

# 2019

Report to the Colorado General Assembly

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## Wildfire Matters Review Committee



Prepared by Legislative Council Staff  
Research Publication No. 732  
December 2019

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## **Wildfire Matters Review Committee**

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Senator Pete Lee, Vice-Chair

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Senator Larry Crowder	Representative Lisa Cutter
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***December 2019***

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December 2019

To Members of the Seventy-second General Assembly:

Submitted herewith is the final report of the Wildfire Matters Review Committee. This committee was created pursuant to Part 16 of Article 3 of Title 2, Colorado Revised Statutes. The purpose of this committee is to oversee and review the prevention, mitigation, and financing of wildfire matters in Colorado.

At its meeting on November 15, 2019, the Legislative Council reviewed the report of this committee. A motion to forward this report and five of the bills therein for consideration in the 2020 session was approved.

Sincerely,

/s/ Senator Leroy Garcia  
Chair

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The text of each bill is included as Attachments A through E after the resource materials page.

*This report is also available online at:*

*<https://leg.colorado.gov/committees/wildfire-matters-review-committee/2019-regular-session>*

## **Committee Charge**

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Pursuant to Section 2-3-1602, C.R.S., the Wildfire Matters Review Committee is charged with reviewing and proposing legislation or other policy changes related to wildfire prevention, mitigation, and related matters, including public safety and forest health issues. Senate Bill 13-082 created the Wildfire Matters Review Committee as an interim committee and Senate Bill 18-039 extended the repeal date of the committee to September 1, 2025.

## **Committee Activities**

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The committee held three meetings during the 2019 interim. Briefings and presentations covered a wide range of subjects, including aerial firefighting and wildfire response, forest management and wildfire mitigation, homeowners' insurance in the wildland-urban interface, and economic recovery after wildfires. A scheduled field trip to El Paso County was canceled due to weather conditions. Presentations were made by members of the public and by the following entities:

- Air Pollution Control Division, Colorado Department of Public Health and Environment (CDPHE);
- AlertWildfire;
- Boulder County Sheriff;
- Bureau of Land Management (BLM) Fire and Aviation Program;
- City of Manitou Springs;
- Colorado Counties, Inc.;
- Colorado Municipal League;
- the Division of Fire Prevention and Control (DFPC), Colorado Department of Public Safety;
- the Division of Insurance, Colorado Department of Regulatory Agencies (DORA);
- the Colorado Resiliency Office, Department of Local Affairs (DOLA);
- Colorado Rural Electric Association;
- Colorado Springs Utilities;
- the Colorado State Forest Service (CSFS), Colorado State University;
- Eagle County;
- Jefferson County;
- Nederland Interagency Council for Homeless Encampment (NICHE);
- the Nature Conservancy;
- the Rocky Mountain Insurance Information Association;
- RPM Agency;
- Summit County;
- Town of Estes Park; and
- West Region Wildfire Council.

The following sections discuss the committee's activities during the 2019 interim.

## **Aerial Firefighting and Wildfire Response**

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The committee heard from DFPC, AlertWildfire, and the BLM about state and federal efforts to respond to wildfires. DFPC provided information about ongoing research projects, including how drones and unmanned aerial systems are used in firefighting and the effectiveness of using aircraft for firefighting. The BLM explained local partnerships and the distribution of resources, including aircraft. DFPC also explained the role of its firefighters and provided recommendations concerning their eligibility for state employee benefits.

**Committee recommendations.** As a result of discussions, the committee recommends Bills B and C. Bill B clarifies that a surplus military vehicle is not included in the definition of an off-highway vehicle if a municipality, county, or fire protection district uses the surplus military vehicle for firefighting efforts, including mitigation. Bill C makes benefit changes for Division of Fire Prevention and Control employees in the Department of Public Safety, including insurance for certain heart conditions and cancers, as well as pension benefits.

## **Forest Management and Wildfire Mitigation**

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The committee heard from the CSFS and the West Region Wildfire Council about managing the state's forests. The Nature Conservancy, municipal and county representatives, and utilities operating in Colorado also testified to the committee about their mitigation efforts. Two rural electric cooperatives – Sangre de Cristo Electric and Mountain Parks Electric – explained how mitigation is conducted within rights-of-way, as well as how trees are cleared around different types of electric distribution lines. The committee also heard testimony from NICHE about the challenges posed by persons experiencing homelessness who camp in unincorporated forested areas, and how these encampments can increase the risk of wildfire. The committee learned about ongoing efforts and challenges in preparing for and preventing wildfires around the state.

