

CHAPTER 176

GOVERNMENT - STATE

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.

AN ACT

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:

(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.

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.

(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.

Approved: May 12, 2023