

**Second 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. 22-0176.01 Richard Sweetman x4333

HOUSE BILL 22-1012

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A BILL FOR AN ACT

101 **CONCERNING HEALTHY FORESTS, AND, IN CONNECTION THEREWITH,**
102 **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. Section 1 of the bill creates the wildfire mitigation and recovery grant program (grant program) in the Colorado state forest service (forest service) to provide grants to help counties with forested areas prevent and recover from wildfire incidents and ensure that such efforts are undertaken in a manner that reduces the amount of carbon that enters the atmosphere. In

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.*

SENATE
Amended 2nd Reading
May 6, 2022

HOUSE
3rd Reading Unamended
April 27, 2022

HOUSE
Amended 2nd Reading
April 26, 2022

expending grant money, a county, to the extent practicable, shall ensure that biomass that is removed from forests is recycled or disposed of in a manner that reduces the amount of carbon that enters the atmosphere.

The forest service shall administer the grant program and, subject to available appropriations, award grants out of money annually appropriated to the forest service for the grant program. The forest service shall review grant applications in consultation with the division of fire prevention and control in the department of public safety and with the Colorado forest health council in the department of natural resources.

The grant program is repealed, effective September 1, 2028. Before the repeal, the grant program is scheduled for a sunset review by the department of regulatory agencies. **Section 2** schedules this review.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-313, **amend**
3 **(10)(a)(I); and add (9.5) and (10)(a)(IV)** as follows:

4 **23-31-313. Healthy forests - vibrant communities - funds**
5 **created - repeal. (9.5) Carbon accounting framework. (a) ON AND**
6 **AFTER SEPTEMBER 1, 2022, THE STATE FOREST SERVICE SHALL DEVELOP**
7 **A PUBLICLY ACCESSIBLE STATEWIDE CARBON ACCOUNTING FRAMEWORK**
8 **THAT YIELDS CARBON STOCK AND FLUX ESTIMATES FOR:**

9 (I) ECOSYSTEMS BY COUNTY AND FOREST COVER TYPE; AND

10 (II) WOOD PRODUCTS.

11 (b) THE STATE FOREST SERVICE SHALL ALSO DEVELOP A FOREST
12 CARBON CO-BENEFIT FRAMEWORK FOR PROJECT-LEVEL FOREST
13 MANAGEMENT PRACTICES, INCLUDING WILDFIRE MITIGATION. THE STATE
14 FOREST SERVICE SHALL USE THIS FRAMEWORK TO TRAIN PRACTITIONERS
15 IN ADAPTIVE MANAGEMENT PRACTICES TO BE INCORPORATED INTO
16 CURRENT FOREST MANAGEMENT PRACTICES, INCLUDING WILDFIRE
17 MITIGATION. THE STATE FOREST SERVICE SHALL PROVIDE TECHNICAL
18 EXPERTISE TO ASSIST INDUSTRY AND LANDOWNERS WITH CARBON
19 INVENTORIES AND MONITORING.

1 (c) AS USED IN THIS SUBSECTION (9.5), UNLESS THE CONTEXT
2 OTHERWISE REQUIRES:

3 (I) "CARBON ACCOUNTING FRAMEWORK" MEANS A MODEL THAT
4 USES DATA FROM THE FOREST INVENTORY AND ANALYSIS PROGRAM OF
5 THE UNITED STATES DEPARTMENT OF AGRICULTURE'S FOREST SERVICE TO
6 DEVELOP TABULAR DATA OF CARBON FLUX AND STOCK ESTIMATES FOR
7 ALL FOREST TYPES AND WOOD PRODUCTS IN THE STATE OF COLORADO.

8 (II) "FOREST CARBON CO-BENEFIT FRAMEWORK" MEANS A
9 FRAMEWORK THAT LINKS GOALS, STRATEGIES, AND APPROACHES IN THE
10 2020 COLORADO FOREST ACTION PLAN TO FOREST MANAGEMENT AND
11 WILDFIRE RISK MITIGATION PRACTICES THAT SERVE TO IMPROVE CARBON
12 SEQUESTRATION.

13 (10) **Healthy forests and vibrant communities fund.**

14 (a) (I) There is hereby created in the state treasury the healthy forests and
15 vibrant communities fund. The fund consists of all money that may be
16 appropriated OR TRANSFERRED thereto by the general assembly and all
17 private and public money received through gifts, grants, reimbursements,
18 or donations that are transmitted to the state treasurer and credited to the
19 fund. All interest earned from the investment of money in the fund is
20 credited to the fund. The money in the fund is hereby continuously
21 appropriated for the purposes specified in this ~~subsection (10)~~ SECTION
22 and remains available until expended. Any money not expended at the
23 end of the fiscal year shall remain in the fund and shall not be transferred
24 to or revert to the general fund.

25 (IV) (A) FOR THE 2022-23 STATE FISCAL YEAR, THE STATE
26 TREASURER SHALL TRANSFER THREE MILLION DOLLARS FROM THE
27 GENERAL FUND TO THE HEALTHY FORESTS AND VIBRANT COMMUNITIES

1 FUND.

2 (B) THIS SUBSECTION (10)(a)(IV) IS REPEALED, EFFECTIVE JULY
3 1, 2023.

4 SECTION 2. In Colorado Revised Statutes, 23-31-310, add
5 (8.7)(c) as follows:

6 23-31-310. Forest restoration and wildfire risk mitigation
7 grant program - technical advisory panel - legislative declaration -
8 definitions - repeal. (8.7) (c) (I) FOR THE 2022-23 STATE FISCAL YEAR,
9 THE STATE TREASURER SHALL TRANSFER TWO MILLION TWO HUNDRED
10 THOUSAND DOLLARS FROM THE GENERAL FUND TO THE FOREST
11 RESTORATION AND WILDFIRE RISK MITIGATION GRANT PROGRAM CASH
12 FUND.

13 (II) THIS SUBSECTION (8.7) IS REPEALED, EFFECTIVE JULY 1, 2023.

14 SECTION 3. In Colorado Revised Statutes, 24-33-117, add (5.5)
15 as follows:

16 24-33-117. Wildfire mitigation capacity development fund -
17 established - financing - legislative intent - repeal. (5.5) (a) FOR THE
18 2022-23 STATE FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER
19 TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE WILDFIRE
20 MITIGATION CAPACITY DEVELOPMENT FUND.

21 (b) THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JULY 1, 2023.

22 **SECTION 4. Appropriation.** For the 2022-23 state fiscal year,
23 \$95,407 is appropriated to the healthy forests and vibrant communities
24 fund created in section 23-1-313 (10)(a)(I), C.R.S. This appropriation is
25 from the general fund. The department of higher education is responsible
26 for the accounting related to this appropriation.

27 **SECTION 5. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2022 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.