**Committee recommendations.** As a result of discussions, the committee recommends Bills A, D, and E. Bill A makes changes to the Restoration and Wildfire Mitigation Grant Program, including allowing areas with limited economic resources to receive additional funds, expanding the list of eligible recipients to include fire protection districts and nonprofit organizations engaged in firefighting, and extending the program repeal date from 2022 to 2029. Bill D creates the Wildfire Risk Reduction Through Homeless Outreach program to reduce wildfire risk in the wildland-urban interface. Bill E creates the Wildfire Mitigation Resources and Best Practices Grant program for outreach to landowners to inform them of resources available for wildfire mitigation and best practices. Local governments, special districts, tribal agencies or programs, faith-based organizations, and nonprofit organizations are eligible for grant funding.

## **Wildfire Technologies**

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AlertWildfire, a research consortium based in California and Nevada, informed the committee about new technologies available for early detection and wildfire growth, including high definition cameras and a microwave communications network. The Air Pollution Control Division within CDPHE

updated the committee on health impacts from wildfire smoke and methods of protection from these effects. The division also discussed technologies used to detect and forecast wildfire smoke, and provided information about how it disseminates air quality warnings and advisories.

**Committee recommendations.** The committee requested a bill be drafted to purchase AlertWildfire technology, but the draft bill was not approved by the committee.

## **Homeowners' Insurance in the Wildland-Urban Interface**

The Division of Insurance within DORA discussed its role in assisting homeowners after wildfires and its efforts at educating insurance consumers. The Rocky Mountain Insurance Information Association presented about insurance coverage for wildfires and post-fire floods and the benefits of improving residences to protect against wildfire. An agent from the RPM Agency presented on "hardening the home," discussing the benefits of using fire resistant materials when constructing or renovating houses. The committee also learned about insurance incentives for homeowners to mitigate wildfire risks on their property.

**Committee recommendations.** As a result of its discussions, the committee recommends Bills A and E, discussed above, to improve wildfire mitigation efforts, which can help property owners obtain affordable insurance. The committee also requested two bills affecting homeowners' insurance be drafted, concerning statewide building codes for wildfire resistant materials and landowner assistance for wildfire mitigation, but the draft bills were not approved by the committee. Additionally, the committee requested the drafting of a bill that would have created a special fire district based on the wildland urban interface and risk of wildfire. The request was rescinded prior to drafting.

## **Economic Recovery After Wildfires**

The committee heard from the Colorado Resiliency Office within DOLA about its work with local entities to aid in the recovery from natural disasters. The office focused on its partnerships with local governments and the federal government, as well as a recent survey of local governments conducted by the University of Colorado-Denver. Commissioners from Eagle, Jefferson, and Summit Counties briefed the committee about the economic impact of disasters, including the Lake Christine and Buffalo wildfires, on their communities.

## Summary of Recommendations

As a result of the committee's activities, the committee recommended five bills to the Legislative Council for consideration in the 2020 session. At its meeting on November 15, 2019, the Legislative Council approved the five recommended bills for introduction. The approved bills are described below.

### ***Bill A — Modify Wildfire Risk Mitigation Grant Program***

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Bill A makes modifications to the Forest Restoration and Wildfire Mitigation Grant Program in the Department of Higher Education (DHE). Under current law, the grant program's share of a project cannot exceed 50 percent of the total cost of a project. The bill allows projects to receive up to 75 percent of costs through the grant program if the project is located in an area with fewer economic resources, thereby reducing the applicant's share to 25 percent. Additionally, the bill:

- directs the Colorado State Forest Service to establish rules to administer the grant and criteria by which a project will satisfy the requirement of being in an area with few economic resources;
- expands the list of eligible recipients to include fire protection districts and nonprofit organizations engaged in firefighting activities; and
- extends the grant program repeal date from September 1, 2022, to September 1, 2029.

### ***Bill B — Surplus Military Vehicle Highway Use if Firefighting***

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Bill B clarifies that a surplus military vehicle is not included in the definition of an off-highway vehicle if a municipality, county, or fire protection district uses the surplus military vehicle for firefighting efforts, including mitigation.

### ***Bill C — Division of Fire Prevention and Control Employee Benefits***

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Bill C makes benefit changes for Division of Fire Prevention and Control employees in the Department of Public Safety, including insurance for certain heart conditions and cancers, as well as pension benefits.

