

## CHAPTER 190

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**GOVERNMENT - STATE**

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## SENATE BILL 17-259

BY SENATOR(S) Lundberg, Lambert, Moreno, Court, Crowder, Donovan, Fenberg, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Tate, Todd, Zenzinger;  
also REPRESENTATIVE(S) Rankin, Hamner, Young, Arndt, Becker J., Bridges, Buckner, Carver, Catlin, Danielson, Esgar, Ginal, Hansen, Herod, Lawrence, Leonard, Lontine, McLachlan, Salazar, Valdez, Willett, Wilson, Duran.

## AN ACT

CONCERNING A TRANSFER OF MONEY FROM THE GENERAL FUND TO CASH FUNDS ADMINISTERED BY STATE DEPARTMENTS FOR THE PROTECTION OF THE STATE'S NATURAL RESOURCES.

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

**SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend as amended by Senate Bill 17-050** (8.5)(a)(I); and **add** (8.7) as follows:

**23-31-310. Forest restoration and wildfire risk mitigation grant program - legislative declaration - definitions - technical advisory panel - repeal.**

**(8.5) Forest restoration and wildfire risk mitigation grant program cash fund.**

(a) There is hereby created in the state treasury the forest restoration and wildfire risk mitigation grant program cash fund. The department of higher education shall administer the fund, which consists of:

(I) All money transferred by the treasurer as specified in section 39-29-109.3 (2)(k) AND SUBSECTION (8.7) OF THIS SECTION; and

(8.7) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER NINE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED FORTY-FIVE DOLLARS FROM THE GENERAL FUND TO THE FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT PROGRAM CASH FUND.

**SECTION 2.** In Colorado Revised Statutes, 23-31-313, **amend** (10)(a) as follows:

**23-31-313. Healthy forests - vibrant communities - funds created - repeal.**

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**(10) Healthy forests and vibrant communities fund.** (a) (I) There is hereby created in the state treasury the healthy forests and vibrant communities fund. The fund ~~shall consist~~ CONSISTS of all ~~moneys~~ MONEY that may be appropriated thereto by the general assembly, all private and public ~~moneys~~ MONEY received through gifts, grants, reimbursements, or donations that are transmitted to the state treasurer and credited to the fund, and all ~~moneys~~ MONEY transferred to the fund pursuant to section 39-29-109.3 (2)(n) ~~C.R.S.~~ AND SUBSECTION (10)(a)(II) OF THIS SECTION. All interest earned from the investment of ~~moneys~~ MONEY in the fund ~~shall be~~ IS credited to the fund. The ~~moneys~~ MONEY in the fund ~~are~~ IS hereby continuously appropriated for the purposes specified in this subsection (10) and ~~shall remain~~ REMAINS available until expended. Any ~~moneys~~ MONEY not expended at the end of the fiscal year shall remain in the fund and shall not be transferred to or revert to the general fund.

(II) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER ONE MILLION ONE HUNDRED EIGHTY-SIX THOUSAND THREE HUNDRED SIXTY-THREE DOLLARS FROM THE GENERAL FUND TO THE HEALTHY FORESTS AND VIBRANT COMMUNITIES FUND.

**SECTION 3.** In Colorado Revised Statutes, 24-33-111, **amend** (2)(a)(I) as follows:

**24-33-111. Conservation of native species - fund created.** (2) **Species conservation trust fund - creation.** (a) (I) (A) There is hereby created in the state treasury the species conservation trust fund, which is subject to annual authorization by the general assembly to carry out the purposes of this section. ~~The state treasurer shall transfer all revenues previously allocated to the operation and maintenance account and the capital account, as such accounts existed before June 8, 2012, to the fund.~~ THE FUND CONSISTS OF ALL MONEY TRANSFERRED BY THE TREASURER AS SPECIFIED IN SECTION 39-29-109.3 (2)(e) AND SUBSECTION (2)(a)(I)(B) OF THIS SECTION. All income derived from the deposit and investment of ~~moneys~~ MONEY in the fund ~~shall be~~ IS credited to the fund. At the end of any fiscal year, all unexpended ~~moneys~~ MONEY in the fund ~~remain~~ REMAINS in the fund and shall not be credited or transferred to the general fund or any other fund. To the maximum extent practical, only interest from the fund shall be expended for activities pursuant to this section.

(B) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER FOUR MILLION NINETY THOUSAND NINE HUNDRED NINE DOLLARS FROM THE GENERAL FUND TO THE SPECIES CONSERVATION TRUST FUND.

