TO FIVE PERCENT OF THE MONEY ANNUALLY
23 APPROPRIATED FOR THE GRANT PROGRAM TO PAY THE DIRECT AND
24 INDIRECT COSTS THAT THE DIVISION INCURS TO ADMINISTER THE GRANT
25 PROGRAM.

26 **SECTION 2. Appropriation.** For the 2020-21 state fiscal year,
27 \$100,000 is appropriated to the department of local affairs for use by the

1 division of housing. This appropriation is from the general fund. To
2 implement this act, the division may use this appropriation for the
3 reducing wildfire risk through homeless outreach grant program.

4 **SECTION 3. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, or safety.



Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL E

LLS NO. 20-0382.01 Pierce Lively x2059

HOUSE BILL

HOUSE SPONSORSHIP

Cutter and Will, McCluskie, Snyder

SENATE SPONSORSHIP

Lee, Fenberg, Ginal

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING WILDFIRE MITIGATION ASSISTANCE FOR LANDOWNERS.

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 establishes the wildfire mitigation resources and best practices grant program (grant program) within the division of local government in the department of local affairs. Grant recipients use grant money to conduct outreach among landowners to inform them of resources available for wildfire mitigation and best practices for wildfire mitigation. The grant program only awards grants to applicants conducting outreach to landowners in high wildfire hazard areas and prioritizes applications based on the potential impact of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

the applicant's proposed outreach.

The bill also extends the increased wildfire mitigation income tax deduction that allows a landowner to claim 100%, rather than 50%, of the costs they incur in performing wildfire mitigation measures.

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

2 **SECTION 1.** In Colorado Revised Statutes, add 24-32-128 as
3 follows:

4 **24-32-128. Wildfire mitigation resources and best practices**
5 **grant program - creation - report - repeal.** (1) THERE IS HEREBY
6 CREATED IN THE DIVISION THE WILDFIRE MITIGATION RESOURCES AND
7 BEST PRACTICES GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE
8 "GRANT PROGRAM". GRANT RECIPIENTS MAY USE THE MONEY TO CONDUCT
9 OUTREACH AMONG LANDOWNERS TO INFORM THEM OF RESOURCES
10 AVAILABLE FOR WILDFIRE MITIGATION AND BEST PRACTICES FOR WILDFIRE
11 MITIGATION.

12 (2) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
13 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
14 PROVIDED IN THIS SECTION. THE DIVISION SHALL DEVELOP AND PUBLISH
15 POLICIES AND PROCEDURES TO IMPLEMENT THE GRANT PROGRAM IN
16 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES AND
17 PROCEDURES MUST SPECIFY THE TIMEFRAMES FOR APPLYING FOR GRANTS,
18 THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE GRANT
19 PROGRAM EVALUATION AND REPORTING REQUIREMENTS FOR GRANT
20 RECIPIENTS.

21 (3) TO BE ELIGIBLE TO RECEIVE A GRANT, AN ENTITY MUST BE AN
22 AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT, A TRIBAL AGENCY
23 OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A NONPROFIT OR

1 NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND IN GOOD
2 STANDING WITH THE SECRETARY OF STATE'S OFFICE. APPLICANTS MUST
3 MEET ANY OTHER CRITERIA SPECIFIED IN THE DIVISION'S POLICIES AND
4 PROCEDURES.

5 (4) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
6 PURSUANT TO THIS SECTION. THE DIVISION SHALL ONLY AWARD GRANTS
7 TO APPLICANTS PROPOSING TO CONDUCT OUTREACH AMONG LANDOWNERS
8 IN HIGH WILDFIRE HAZARD AREAS AND SHALL CONSIDER THE POTENTIAL
9 IMPACT OF THE APPLICANTS' PROPOSED OUTREACH WHEN AWARDING
10 GRANTS.

11 (5) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
12 JANUARY 1 AND EACH YEAR THEREAFTER FOR THE DURATION OF THE
13 GRANT PROGRAM, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
14 LOCAL AFFAIRS SHALL AWARD GRANTS AS PROVIDED IN THIS SECTION.
15 GRANTS ARE AWARDED AT THE SOLE DISCRETION OF THE EXECUTIVE
16 DIRECTOR IN ACCORDANCE WITH THIS SECTION.

17 (6) ON OR BEFORE SEPTEMBER 1, 2021, AND ON OR BEFORE
18 SEPTEMBER 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF LOCAL
19 AFFAIRS SHALL SUBMIT A REPORT TO THE WILDFIRE MATTERS REVIEW
20 COMMITTEE, OR ANY SUCCESSOR COMMITTEE, ON THE GRANT PROGRAM.
21 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING
22 REQUIREMENT CONTINUES UNTIL THE GRANT PROGRAM REPEALS
23 PURSUANT TO SUBSECTION (8) OF THIS SECTION.