### ***Bill D — Homeless Outreach Programs to Reduce Wildfire Risk***

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Bill D creates the Wildfire Risk Reduction Through Homeless Outreach Grant Program in the Department of Local Affairs. The program awards grants to conduct outreach among individuals experiencing homelessness for the purpose of reducing wildfire risks in the wildland-urban interface. The department is directed to convene a working group to identify emerging, promising, and best practices for conducting this type of outreach, and to issue grants consistent with the identified practices.

## ***Bill E — Landowner Assistance Wildfire Mitigation***

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Bill E creates the Wildfire Mitigation Resources and Best Practices Grant Program in the Department of Local Affairs. Local governments, special districts, tribal agencies or programs, faith-based organizations, and nonprofit organizations are eligible for grant funding to be used to conduct outreach to landowners to inform them of resources available for wildfire mitigation and best practices.

## Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/content/committees>

### Meeting Date and Topics Discussed

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July 25, 2019

- ◆ Overview and information from the Colorado State Forest Service
- ◆ Overview of the Colorado Resiliency Office
- ◆ Overview of the Bureau of Land Management's Fire and Aviation Program
- ◆ Insurance issues related to wildfire
- ◆ Wildfire mitigation and deforestation
- ◆ Economic impacts and mitigation efforts done by county governments
- ◆ Overview of the interim committee bill request process
- ◆ Public testimony

September 19, 2019

- ◆ Overview and information from the Division of Fire Prevention and Control
- ◆ Early fire detection technology
- ◆ Overview of the West Region Wildfire Council
- ◆ Economic impacts and mitigation efforts done by municipalities
- ◆ Drafting requests for interim committee legislation
- ◆ Public testimony

October 31, 2019

- ◆ Overview and mitigation efforts by utilities
- ◆ Homeowner's insurance in the wildland urban interface
- ◆ Overview and information from CDPHE's Air Pollution Control Division
- ◆ Public testimony
- ◆ Bill draft approval

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

Attachment A

**BILL A**

LLS NO. 20-0377.01 Bob Lackner x4350

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Carver and McCluskie**, Cutter, Snyder, Will

**SENATE SPONSORSHIP**

**Coram and Fenberg**, Ginal, Lee

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MODIFICATIONS TO THE "FOREST RESTORATION AND**  
102 **WILDFIRE RISK MITIGATION ACT".**

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**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 makes the following modifications to the existing "Forest Restoration and Wildfire Risk Mitigation Act" (act) and, specifically, the grant program funded by the act:

- Currently, grant applicants are required to self-finance 50% of the cost of a project funded by a grant. The bill, in the

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.

case of a project that is located in an area with fewer economic resources, lessens this requirement so that grant applicants are required to self-finance 25% of the total cost of the project. The forest service is required to establish a policy that specifies the criteria by which a project will satisfy such requirements.

- Permits a grant project eligible to receive funding to support ongoing maintenance efforts undertaken by eligible recipients to reduce the threat of large, high-intensity wildfires.
- Adds to the list of recipients eligible to receive grant funding a fire protection district and a nonprofit organization or entity engaged in firefighting or fire management activities.
- Extends the date by which the grant program will be repealed to September 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend**  
3 (3), (4.5)(d), and (9); and **add** (4.3), (4.5)(f), and (4.5)(g) as follows:

4 **23-31-310. Forest restoration and wildfire risk mitigation**  
5 **grant program - technical advisory panel - legislative declaration -**  
6 **definitions - repeal.** (3) **Grant projects.** The forest service shall issue  
7 a statewide request for proposals for cost-share grants for projects that are  
8 designed through a collaborative community process. The projects may  
9 be entirely on, or on any combination of, private, state, county, or  
10 municipal forest lands. The grant share of an individual project cost must  
11 not exceed fifty percent of the total cost of the project or exceed one  
12 million dollars per project. IN THE CASE OF A PROJECT THAT IS LOCATED  
13 IN AN AREA WITH FEWER ECONOMIC RESOURCES, THE GRANT SHARE OF AN  
14 INDIVIDUAL PROJECT COST MUST NOT EXCEED SEVENTY-FIVE PERCENT OF  
15 THE TOTAL COST OF THE PROJECT OR EXCEED ONE MILLION DOLLARS PER  
16 PROJECT. The remaining portion of the project's funding may be in the

1 form of cash, stumpage, or in-kind contribution. THE FOREST SERVICE  
2 SHALL ESTABLISH A POLICY THAT SPECIFIES THE CRITERIA BY WHICH A  
3 PARTICULAR PROJECT WILL SATISFY THE REQUIREMENT OF THIS  
4 SUBSECTION (3) THAT IT IS LOCATED IN AN AREA WITH FEWER ECONOMIC  
5 RESOURCES, AS APPLICABLE.

