

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB25-142 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 24-33.5-1237,
4 **amend** (1)(a), (2), and (3); and **add** (1)(a.3) as follows:

5 **24-33.5-1237. Application of wildfire resiliency codes -**
6 **enforcement - definitions.** (1) As used in this section, unless the context
7 otherwise requires:

8 (a) ~~"Board" means the wildfire resiliency code board created in~~
9 ~~section 24-33.5-1236 (2).~~ "ADOPTING GOVERNING BODY" MEANS A
10 GOVERNING BODY THAT HAS JURISDICTION IN AN AREA WITHIN THE
11 WILDLAND-URBAN INTERFACE AND HAS THE AUTHORITY TO ADOPT
12 BUILDING CODES OR FIRE CODES.

13 (a.3) "BOARD" MEANS THE WILDFIRE RESILIENCY CODE BOARD
14 CREATED IN SECTION 24-33.5-1236 (2).

15 (2) (a) ~~A governing body with jurisdiction in an area within the~~
16 ~~wildland-urban interface that has the authority to adopt building codes or~~
17 ~~fire codes~~ AN ADOPTING GOVERNING BODY shall adopt a code that meets
18 or exceeds the minimum standards set forth in the codes within ~~three~~ NINE
19 months of the board adopting the codes in accordance with section
20 24-33.5-1236 (4)(b)(II)(D).

21 (b) Enforcement of a code adopted pursuant to subsection (2)(a)
22 of this section shall be in accordance with the rules and regulations for
23 code enforcement by the ADOPTING governing body, OR THROUGH A
24 COOPERATIVE AGREEMENT ENTERED INTO BY THE ADOPTING GOVERNING
25 BODY AND AT LEAST ONE OTHER GOVERNING BODY, PURSUANT TO THE
26 ADOPTING GOVERNING BODY'S RULES AND REGULATIONS FOR CODE
27 ENFORCEMENT. The period to comply with an adopted code shall be in
28 accordance with the rules and regulations of the ADOPTING governing
29 body or within three months of the date the code is adopted by the
30 ADOPTING governing body, whichever is sooner.

31 (c) The board may review ~~a~~ AN ADOPTING governing body's codes
32 adopted pursuant to subsection (2)(a) of this section and ~~a~~ AN ADOPTING
33 governing body's application of the adopted codes to determine
34 compliance with the requirements of this section. ~~Governing~~ ADOPTING
35 GOVERNING bodies shall cooperate with the board and be responsive to
36 any requests for information from the board made pursuant to the board's
37 review set forth in this subsection (2)(c).

38 (d) Notwithstanding subsection (2)(b) of this section, if ~~a~~ AN
39 ADOPTING governing body does not have rules and regulations OR A

1 COOPERATIVE AGREEMENT in place for the enforcement of a code adopted
2 pursuant to subsection (2)(a) of this section, the ADOPTING governing
3 body may request support from the division in conducting inspections and
4 enforcing the code pursuant to the division's procedures set forth in
5 section 24-33.5-1213; except that any civil penalty collected pursuant to
6 section 24-33.5-1213 (4) shall be deposited in the code board cash fund.
7 The division may charge a reasonable fee to the property owner for
8 conducting inspections and enforcing the code, and money from the fee
9 shall be deposited in the code board cash fund.

10 (3) ~~A~~ AN ADOPTING governing body may petition the board for a
11 modification of the codes within its jurisdiction in accordance with
12 procedures adopted by the board pursuant to section 24-33.5-1236
13 (4)(b)(IV). If the board grants the petition for modification, the
14 modification applies only within the jurisdiction that is granted the
15 modification. The order granting the petition for modification must
16 specify a date on which the modification expires, and the ADOPTING
17 governing body must petition the board before the expiration date to keep
18 the modification in effect, or the board at its discretion and through its
19 own action may extend the modification and specify a new expiration
20 date. ~~A~~ AN ADOPTING governing body may appeal a denial of a petition
21 to the board in accordance with procedures adopted by the board pursuant
22 to section 24-33.5-1236 (4)(b)(V).

23 **SECTION 2. Safety clause.** The general assembly finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety or for appropriations for
26 the support and maintenance of the departments of the state and state
27 institutions."

28 Page 1, line 101, strike "BOARD." and substitute "BOARD'S CODE
29 IMPLEMENTATION REQUIREMENTS."

** **