



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 24-0734	Date:	July 12, 2024
Prime Sponsors:	Rep. Taggart Sen. Rich	Bill Status:	Signed into Law
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Bill Topic: **USE OF AIRCRAFT IN SEARCH AND RESCUE OPERATIONS**

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill extends civil immunity to individuals or organizations that assists local governments with volunteer helicopter flights in search and rescue operations and creates a working group. The bill may decrease state revenue and expenditures in the Judicial Department by a minimal amount.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The final fiscal note reflects the enacted bill.

Summary of Legislation

The bill extends immunity from civil liability for damage or injury to an individual, nonprofit organization, for-profit corporation, private organization, or other person that voluntarily assists a local government with use of a helicopter for search and rescue operations. To receive immunity, the individual or organization that arranges the use of, operates, or assists as a crew member of a helicopter has done so:

- for the benefit of a rescue unit or backcountry search and rescue;
- on behalf of a governmental agency leading a rescue unit;
- employs or contracts with a licensed pilot;
- under an agreement with a governmental entity;
- meeting certain safety and training requirements; and
- in compliance with all requirements of the Federal Aviation Administration (FAA).

The bill also establishes criteria that pilots and helicopters used in search and rescue operations must satisfy in order to qualify for immunity.

No later than January 1, 2025, the Office of Emergency Management in the Department of Public Safety (DPS), with representatives from the Department of Military and Veterans Affairs (DMVA) and relevant sheriffs, must create a work group to establish safety, notification, and airspace deconfliction guidelines related to search and rescue operations. The working group is repealed January 1, 2026.

State Revenue and Expenditures

The bill may reduce trial court activity and filing fee revenue in the Judicial Department. The bill extends immunity from civil liability for damage or injury, except in cases of gross negligence or willful misconduct, to individuals or organizations providing volunteer helicopter flights to local governments engaged in search and rescue operations. Because the bill extends immunity from civil liability, it potentially decreases civil cases; however, given the limited scope of the legislation, the decrease is anticipated to be minimal and no change in appropriations is required.

The bill increases workload for the DPS and the DMVA to participate in the working group to establish safety, notification, and deconfliction guidelines for search and rescue operations. This effort does not require additional appropriations.

Local Government

Sheriffs' departments from relevant counties, determined by DPS, will have some workload to assist the Office of Emergency Management with safety, notification, and airspace deconfliction guidelines and adopting local policy for adhering to adopted guidelines when multiple aircraft may be involved in search and rescue.

Effective Date

The bill was signed into law by the Governor it took effect on May 3, 2024.

State and Local Government Contacts

Counties	Judicial	Military Affairs
Public Safety		

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).