6 (4.3) IN ADDITION TO SATISFYING SUBSECTION (4) OF THIS  
7 SECTION, A GRANT PROJECT THAT RECEIVES FUNDING UNDER THIS SECTION  
8 MAY ALSO SUPPORT ONGOING MAINTENANCE EFFORTS BY ELIGIBLE  
9 RECIPIENTS TO REDUCE THE THREAT OF LARGE, HIGH-INTENSITY  
10 WILDFIRES.

11 (4.5) **Eligible recipients.** Eligible grant recipients include:

12 (d) State agencies, such as the state land board or the division of  
13 parks and wildlife, that own lands or property in areas of high risk for  
14 catastrophic wildfires; ~~and~~

15 (f) A FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103  
16 (7); AND

17 (g) A NONPROFIT ORGANIZATION OR ENTITY ENGAGED IN  
18 FIREFIGHTING OR FIRE MANAGEMENT ACTIVITIES.

19 (9) **Repeal.** This section is repealed, effective ~~September 1, 2022~~  
20 SEPTEMBER 1, 2029.

21 **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect September 1, 2020; except that, if a referendum petition is  
23 filed pursuant to section 1 (3) of article V of the state constitution against  
24 this act or an item, section, or part of this act within the ninety-day period  
25 after final adjournment of the general assembly, then the act, item,  
26 section, or part will not take effect unless approved by the people at the

1 general election to be held in November 2020 and, in such case, will take  
2 effect on the date of the official declaration of the vote thereon by the  
3 governor.

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

Attachment B

**BILL B**

LLS NO. 20-0400.01 Richard Sweetman x4333

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Crowder**, Coram

**HOUSE SPONSORSHIP**

**Will**, Carver

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING SURPLUS MILITARY VEHICLES, AND, IN CONNECTION**  
102           **THEREWITH, EXEMPTING A SURPLUS MILITARY VEHICLE FROM**  
103           **THE STATUTORY DEFINITION OF AN "OFF-HIGHWAY VEHICLE"**  
104           **IF THE VEHICLE IS OWNED OR LEASED BY A MUNICIPALITY,**  
105           **COUNTY, OR FIRE PROTECTION DISTRICT FOR THE PURPOSE OF**  
106           **ASSISTING FIREFIGHTING EFFORTS.**

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**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 states that a

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Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

surplus military vehicle is not an "off-highway vehicle" if it is owned or leased by a municipality, county, or fire protection district for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-6-102, **amend**  
3 (11.5)(b) as follows:

4 **42-6-102. Definitions.** As used in this part 1, unless the context  
5 otherwise requires:

6 (11.5) (b) (I) EXCEPT AS DESCRIBED IN SUBSECTION (11.5)(b)(II)  
7 OF THIS SECTION, "off-highway vehicle" includes vehicles commonly  
8 known as all-terrain vehicles, snowmobiles, and surplus military vehicles  
9 but does not include:

- 10 ~~(I)~~ (A) Toy vehicles;
- 11 ~~(II)~~ (B) Vehicles designed and used primarily for travel on, over,  
12 or in the water;
- 13 ~~(III)~~ (C) Historical military vehicles;
- 14 ~~(IV)~~ (D) Golf carts or golf cars;
- 15 ~~(V)~~ (E) Vehicles designed and used to carry persons with  
16 disabilities;
- 17 ~~(VI)~~ (F) Vehicles designed and used specifically for agricultural,  
18 logging, or mining purposes; or
- 19 ~~(VII)~~ (G) Motor vehicles.

