

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 23-1075

BY REPRESENTATIVE(S) Snyder and Joseph, Amabile, Bacon, Bird, Boesenecker, Brown, Dickson, English, Froelich, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Lieder, Lindsay, Lynch, Marshall, Martinez, McCormick, Michaelson Jenet, Ricks, Sirota, Story, Velasco, Young, McCluskie;
also SENATOR(S) Exum, Buckner, Coleman, Cutter, Fields, Ginal, Hansen, Jaquez Lewis, Marchman, Mullica, Priola, Roberts, Sullivan, Winter F., Fenberg.

CONCERNING EVACUATION AND CLEARANCE TIME MODELING IN WILDFIRE RISK AREAS OF THE STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add 24-33.5-718** as follows:

24-33.5-718. Evacuation and clearance time modeling study - definitions - report - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(a) "DEVELOPER" MEANS ANY PERSON, FIRM, PARTNERSHIP, JOINT VENTURE, ASSOCIATION, OR CORPORATION PARTICIPATING AS OWNER, PROMOTER, DEVELOPER, OR SALES AGENT IN THE PLANNING, PLATTING, DEVELOPMENT, PROMOTION, SALE, OR LEASE OF A DEVELOPMENT.

(b) "DEVELOPMENT" MEANS A RESIDENTIAL OR MIXED-USE DEVELOPMENT THAT WILL HAVE TEN OR MORE SINGLE FAMILY HOMES OR MULTIFAMILY UNITS.

(c) "STATE FOREST SERVICE" MEANS THE COLORADO STATE FOREST SERVICE IDENTIFIED IN SECTION 23-31-302 AND THE DIVISION OF FORESTRY CREATED IN SECTION 24-33-104.

(d) "WILDFIRE RISK AREA" MEANS AN AREA DESIGNATED AS HIGH RISK OR HIGHEST RISK FOR WILDFIRE BY THE STATE FOREST SERVICE IN ITS MOST RECENT PUBLICLY AVAILABLE STATEWIDE WILDFIRE RISK ASSESSMENT MAP OR TOOL.

(2)(a) THE OFFICE OF EMERGENCY MANAGEMENT SHALL STUDY THE EFFICACY AND FEASIBILITY OF LOCAL OR INTERJURISDICTIONAL EMERGENCY MANAGEMENT AGENCIES WITH JURISDICTION IN A WILDFIRE RISK AREA INTEGRATING EVACUATION AND CLEARANCE TIME MODELING INTO THE EMERGENCY MANAGEMENT PLAN THAT IS REQUIRED BY SECTION 24-33.5-707 (8) FOR ITS AREA.

(b) THE STUDY, AT A MINIMUM, MUST:

(I) IDENTIFY AND ASSESS THE AVAILABILITY OF TECHNOLOGY TO ASSIST WITH EVACUATION AND CLEARANCE TIME MODELING;

(II) EVALUATE THE FEASIBILITY OF REQUIRING DEVELOPERS TO PERFORM EVACUATION AND CLEARANCE TIME MODELING FOR PROPOSED DEVELOPMENTS IN A WILDFIRE RISK AREA; AND

(III) BE COMPLETED ON OR BEFORE DECEMBER 1, 2023.

(3) THE OFFICE OF EMERGENCY MANAGEMENT MAY COLLABORATE WITH THE DEPARTMENT OF LOCAL AFFAIRS, THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY, AND OTHER STATE OR LOCAL AGENCIES IN UNDERTAKING THE STUDY REQUIRED

BY SUBSECTION (2)(a) OF THIS SECTION.

(4) THE OFFICE OF EMERGENCY MANAGEMENT SHALL REPORT THE STUDY FINDINGS TO THE SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE AND THE HOUSE OF REPRESENTATIVES AGRICULTURE, WATER, AND NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES DURING THE 2024 LEGISLATIVE SESSION.

(5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2024.

SECTION 2. Appropriation. For the 2023-24 state fiscal year, \$45,000 is appropriated to the department of public safety for use by the division of homeland security and emergency management. This appropriation is from the general fund. To implement this act, the division may use this appropriation for program administration related to the office of emergency management.

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, or safety.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO