

**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. 21-0884.01 Thomas Morris x4218

SENATE BILL 21-240

SENATE SPONSORSHIP

Danielson and Simpson, Bridges, Cooke, Coram, Donovan, Garcia, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Moreno, Pettersen, Priola, Rankin, Scott, Sonnenberg, Woodward, Zenzinger

HOUSE SPONSORSHIP

Kipp and Catlin,

Senate Committees

Agriculture & Natural Resources
Appropriations

House Committees

Agriculture, Livestock, & Water
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE TRANSFER OF MONEY FROM THE GENERAL FUND TO**
102 **THE COLORADO WATER CONSERVATION BOARD CONSTRUCTION**
103 **FUND FOR WATERSHED PROTECTION PROGRAMS, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN 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>.)

The bill transfers \$15 million from the general fund to the Colorado water conservation board construction fund for use by the Colorado water conservation board (CWCB) to protect watersheds

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
June 7, 2021

SENATE
3rd Reading Unamended
May 19, 2021

SENATE
Amended 2nd Reading
May 18, 2021

against the impacts of wildfires through the existing watershed restoration grant program and for conducting a statewide watershed analysis to investigate the susceptibility of life, safety, infrastructure, and water supplies to wildfire impacts. The CWCB can use up to 5% of the money to administer the grant program and up to 10% to provide technical engineering services to grantees. The CWCB is directed to:

- Spend up to \$500,000 by December 31, 2022, to conduct the analysis; and
- Award at least \$10 million dollars in grants under the grant program by July 1, 2022, and award the remaining money, less the money the CWCB uses to administer the grant program and provide technical engineering services, in grants by December 31, 2022.

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

2 **SECTION 1.** In Colorado Revised Statutes, 37-60-121, **amend**
3 **as added by Senate Bill 21-054** (11) as follows:

4 **37-60-121. Colorado water conservation board construction**
5 **fund - creation - nature of fund - funds for investigations -**
6 **contributions - use for augmenting the general fund - funds created**
7 **- repeal.** (11) (a) On the effective date of this subsection (11), the state
8 treasurer shall transfer four million dollars from the general fund to the
9 Colorado water conservation board construction fund.

10 (b) (I) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
11 SUBSECTION (11)(b), THE STATE TREASURER SHALL TRANSFER THIRTY
12 MILLION DOLLARS FROM THE GENERAL FUND TO THE COLORADO WATER
13 CONSERVATION BOARD CONSTRUCTION FUND.

14 (II) (A) EXCEPT AS SPECIFIED IN SUBSECTIONS (11)(b)(III) AND
15 (11)(b)(IV) OF THIS SECTION, THE BOARD SHALL USE THE MONEY
16 TRANSFERRED PURSUANT TO THIS SUBSECTION (11)(b) IN CONNECTION
17 WITH THE WATERSHED RESTORATION PROGRAM FOR WATERSHED
18 RESTORATION AND FLOOD MITIGATION GRANTS TO RESTORE, MITIGATE,

1 AND PROTECT STREAM CHANNELS AND RIPARIAN AREAS SUSCEPTIBLE TO
2 FLOOD HAZARDS AND SEDIMENT EROSION AND DEPOSITION AFTER
3 WILDFIRE, INCLUDING EXPENDITURES FOR THE REPAIR, REPLACEMENT,
4 MODIFICATION, MAINTENANCE, OR INSTALLATION OF RELATED WATER AND
5 DEBRIS-CONTROL STRUCTURES, WITH SPECIAL CONSIDERATION OF
6 PROJECTS WITH FEDERAL AND LOCAL MATCHING REQUIREMENTS.

7 (B) THE BOARD SHALL AWARD AT LEAST TEN MILLION DOLLARS OF
8 THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (11)(b) BY
9 JULY 1, 2022, AND SHALL AWARD THE REMAINING MONEY BY DECEMBER
10 31, 2022.

11 (III) THE BOARD SHALL EXPEND UP TO FIVE HUNDRED THOUSAND
12 DOLLARS BY DECEMBER 31, 2022, FOR A STATEWIDE WATERSHED
13 ANALYSIS TO INVESTIGATE THE SUSCEPTIBILITY OF LIFE, SAFETY,
14 INFRASTRUCTURE, AND WATER SUPPLIES TO WILDFIRE IMPACTS.

15 (IV) THE BOARD MAY USE UP TO FIVE PERCENT OF THE MONEY TO
16 ADMINISTER THE GRANT PROGRAM AS SPECIFIED IN SUBSECTION (11)(b)(II)
17 OF THIS SECTION AND MAY USE UP TO TEN PERCENT FOR THE COSTS
18 ASSOCIATED WITH PROVIDING NECESSARY TECHNICAL ENGINEERING
19 SERVICES TO ASSIST GRANTEEES WITH DESIGN REVIEW, ENGINEERING
20 ANALYSIS, FIRE AND FLOOD SUPPORT, CONSTRUCTION OVERSIGHT, FLUVIAL
21 HAZARD ZONE PROGRAM IMPLEMENTATION, PROJECT MONITORING AND
22 ADAPTIVE MANAGEMENT, AND OVERALL PROGRAM MANAGEMENT.

23 (c) THE DEPARTMENT OF NATURAL RESOURCES SHALL INCLUDE
24 UPDATES REGARDING THE BOARD'S ACTIVITIES UNDERTAKEN PURSUANT
25 TO SUBSECTION (11)(b) OF THIS SECTION IN ITS DEPARTMENTAL
26 PRESENTATION TO LEGISLATIVE COMMITTEES OF REFERENCE PURSUANT TO
27 SECTION 2-7-203.

1 (d) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE SEPTEMBER 1,
2 2026.

3 **SECTION 2. Appropriation.** (1) For the 2020-21 state fiscal
4 year, \$30,000,000 is appropriated to the department of natural resources
5 for use by the Colorado water conservation board. This appropriation is
6 from the Colorado water conservation board construction fund created in
7 section 37-60-121, C.R.S. The Colorado water conservation board may
8 use this appropriation for the purposes specified in section 37-60-121
9 (11)(b), C.R.S.

10 (2) The money appropriated in subsection (1) of this section
11 remains available for the designated purposes until it is fully expended.

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