20 (II) "OFF-HIGHWAY VEHICLE" DOES NOT INCLUDE A SURPLUS  
21 MILITARY VEHICLE THAT IS OWNED OR LEASED BY A MUNICIPALITY,  
22 COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103  
23 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS,

1 INCLUDING MITIGATING THE RISK OF WILDFIRES.

2 **SECTION 2.** In Colorado Revised Statutes, 33-14.5-101, **amend**  
3 (3) introductory portion, (3)(f), and (3)(g); and **add** (3)(h) as follows:

4 **33-14.5-101. Definitions.** As used in this article 14.5, unless the  
5 context otherwise requires:

6 (3) "Off-highway vehicle" means any self-propelled vehicle that  
7 is designed to travel on wheels or tracks in contact with the ground,  
8 designed primarily for use off of the public highways, and generally and  
9 commonly used to transport persons for recreational purposes. EXCEPT AS  
10 DESCRIBED IN SUBSECTION (3)(h) OF THIS SECTION, "off-highway vehicle"  
11 includes surplus military vehicles as defined in section 42-6-102.  
12 "Off-highway vehicle" does not include the following:

13 (f) Vehicles designed and used specifically for agricultural,  
14 logging, or mining purposes; ~~or~~

15 (g) Vehicles registered pursuant to article 3 of title 42; ~~C.R.S.~~ OR

16 (h) A SURPLUS MILITARY VEHICLE, AS DEFINED IN SECTION  
17 42-6-102 (20.5), THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY,  
18 OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR  
19 THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING  
20 MITIGATING THE RISK OF WILDFIRES.

21 **SECTION 3. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2020 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

Attachment C

**BILL C**

LLS NO. 20-0379.01 Nicole Myers x4326

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Lee, Fenberg, Ginal**

**HOUSE SPONSORSHIP**

**Snyder and Cutter, McCluskie, Will**

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE INCLUSION OF FIREFIGHTERS EMPLOYED BY THE**  
102 **DEPARTMENT OF PUBLIC SAFETY IN THE DIVISION OF FIRE**  
103 **PREVENTION AND CONTROL IN CERTAIN EMPLOYEE BENEFITS.**

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**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.** Currently, certain employers of firefighters are required to maintain insurance to provide benefits to a firefighter if he or she has a heart and circulatory malfunction in connection with a stressful or strenuous activity related to an emergency response activity. In addition, certain employers of

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Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

firefighters may make contributions into a multiple employer health trust established to provide benefits to volunteer firefighters diagnosed with certain covered cancers.

Beginning July 1, 2020, the bill adds the division of fire prevention and control in the department of public safety (division) to the definition of "employer" for the purpose of providing benefits for a heart and circulatory malfunction and to the definition of "employer" for the purpose of providing benefits for certain covered cancers.

In addition, beginning July 1, 2020, the bill expands the definition of "state trooper" for purposes of the public employees' retirement association to include all current and future employees of the division that are classified as a firefighter I through firefighter VII class titles.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-5-301, **amend** (1)  
3 as follows:

4 **29-5-301. Definitions.** As used in this part 3, unless the context  
5 otherwise requires:

6 (1) "Employer" means a municipality, special district, fire  
7 authority, or county improvement district that employs one or more  
8 firefighters. BEGINNING JULY 1, 2020, "EMPLOYER" ALSO MEANS THE  
9 DIVISION OF FIRE PREVENTION AND CONTROL CREATED IN SECTION  
10 24-33.5-1201. "Employer" does not include a power authority created  
11 pursuant to section 29-1-204 or a municipally owned utility.

12 **SECTION 2.** In Colorado Revised Statutes, 29-5-402, **amend** (3)  
13 as follows:

14 **29-5-402. Definitions.** As used in this part 4, unless the context  
15 otherwise requires:

16 (3) "Employer" means a municipality, special district, fire  
17 authority, or county improvement district that employs one or more  
18 firefighters, part-time firefighters, or volunteer firefighters. BEGINNING  
19 JULY 1, 2020, "EMPLOYER" ALSO MEANS THE DIVISION OF FIRE

1 PREVENTION AND CONTROL CREATED IN SECTION 24-33.5-1201.  
2 "Employer" does not include a power authority created pursuant to  
3 section 29-1-204 or a municipally owned utility.