**SECTION 4.** In Colorado Revised Statutes, 24-33.5-1212, **amend** (5)(a) as follows:

**24-33.5-1212. Training for directors of fire protection districts - pilot program - advisory board - training fund - repeal.** (5) (a) (I) The division shall offer courses to directors of fire protection districts in accordance with this section at no charge and shall seek gifts, grants, and donations to fund the pilot program created pursuant to this section. EXCEPT FOR THE MONEY TRANSFERRED IN ACCORDANCE WITH SUBSECTION (5)(a)(II) OF THIS SECTION, ~~no general fund moneys~~ MONEY shall be expended for the implementation of the program. Notwithstanding any other provision of this section, the division shall not implement the program

until the division receives sufficient appropriations, gifts, grants, or donations to cover the costs of implementing the program. The division shall transmit gifts, grants, and donations received in accordance with this subsection (5) to the state treasurer, who shall credit the moneys, along with any moneys appropriated by the general assembly, to the wildland-urban interface training fund, which fund is hereby created in the state treasury. Any ~~moneys~~ MONEY in the fund in excess of those needed for the training of directors of fire protection districts shall be used for the purpose of providing firefighters with basic wildland firefighting and wildland-urban interface firefighting training through existing wildland fire training programs. All interest derived from the deposit and investment of ~~moneys~~ MONEY in the fund ~~shall be~~ IS credited to the fund. ~~Moneys~~ MONEY not expended at the end of a fiscal year shall remain in the fund and shall not be transferred or revert to the general fund.

(II) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER FORTY-FIVE THOUSAND FOUR HUNDRED FIFTY-FIVE DOLLARS FROM THE GENERAL FUND TO THE WILDLAND-URBAN INTERFACE TRAINING FUND.

**SECTION 5.** In Colorado Revised Statutes, 24-33.5-1227, **amend** (1)(a) as follows:

**24-33.5-1227. Wildfire preparedness fund - creation - gifts, grants, and donations authorized - wildfire preparedness plan - report.** (1) (a) (I) There is hereby created in the state treasury the wildfire preparedness fund. The fund consists of all ~~moneys~~ MONEY that may be appropriated thereto by the general assembly, all private and public ~~moneys~~ MONEY received through gifts, grants, reimbursements, or donations that are transmitted to the state treasurer and credited to the fund, all ~~moneys~~ MONEY transferred to the fund pursuant to section 34-63-102 (5.4)(b)(II), ~~C.R.S.~~, all ~~moneys~~ MONEY transferred to the fund from the healthy forests and vibrant communities fund created in section 23-31-313 (10), ~~C.R.S.~~, and ~~moneys~~ MONEY transferred pursuant to section 39-29-109.3 (2)(n)(I)(C), ~~C.R.S.~~ AND MONEY TRANSFERRED PURSUANT TO SUBSECTION (1)(a)(II) OF THIS SECTION. All interest earned from the investment of ~~moneys~~ MONEY in the fund shall be credited to the fund. The ~~moneys~~ MONEY in the fund ~~are~~ IS hereby continuously appropriated for the purposes indicated in this section. Any ~~moneys~~ MONEY not expended at the end of the fiscal year shall remain in the fund and shall not be transferred to or revert to the general fund.

(II) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER EIGHTY-SIX THOUSAND THREE HUNDRED SIXTY-FOUR DOLLARS FROM THE GENERAL FUND TO THE WILDFIRE PREPAREDNESS FUND.

**SECTION 6.** In Colorado Revised Statutes, 33-10.5-108, **amend** (1)(a) and (2)(a); and **add** (1.5) as follows:

**33-10.5-108. Division of parks and outdoor recreation aquatic nuisance species fund - creation - division of wildlife aquatic nuisance species fund - creation.** (1) (a) There is hereby created in the state treasury the division of parks and outdoor recreation aquatic nuisance species fund, which shall be administered by the division of parks and wildlife in the department of natural resources and ~~shall~~ **consist** CONSISTS of all ~~moneys~~ MONEY transferred by the treasurer as specified in

section 39-29-109.3 (2)(m) ~~C.R.S.~~ AND SUBSECTION (1.5)(a) OF THIS SECTION. All ~~moneys~~ MONEY in the fund ~~are~~ IS continuously appropriated to the division of parks and wildlife for the purpose of implementing the provisions of this ~~article~~ ARTICLE 10.5. All ~~moneys~~ MONEY in the fund at the end of each fiscal year shall remain in the fund and shall not revert to the general fund or any other fund.

(1.5) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND:

(a) TWO MILLION FOUR HUNDRED FIFTY-TWO THOUSAND ONE HUNDRED NINETY-THREE DOLLARS TO THE DIVISION OF PARKS AND OUTDOOR RECREATION AQUATIC NUISANCE SPECIES FUND; AND

(b) ONE MILLION ONE HUNDRED EIGHTY-FOUR THOUSAND ONE HUNDRED SEVENTY-ONE DOLLARS TO THE DIVISION OF WILDLIFE AQUATIC NUISANCE SPECIES FUND.

(2)(a) There is hereby created in the state treasury the division of wildlife aquatic nuisance species fund, which shall be administered by the division of parks and wildlife in the department of natural resources and ~~shall consist~~ CONSISTS of all ~~moneys~~ MONEY transferred by the treasurer as specified in sections 33-1-112 and 39-29-109.3 (2)(m) ~~C.R.S.~~ AND SUBSECTION (1.5)(b) OF THIS SECTION. All ~~moneys~~ MONEY in the fund ~~are~~ IS continuously appropriated to the division of parks and wildlife for the purpose of implementing the provisions of this ~~article~~ ARTICLE 10.5. All ~~moneys~~ MONEY in the fund at the end of each fiscal year shall remain in the fund and shall not revert to the general fund or any other fund.

**SECTION 7. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 3, 2017