

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 21-0924.01 Sarah Lozano x3858

SENATE BILL 21-221

SENATE SPONSORSHIP

Hansen and Rankin, Moreno, Bridges, Donovan, Fenberg, Fields, Garcia, Gardner, Ginal, Hisey, Holbert, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Pettersen, Priola, Simpson, Story, Winter, Woodward

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Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING PROJECTS UNDER THE FOREST RESTORATION AND**
102 **WILDFIRE RISK MITIGATION GRANT PROGRAM.**

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/>.)

Joint Budget Committee. The bill removes the \$1 million limit for the grant share of individual projects under the forest restoration and wildfire risk mitigation grant program (program). The bill also adds a requirement that when the technical advisory panel (panel) considers hazardous fuel reduction projects for the program, the panel shows preference to applicants that are adopting local measures that reduce

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.

HOUSE
Amended 2nd Reading
April 15, 2021

SENATE
3rd Reading Unamended
April 9, 2021

SENATE
2nd Reading Unamended
April 8, 2021

wildfire risks to people, property, and infrastructure that complement funds provided through the program.

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) and (5) introductory portion 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 in an
13 area with fewer economic resources, the grant share of an individual
14 project cost must not exceed seventy-five percent of the total cost of the
15 project. ~~or exceed one million dollars per project.~~ The remaining portion
16 of the project's funding may be in the form of cash, stumpage, or in-kind
17 contribution. In meeting the match requirements under this subsection (3),
18 a project may be funded, in whole or in part, from gifts, grants, or
19 donations received from any organization, entity, or individual. In
20 measuring an in-kind contribution for purposes of meeting the fifty
21 percent and twenty-five percent matches required by this subsection (3),
22 "in-kind contribution" may include volunteer hours provided by the staff
23 of an entity or organization applying for grant funding and the time for
24 which staff receives monetary compensation in the form of salary or other
25 financial benefits. Such compensated time that counts toward the in-kind

1 contribution is limited to the estimated time of paid staff in planning and
2 implementing the mitigation project. The forest service shall establish a
3 policy that specifies the criteria by which a particular project will satisfy
4 the requirement of this subsection (3) that it is located in an area with
5 fewer economic resources, as applicable.

6 (5) **Technical advisory panel.** The director shall convene a
7 technical advisory panel to evaluate the proposals for forest restoration
8 and wildfire risk mitigation grants and provide recommendations
9 regarding which proposals would best meet the objectives of this section.
10 The panel shall consider eligibility criteria established in subsections (4)
11 and (4.5) of this section, a project's effect on long-term forest
12 management, and the number of acres treated for state dollars spent and
13 seek to use a consensus-based decision-making process to develop such
14 recommendations. FOR HAZARDOUS FUEL REDUCTION PROJECTS
15 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, THE PANEL SHALL
16 SHOW PREFERENCE TO APPLICANTS THAT HAVE ADOPTED OR PLAN TO
17 ADOPT LOCAL MEASURES THAT REDUCE WILDFIRE RISKS TO PEOPLE,
18 PROPERTY, AND INFRASTRUCTURE THAT COMPLEMENT FUNDS PROVIDED
19 THROUGH THE PROGRAM. STRONGER MEASURES SHALL RECEIVE GREATER
20 PREFERENCE, WHILE TAKING INTO ACCOUNT GEOGRAPHIC DIFFERENCES
21 AND NEEDS FOR MITIGATION. A panel member shall recuse himself or
22 herself if he or she has an actual or potential conflict of interest with
23 respect to a grant applicant. The panel is composed of ten to eleven
24 members, to be appointed by the director. The composition of the panel
25 includes:

26 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.