4 **SECTION 3.** In Colorado Revised Statutes, 24-51-101, **amend**  
5 (46) as follows:

6 **24-51-101. Definitions.** As used in this article 51, unless the  
7 context otherwise requires and except as otherwise defined in part 17 of  
8 this article 51:

9 (46) "State trooper" means an employee of the Colorado state  
10 patrol, Colorado bureau of investigation, or successors to these agencies,  
11 who is vested with the powers of peace officers as provided for in section  
12 24-33.5-409. In addition, for members who were not members, inactive  
13 members, or retirees on December 31, 2019, "state trooper" includes a  
14 county sheriff, undersheriff, deputy sheriff, noncertified deputy sheriff,  
15 or detention officer hired by a local government division employer on or  
16 after January 1, 2020, and a corrections officer classified as I through IV  
17 hired by a state division employer on or after January 1, 2020. BEGINNING  
18 JULY 1, 2020, "STATE TROOPER" ALSO INCLUDES AN EMPLOYEE OF THE  
19 DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF  
20 PUBLIC SAFETY WHO IS CLASSIFIED IN THE FIREFIGHTER I THROUGH  
21 FIREFIGHTER VII CLASS TITLES.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, or safety.

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

Attachment D

**BILL D**

LLS NO. 20-0380.01 Megan Waples x4348

**SENATE BILL**

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**SENATE SPONSORSHIP**

**Fenberg and Coram**, Ginal, Lee

**HOUSE SPONSORSHIP**

**McCluskie and Snyder**, Cutter

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**Senate Committees**

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PROGRAMS TO REDUCE WILDFIRE RISK THROUGH**  
102 **OUTREACH TO PEOPLE EXPERIENCING HOMELESSNESS, AND, IN**  
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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 requires the division of housing within the department of local affairs (division) to create a working group to identify emerging, promising, and best practices related to homeless outreach for the purpose of reducing wildfire risk in the wildland-urban interface. The bill also establishes the

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reducing wildfire risk through homeless outreach grant program within the division. Grant recipients can use grant money to conduct outreach among individuals experiencing homelessness to reduce wildfire risk consistent with the emerging, promising, and best practices the working group identifies. The grant program prioritizes applications that take a collaborative approach and are founded in local knowledge and expertise.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 24-32-726 as  
3 follows:

4           **24-32-726. Reducing wildfire risk through homeless outreach**  
5 **- working group - promising and best practices - grant program -**  
6 **creation - report.** (1) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE  
7 DATE OF THIS SECTION, THE DIVISION SHALL CONVENE A WORKING GROUP  
8 TO IDENTIFY AND MAKE FINDINGS REGARDING EMERGING, PROMISING, AND  
9 BEST PRACTICES FOR CONDUCTING OUTREACH TO PEOPLE EXPERIENCING  
10 HOMELESSNESS FOR THE PURPOSE OF REDUCING WILDFIRE RISKS IN THE  
11 WILDLAND-URBAN INTERFACE. THE WORKING GROUP MUST INCLUDE  
12 STAKEHOLDERS FROM STATE AND LOCAL GOVERNMENT AND COMMUNITY  
13 ORGANIZATIONS WITH RELEVANT INTERESTS, EXPERIENCE, AND  
14 EXPERTISE, AND MUST INCLUDE REPRESENTATIVES FROM THE  
15 DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC  
16 SAFETY. THE DIVISION SHALL MAKE THE FINDINGS OF THE WORKING GROUP  
17 AVAILABLE TO THE PUBLIC.

18           (2) THERE IS HEREBY CREATED IN THE DIVISION THE REDUCING  
19 WILDFIRE RISK THROUGH HOMELESS OUTREACH GRANT PROGRAM,  
20 REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM". GRANT  
21 RECIPIENTS MAY USE THE MONEY TO CONDUCT OUTREACH AMONG  
22 INDIVIDUALS EXPERIENCING HOMELESSNESS FOR THE PURPOSE OF

1 REDUCING WILDFIRE RISKS IN THE WILDLAND-URBAN INTERFACE  
2 CONSISTENT WITH THE EMERGING, PROMISING, AND BEST PRACTICES  
3 IDENTIFIED BY THE WORKING GROUP IN ACCORDANCE WITH SUBSECTION  
4 (1) OF THIS SECTION.

5 (3) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,  
6 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS  
7 PROVIDED IN THIS SECTION. THE DIVISION SHALL DEVELOP AND PUBLISH  
8 POLICIES AND PROCEDURES TO IMPLEMENT THE GRANT PROGRAM IN  
9 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES AND  
10 PROCEDURES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS,  
11 THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE PROGRAM  
12 EVALUATION AND REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.

13 (4) TO BE ELIGIBLE TO RECEIVE A GRANT, AN ENTITY MUST BE AN  
14 AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT, A TRIBAL AGENCY  
15 OR PROGRAM, OR A NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT  
16 IS REGISTERED AND IN GOOD STANDING WITH THE COLORADO SECRETARY  
17 OF STATE'S OFFICE. APPLICANTS MUST MEET ANY OTHER CRITERIA  
18 SPECIFIED IN THE DIVISION'S POLICIES AND PROCEDURES.

