

## CHAPTER 39

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**NATURAL RESOURCES**


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**HOUSE BILL 16-1019**

BY REPRESENTATIVE(S) Becker K., Buck, Hamner, Singer, Thurlow, Arndt, Danielson, Fields, Ginal, Kraft-Tharp, Lebsack, Lee, Leonard, Lontine, Mitsch Bush, Rosenthal, Salazar, Tyler, Vigil, Young, Hulinghorst, Brown, Saine;  
also SENATOR(S) Jones and Roberts, Baumgardner, Cooke, Merrifield, Aguilar, Crowder, Donovan, Grantham, Guzman, Heath, Holbert, Johnston, Kefalas, Lundberg, Marble, Martinez Humenik, Neville T., Newell, Todd, Ulibarri, Woods, Cadman.

**AN ACT****CONCERNING INCREASED AUTHORITY TO USE BROADCAST BURNING AS A TOOL TO PROMOTE WATERSHED RESTORATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 23-31-313, **amend** (3) (g) (IV) and (6) (a) (II) as follows:

**23-31-313. Healthy forests - vibrant communities - funds created - repeal.** (3) **Definitions.** As used in this section, unless the context otherwise requires:

(g) "Wildfire risk mitigation" or "fuel mitigation treatments" means preventive forest management projects or actions, which meet or exceed forest service standards or any other applicable state rules, that are designed to reduce the potential for unwanted impacts caused by wildfires, including:

(IV) The secondary treatment of woody fuels by lopping and scattering, piling, chipping, removing from the site, BROADCAST BURNING, or prescribed burning; and

(6) **Community watershed restoration.** (a) In order to support communities and land managers in moving from risk reduction to long-term ecological restoration so that the underlying condition of Colorado's forests supports a variety of values, particularly public water supply and high-quality wildlife habitat, the forest service shall:

(II) Facilitate and work collaboratively with the division of fire prevention and control, landowners, local governments, including conservation districts created

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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.*

pursuant to article 70 of title 35, C.R.S., and county noxious weed program administrators and other appropriate parties, including any electric, gas, and water utilities in the affected area, to design prescribed fire AND FUEL MITIGATION TREATMENT projects and to encourage increased responsible use of prescribed fire AND FUEL MITIGATION TREATMENTS as a tool for restoring healthy forest conditions consistent with programs established pursuant to section 25-7-106 (7) and (8), C.R.S., and section 24-33.5-1217, C.R.S. The forest service shall emphasize providing training and technical assistance for landowners, local communities, and state agencies.

**SECTION 2. Applicability.** This act applies to conduct occurring on or after the effective date of this act.

**SECTION 3. 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: March 22, 2016