

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 21-0777.01 Ed DeCecco x4216

SENATE BILL 21-054

SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

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Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS FROM THE GENERAL FUND TO CASH FUNDS**
102 **TO BE USED TO ADDRESS WILDLAND FIRES, AND, IN CONNECTION**
103 **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/>.)

Joint Budget Committee. Section 1 of the bill requires the state treasurer to transfer \$6 million from the general fund to the forest restoration and wildfire risk mitigation grant program cash fund.

Section 2 requires the state treasurer to transfer \$3 million from the general fund to the wildfire preparedness fund. The division 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.

HOUSE
2nd Reading Unamended
March 4, 2021

SENATE
3rd Reading Unamended
February 26, 2021

SENATE
2nd Reading Unamended
February 25, 2021

homeland security and emergency management in the department of public safety is required to use this money:

- As the state match for federal hazard mitigation assistance grants to local governments that are used to mitigate wildland fire hazards; and
- To provide local governments that are eligible to receive the federal grants with strategic planning assistance for wildland fire hazard mitigation.

Section 3 requires the state treasurer to transfer \$4 million from the general fund to the Colorado water conservation board construction fund. This money is appropriated to the board for the watershed restoration program to support post-fire recovery and mitigation efforts.

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 (8.7) as follows:

4 **23-31-310. Forest restoration and wildfire risk mitigation**
5 **grant program - technical advisory panel - legislative declaration -**
6 **definitions - repeal.** (8.7) (a) On July 1, 2017, and July 1, 2018, the state
7 treasurer shall transfer nine hundred fifty-four thousand five hundred
8 forty-five dollars from the general fund to the forest restoration and
9 wildfire risk mitigation grant program cash fund.

10 (b) ON THE EFFECTIVE DATE OF THIS SUBSECTION (8.7)(b), THE
11 STATE TREASURER SHALL TRANSFER SIX MILLION DOLLARS FROM THE
12 GENERAL FUND TO THE FOREST RESTORATION AND WILDFIRE RISK
13 MITIGATION GRANT PROGRAM CASH FUND.

14 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1227,
15 **amend** (1)(a)(I) and (1)(b); and **add** (1)(a)(III) and (1)(c)(IV) as follows:

16 **24-33.5-1227. Wildfire preparedness fund - creation - gifts,**
17 **grants, and donations authorized - wildfire preparedness plan -**
18 **report.** (1) (a) (I) There is hereby created in the state treasury the
19 wildfire preparedness fund. The fund consists of all money that may be

1 appropriated thereto by the general assembly, all private and public
2 money received through gifts, grants, reimbursements, or donations that
3 are transmitted to the state treasurer and credited to the fund, all money
4 transferred to the fund from the healthy forests and vibrant communities
5 fund created in section 23-31-313 (10), money transferred pursuant to
6 section 39-29-109.3 (2)(n)(I)(C), and money transferred pursuant to
7 ~~subsection (1)(a)(H)~~ SUBSECTIONS (1)(a)(II) AND (1)(a)(III) of this
8 section. All interest earned from the investment of money in the fund
9 shall be credited to the fund. The money in the fund is hereby
10 continuously appropriated for the purposes indicated in this section. Any
11 money not expended at the end of the fiscal year shall remain in the fund
12 and shall not be transferred to or revert to the general fund.

13 (III) ON THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(III), THE
14 STATE TREASURER SHALL TRANSFER THREE MILLION DOLLARS FROM THE
15 GENERAL FUND TO THE WILDFIRE PREPAREDNESS FUND.

16 (b) By executive order or proclamation, the governor may access
17 and designate ~~moneys~~ MONEY in the wildfire preparedness fund for
18 wildfire preparedness activities; except that ~~moneys~~ MONEY in the
19 wildfire preparedness fund that have been transferred from the healthy
20 forests and vibrant communities fund created in section 23-31-313 (10)
21 ~~€:R:S.~~, and ~~moneys~~ MONEY transferred pursuant to section 39-29-109.3
22 (2)(n)(I)(C) ~~€:R:S.~~, may be used only for the purposes set forth in
23 ~~subparagraph (H) of paragraph (c) of this subsection (1)~~ SUBSECTION
24 (1)(c)(II) OF THIS SECTION, AND EXCEPT AS SET FORTH IN SUBSECTION
25 (1)(c)(IV) OF THIS SECTION. The division shall implement the directives
26 set forth in such executive order or proclamation. As soon as practicable
27 after issuing the executive order or proclamation, the governor shall

1 notify the joint budget committee of any ~~moneys~~ MONEY so accessed and
2 designated.

3 (c) (IV) THE DIVISION OF HOMELAND SECURITY AND EMERGENCY
4 MANAGEMENT SHALL USE THE MONEY TRANSFERRED TO THE WILDFIRE
5 PREPAREDNESS FUND IN ACCORDANCE WITH SUBSECTION (1)(a)(III) OF
6 THIS SECTION:

7 (A) AS THE STATE MATCH FOR FEDERAL HAZARD MITIGATION
8 ASSISTANCE GRANTS TO LOCAL GOVERNMENTS THAT ARE USED TO
9 MITIGATE WILDLAND FIRE HAZARDS; AND

10 (B) TO PROVIDE LOCAL GOVERNMENTS THAT ARE ELIGIBLE TO
11 RECEIVE THE FEDERAL GRANTS SPECIFIED IN SUBSECTION (1)(c)(IV)(A) OF
12 THIS SECTION WITH STRATEGIC PLANNING ASSISTANCE FOR WILDLAND FIRE
13 HAZARD MITIGATION.

14 **SECTION 3.** In Colorado Revised Statutes, 37-60-121, **add** (11)
15 as follows:

16 **37-60-121. Colorado water conservation board construction**
17 **fund - creation - nature of fund - funds for investigations -**
18 **contributions - use for augmenting the general fund - funds created**
19 **- repeal.** (11) ON THE EFFECTIVE DATE OF THIS SUBSECTION (11), THE
20 STATE TREASURER SHALL TRANSFER FOUR MILLION DOLLARS FROM THE
21 GENERAL FUND TO THE COLORADO WATER CONSERVATION BOARD
22 CONSTRUCTION FUND.

23 **SECTION 4. Appropriation.** For the 2020-21 state fiscal year,
24 \$4,000,000 is appropriated to the department of natural resources for use
25 by the Colorado water conservation board. This appropriation is from the
26 Colorado water conservation board construction fund created in section
27 37-60-121, C.R.S. The board may use this appropriation for the watershed

1 restoration program to support post-fire recovery and mitigation efforts.
2 Any money appropriated in this section not expended prior to July 1,
3 2021, is further appropriated to the board for the 2021-22 state fiscal year
4 for the same purpose.

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