19 (5) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED  
20 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE DIVISION SHALL  
21 CONSIDER THE FOLLOWING CRITERIA:

22 (I) THE APPLICANT'S DEMONSTRATED ABILITY OR PAST RECORD OF  
23 USING THE EMERGING, PROMISING, AND BEST PRACTICES IDENTIFIED BY  
24 THE WORKING GROUP IN ACCORDANCE WITH SUBSECTION (1) OF THIS  
25 SECTION;

26 (II) THE APPLICANT'S LOCAL EXPERIENCE, EXPERTISE, AND  
27 CAPACITY IN THE AREA THE APPLICANT PLANS TO SERVE; AND

1 (III) THE APPLICANT'S PLAN TO COLLABORATE WITH OTHER LOCAL  
2 ORGANIZATIONS, GOVERNMENT AGENCIES, AND SERVICE PROVIDERS IN  
3 THE AREA THE APPLICANT PLANS TO SERVE.

4 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS THAT ADOPT A  
5 COLLABORATIVE APPROACH FOUNDED ON LOCAL KNOWLEDGE AND  
6 EXPERTISE.

7 (6) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE  
8 NOVEMBER 1 EACH YEAR OF THE GRANT PROGRAM, THE EXECUTIVE  
9 DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL AWARD GRANTS  
10 AS PROVIDED IN THIS SECTION. GRANTS ARE AWARDED AT THE SOLE  
11 DISCRETION OF THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS  
12 SECTION.

13 (7) ON OR BEFORE SEPTEMBER 1, 2021, AND ON OR BEFORE  
14 SEPTEMBER 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF LOCAL  
15 AFFAIRS SHALL SUBMIT A REPORT TO THE WILDFIRE MATTERS REVIEW  
16 COMMITTEE, OR ANY SUCCESSOR COMMITTEE, ON THE GRANT PROGRAM.  
17 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING  
18 REQUIREMENT CONTINUES UNTIL THE GRANT PROGRAM REPEALS.

19 (8) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE  
20 MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS  
21 TO IMPLEMENT THE GRANT PROGRAM. THE DEPARTMENT OF LOCAL  
22 AFFAIRS MAY USE UP TO FIVE PERCENT OF THE MONEY ANNUALLY  
23 APPROPRIATED FOR THE GRANT PROGRAM TO PAY THE DIRECT AND  
24 INDIRECT COSTS THAT THE DIVISION INCURS TO ADMINISTER THE GRANT  
25 PROGRAM.

26 **SECTION 2. Appropriation.** For the 2020-21 state fiscal year,  
27 \$100,000 is appropriated to the department of local affairs for use by the

1 division of housing. This appropriation is from the general fund. To  
2 implement this act, the division may use this appropriation for the  
3 reducing wildfire risk through homeless outreach grant program.

4 **SECTION 3. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, or safety.

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

Attachment E

**BILL E**

LLS NO. 20-0382.01 Pierce Lively x2059

**HOUSE BILL**

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**HOUSE SPONSORSHIP**

**Cutter and Will**, McCluskie, Snyder

**SENATE SPONSORSHIP**

**Lee**, Fenberg, Ginal

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**House Committees**

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING WILDFIRE MITIGATION ASSISTANCE FOR LANDOWNERS.**

**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 establishes the wildfire mitigation resources and best practices grant program (grant program) within the division of local government in the department of local affairs. Grant recipients use grant money to conduct outreach among landowners to inform them of resources available for wildfire mitigation and best practices for wildfire mitigation. The grant program only awards grants to applicants conducting outreach to landowners in high wildfire hazard areas and prioritizes applications based on the potential impact of

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the applicant's proposed outreach.

The bill also extends the increased wildfire mitigation income tax deduction that allows a landowner to claim 100%, rather than 50%, of the costs they incur in performing wildfire mitigation measures.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 24-32-128 as  
3 follows:

4           **24-32-128. Wildfire mitigation resources and best practices**  
5 **grant program - creation - report - repeal.** (1) THERE IS HEREBY  
6 CREATED IN THE DIVISION THE WILDFIRE MITIGATION RESOURCES AND  
7 BEST PRACTICES GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE  
8 "GRANT PROGRAM". GRANT RECIPIENTS MAY USE THE MONEY TO CONDUCT  
9 OUTREACH AMONG LANDOWNERS TO INFORM THEM OF RESOURCES  
10 AVAILABLE FOR WILDFIRE MITIGATION AND BEST PRACTICES FOR WILDFIRE  
11 MITIGATION.

