

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0424.01 Pierce Lively x2059

SENATE BILL 24-009

SENATE SPONSORSHIP

Cutter and Jaquez Lewis, Buckner, Exum, Fenberg, Fields, Ginal, Hansen, Michaelson
Jenet, Priola, Roberts, Winter F.

HOUSE SPONSORSHIP

Snyder, Velasco

Senate Committees

Agriculture & Natural Resources
Appropriations

House Committees

Transportation, Housing & Local Government
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ASSISTING LOCAL GOVERNMENTS IN DISASTER-RELATED**
102 **PROGRAMS, AND, IN CONNECTION THEREWITH, ESTABLISHING**
103 **THE SLASH REMOVAL PILOT PROGRAM AND MAKING AN**
104 **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. The bill assists local governments with disaster-related programs in 2 ways.

First, **section 1** of the bill establishes the slash removal pilot

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
May 1, 2024

SENATE
Amended 2nd Reading
April 30, 2024

program (pilot program) under the wildfire mitigation incentives for local governments grant program, which is administered by the forest service. The pilot program supports county efforts to efficiently and effectively remove slash. The forest service must establish the policies and procedures by which it will select counties for the pilot program and implement the pilot program.

Second, **section 2** requires the division of homeland security and emergency management in the department of public safety to provide guidance to local governments on the following issues concerning debris removal:

- Negotiating debris removal program terms with the federal emergency management agency to provide predictability for homeowners and ensure that there are not duplicate payments for debris removal;
- Developing standard right of entry forms that include opt-in and opt-out provisions and clear insurance assignment of benefit language;
- Establishing right-of-way cleanup procedures, including the removal of private vehicles, for public roadways;
- Considering the removal of hazardous materials and other safety and environmental concerns; and
- Ensuring that local debris removal programs are limited to residential debris removal and do not include commercial debris removal.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-318, **amend**
3 (7)(b) and (10); and **add** (1)(g), (1)(h), and (9.5) as follows:

4 **23-31-318. Wildfire mitigation incentives for local**
5 **governments - grant program - slash removal pilot program - grant**
6 **awards - fund - reporting - definitions - repeal.** (1) As used in this
7 section:

8 (g) "PILOT PROGRAM" MEANS THE SLASH REMOVAL PILOT
9 PROGRAM CREATED IN SUBSECTION (9.5) OF THIS SECTION.

10 (h) "SLASH" MEANS THE RESIDUE, INCLUDING LOGS, CHUNKS,
11 BARK, BRANCHES, STUMPS, AND BROKEN UNDERSTORY TREES OR BRUSH,

1 CREATED AS THE RESULT OF SILVICULTURAL OPERATIONS OR WILDFIRE
2 RISK MITIGATION AS DEFINED IN SECTION 23-31-313 (3)(g). _____

3 (7) (b) The fund must only be used for the purpose of funding
4 awards under the grant program AND THE PILOT PROGRAM less the
5 administrative costs of the forest service, not to exceed five percent of the
6 balance in the fund at any one time, in administering the grant program.

7 (9.5) THE FOREST SERVICE SHALL ADMINISTER AND CREATE A
8 SLASH REMOVAL PILOT PROGRAM FOR COUNTIES. THE PILOT PROGRAM
9 MUST SUPPORT COUNTY EFFORTS TO EFFICIENTLY AND EFFECTIVELY
10 REMOVE SLASH THROUGH METHODS OTHER THAN BURNING. IN
11 ADMINISTERING AND CREATING THE SLASH REMOVAL PILOT PROGRAM, THE
12 FOREST SERVICE SHALL:

13 (a) DETERMINE BEST PRACTICES FOR THE EFFICIENT AND
14 EFFECTIVE REMOVAL OF SLASH AND HOW A PILOT PROGRAM COULD ASSIST
15 THOSE PRACTICES;

16 (b) ESTABLISH THE POLICIES AND PROCEDURES BY WHICH IT WILL
17 SELECT COUNTIES TO PARTICIPATE IN AND IMPLEMENT THE PILOT
18 PROGRAM; AND

19 (c) PROVIDE THE COUNTIES IT SELECTS TO PARTICIPATE IN THE
20 PILOT PROGRAM WITH THE KNOWLEDGE AND RESOURCES NECESSARY FOR
21 THE EFFICIENT AND EFFECTIVE REMOVAL OF SLASH.

22 (10) This section is repealed, effective September 1, 2027. Before
23 the repeal, the department of regulatory agencies shall review the grant
24 program AND THE PILOT PROGRAM pursuant to section 24-34-104.

25 **SECTION 2.** In Colorado Revised Statutes, 24-38.5-115, **amend**
26 **(2)(a) and (5)(f) as follows:**

27 **24-38.5-115. Sustainable rebuilding program - fund - creation**

1 **- policies - report - definitions.** (2) (a) The office shall, in consultation
2 with the department of local affairs, establish the sustainable rebuilding
3 program as a loan and grant program in accordance with the requirements
4 of this section and the policies established by the office pursuant to
5 subsection (4) of this section. The program may provide loans and grants
6 from the fund to eligible homeowners and eligible businesses seeking
7 assistance to rebuild high-efficiency homes and buildings after a disaster
8 emergency declared by the governor pursuant to section 24-33.5-704 (4),
9 WITH THE PROGRAM GIVING PRIORITY TO ELIGIBLE HOMEOWNERS AND
10 ELIGIBLE BUSINESSES SEEKING ASSISTANCE TO REBUILD HIGH-EFFICIENCY
11 HOMES AND BUILDINGS.

- 12 (5) Loans and grants received from the program may be used:
- 13 (f) For other similar uses as determined by the office, INCLUDING
14 PROVIDING LOANS OR GRANTS PURSUANT TO SECTION 24-32-134 (5).

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16 **SECTION 3. Appropriation.** (1) For the 2024-25 state fiscal
17 year, \$186,135 is appropriated to the department of higher education for
18 use by the Colorado commission on higher education and higher
19 education special purpose programs. This appropriation is from the
20 general fund and is based on an assumption that the department will
21 require an additional 0.4 FTE. To implement this act, the department may
22 use this appropriation for the Colorado state forest service at Colorado
23 state university.

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.