24 (7) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
25 MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS
26 TO IMPLEMENT THE GRANT PROGRAM. THE DIVISION MAY USE A PORTION
27 OF THE MONEY ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM TO

1 PAY THE DIRECT AND INDIRECT COSTS THAT THE DIVISION INCURS TO
2 ADMINISTER THE GRANT PROGRAM.

3 (8) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2025.

4 **SECTION 2.** In Colorado Revised Statutes, 39-22-104, **amend**
5 (4)(n.5)(I)(A.5) and (4)(n.5)(IV) as follows:

6 **39-22-104. Income tax imposed on individuals, estates, and**
7 **trusts - single rate - legislative declaration - definitions - repeal.**

8 (4) There shall be subtracted from federal taxable income:

9 (n.5) (I) (A.5) For income tax years commencing on or after
10 January 1, 2017, but prior to January 1, 2020, AND FOR INCOME TAX
11 YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT PRIOR TO
12 JANUARY 1, 2024, an amount equal to one hundred percent of a
13 landowner's costs incurred in performing wildfire mitigation measures in
14 that income tax year on his or her property located within the state; except
15 that the amount of the deduction claimed in an income tax year shall not
16 exceed two thousand five hundred dollars or the total amount of the
17 landowner's federal taxable income for the income tax year for which the
18 deduction is claimed, whichever is less.

19 (IV) This ~~paragraph (n.5)~~ SUBSECTION (4)(n.5) is repealed,
20 effective ~~January 1, 2026~~ DECEMBER 31, 2027.

21 **SECTION 3. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety.

Section 2-3-1602, C.R.S.

2-3-1602. Wildfire matters review committee - creation - repeal of part.

- (1) To address wildfire prevention and mitigation and to review and propose legislation relating to such matters, the wildfire matters review committee is hereby created, and is referred to in this part 16 as the "committee". The committee shall meet at the call of the chair at least once during the interim of each year to review and to propose legislation or other policy changes relating to wildfire prevention and mitigation and all related matters, including, without limitation, public safety, forest health, and cooperation with appropriate federal agencies and local governments. The committee may take up to two field trips during the interim and consult with experts in all fields relating to wildfire prevention and mitigation as may be necessary to achieve the objectives of this part 16. All personnel of any state agency or political subdivision of Colorado involved in wildfire prevention and mitigation, including the Colorado department of public safety and the Colorado state forest service, shall cooperate with the committee and with any persons assisting the committee in carrying out its duties pursuant to this section.
- (1.5) Repealed.
- (2) The committee consists of ten members of the general assembly selected as follows:
 - (a) Five members from the senate, three appointed by the president of the senate and two appointed by the minority leader of the senate;
 - (b) Five members from the house of representatives, three appointed by the speaker of the house of representatives and two appointed by the minority leader of the house of representatives.
- (3) Appointing authorities shall make their original appointments to the committee not later than July 1, 2013. Terms of service on the committee are for two years. The terms of original appointees to the committee terminate on the convening date of the first regular session of the seventieth general assembly. Thereafter, the terms of members of the committee terminate on the convening date of the first regular session of the general assembly next following their appointment or reappointment, and all subsequent appointments or reappointments are made as soon as practicable after such convening date. Incumbent members may be reappointed to the committee. The person making the original appointment or reappointment shall fill any vacancy by appointment for the remainder of an unexpired term. Members serve at the pleasure of the appointing authority and continue in office until a successor is appointed, as applicable.
- (4)
 - (a) The president of the senate shall appoint the chair of the committee in even-numbered years and the vice-chair in odd-numbered years. The speaker of the house of representatives shall appoint the chair of the committee in odd-numbered years and the vice-chair in even-numbered years.
 - (b) The committee shall prescribe its own rules of procedure.
- (4.5) The committee may recommend up to a total of five bills during each interim. Legislation recommended by the committee must be treated as legislation recommended by an interim committee for purposes of applicable deadlines, bill introduction limits, and any other requirements imposed by the joint rules of the general assembly.

Section 2-3-1602, C.R.S., cont.

- (5) Members of the committee serve without compensation; except that each member is entitled to be reimbursed for necessary expenses in connection with the performance of his or her duties and receives the same per diem as other members of interim committees in attendance at meetings.
- (6) Existing employees of the legislative service agencies shall provide any staff assistance required by the committee within existing appropriations.
- (7) This part 16 is repealed, effective September 1, 2025.

History

Source: L. 2013: Entire part added, (SB 13-082), ch. 386, p. 2254, Section 1, effective June 5. L. 2014: (1.5) added, (SB 14-164), ch. 176, p. 648, Section 3, effective May 12. L. 2016: (1) and (4) amended and (1.5)(c) added, (SB 16-003), ch. 213, p. 823, Section 3, effective June 6. L. 2018: (1.5) repealed, (4.5) added, and (7) amended, (SB 18-039), ch. 219, p. 1397, Section 1, effective May 18.