12           (2) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,  
13 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS  
14 PROVIDED IN THIS SECTION. THE DIVISION SHALL DEVELOP AND PUBLISH  
15 POLICIES AND PROCEDURES TO IMPLEMENT THE GRANT PROGRAM IN  
16 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES AND  
17 PROCEDURES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS,  
18 THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE GRANT  
19 PROGRAM EVALUATION AND REPORTING REQUIREMENTS FOR GRANT  
20 RECIPIENTS.

21           (3) TO BE ELIGIBLE TO RECEIVE A GRANT, AN ENTITY MUST BE AN  
22 AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT, A TRIBAL AGENCY  
23 OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A NONPROFIT OR

1 NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND IN GOOD  
2 STANDING WITH THE SECRETARY OF STATE'S OFFICE. APPLICANTS MUST  
3 MEET ANY OTHER CRITERIA SPECIFIED IN THE DIVISION'S POLICIES AND  
4 PROCEDURES.

5 (4) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED  
6 PURSUANT TO THIS SECTION. THE DIVISION SHALL ONLY AWARD GRANTS  
7 TO APPLICANTS PROPOSING TO CONDUCT OUTREACH AMONG LANDOWNERS  
8 IN HIGH WILDFIRE HAZARD AREAS AND SHALL CONSIDER THE POTENTIAL  
9 IMPACT OF THE APPLICANTS' PROPOSED OUTREACH WHEN AWARDING  
10 GRANTS.

11 (5) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE  
12 JANUARY 1 AND EACH YEAR THEREAFTER FOR THE DURATION OF THE  
13 GRANT PROGRAM, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
14 LOCAL AFFAIRS SHALL AWARD GRANTS AS PROVIDED IN THIS SECTION.  
15 GRANTS ARE AWARDED AT THE SOLE DISCRETION OF THE EXECUTIVE  
16 DIRECTOR IN ACCORDANCE WITH THIS SECTION.

17 (6) ON OR BEFORE SEPTEMBER 1, 2021, AND ON OR BEFORE  
18 SEPTEMBER 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF LOCAL  
19 AFFAIRS SHALL SUBMIT A REPORT TO THE WILDFIRE MATTERS REVIEW  
20 COMMITTEE, OR ANY SUCCESSOR COMMITTEE, ON THE GRANT PROGRAM.  
21 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING  
22 REQUIREMENT CONTINUES UNTIL THE GRANT PROGRAM REPEALS  
23 PURSUANT TO SUBSECTION (8) OF THIS SECTION.

24 (7) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE  
25 MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS  
26 TO IMPLEMENT THE GRANT PROGRAM. THE DIVISION MAY USE A PORTION  
27 OF THE MONEY ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM TO

1 PAY THE DIRECT AND INDIRECT COSTS THAT THE DIVISION INCURS TO  
2 ADMINISTER THE GRANT PROGRAM.

3 (8) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2025.

4 **SECTION 2.** In Colorado Revised Statutes, 39-22-104, **amend**  
5 (4)(n.5)(I)(A.5) and (4)(n.5)(IV) as follows:

6 **39-22-104. Income tax imposed on individuals, estates, and**  
7 **trusts - single rate - legislative declaration - definitions - repeal.**

8 (4) There shall be subtracted from federal taxable income:

9 (n.5) (I) (A.5) For income tax years commencing on or after  
10 January 1, 2017, but prior to January 1, 2020, AND FOR INCOME TAX  
11 YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT PRIOR TO  
12 JANUARY 1, 2024, an amount equal to one hundred percent of a  
13 landowner's costs incurred in performing wildfire mitigation measures in  
14 that income tax year on his or her property located within the state; except  
15 that the amount of the deduction claimed in an income tax year shall not  
16 exceed two thousand five hundred dollars or the total amount of the  
17 landowner's federal taxable income for the income tax year for which the  
18 deduction is claimed, whichever is less.

19 (IV) This ~~paragraph (n.5)~~ SUBSECTION (4)(n.5) is repealed,  
20 effective ~~January 1, 2026~~ DECEMBER 31, 2027.

21 **SECTION 3. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, or safety.