

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 23-0945.01 Zach Blaes x4348

HOUSE BILL 23-1270

HOUSE SPONSORSHIP

Garcia and Lindsay, Amabile, Bacon, Brown, Gonzales-Gutierrez, Joseph, Lieder, Mabrey, Michaelson Jenet, Velasco, Willford

SENATE SPONSORSHIP

Gonzales, Buckner, Cutter, Danielson, Exum, Fields, Hinrichsen, Marchman, Priola, Roberts, Sullivan

House Committees

State, Civic, Military, & Veterans Affairs
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE URGENT INCIDENT RESPONSE**
102 **FUND FOR THE PURPOSE OF REIMBURSING CERTAIN**
103 **GOVERNMENTAL ENTITIES FOR THE COSTS OF RESPONDING TO**
104 **URGENT INCIDENTS, AND, IN CONNECTION THEREWITH, MAKING**
105 **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 creates the urgent incident response fund (fund). Money in the fund is continuously appropriated to the division of homeland

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
May 4, 2023

SENATE
2nd Reading Unamended
May 3, 2023

HOUSE
Amended 3rd Reading
April 21, 2023

HOUSE
Amended 2nd Reading
April 20, 2023

security and emergency management in the department of public safety to reimburse state agencies and local governments for the costs of responding to urgent incidents that do not rise to the level of disasters or emergencies.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 24-33.5-1623** as
3 follows:

4 **24-33.5-1623. Urgent incident response fund - created - rules**

5 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

8 (b) "DIVISION" MEANS THE DIVISION OF HOMELAND SECURITY AND
9 EMERGENCY MANAGEMENT IN THE DEPARTMENT OF PUBLIC SAFETY
10 CREATED IN SECTION 24-33.5-1603.

11 (c) "FUND" MEANS THE URGENT INCIDENT RESPONSE FUND
12 CREATED IN SUBSECTION (2) OF THIS SECTION.

13 (d) "LOCAL GOVERNMENT" MEANS A CITY, COUNTY,
14 MUNICIPALITY, CITY AND COUNTY, TRIBAL GOVERNMENT, OR ANY OTHER
15 POLITICAL SUBDIVISION OF THE STATE THAT IS NOT A STATE AGENCY.

16 (e) "STATE AGENCY" MEANS ANY DEPARTMENT, DIVISION,
17 COMMISSION, COUNCIL, BOARD, BUREAU, COMMITTEE, OFFICE, AGENCY, OR
18 OTHER GOVERNMENTAL UNIT OF THE STATE.

19 (2) THE URGENT INCIDENT RESPONSE FUND IS HEREBY CREATED IN
20 THE STATE TREASURY. THE FUND CONSISTS OF ANY MONEY THAT THE
21 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND AND
22 ANY MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS. THE
23 DIRECTOR MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS

1 FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.
2 THE DIRECTOR SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS,
3 GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
4 THE MONEY TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL
5 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
6 MONEY IN THE FUND TO THE FUND.

7 (3) MONEY IN THE FUND IS ANNUALLY APPROPRIATED TO THE
8 DIVISION FOR THE PURPOSE OF REIMBURSING STATE AGENCIES AND LOCAL
9 GOVERNMENTS FOR THE COSTS OF RESPONDING TO URGENT INCIDENTS
10 THAT DO NOT RISE TO THE LEVEL OF DISASTERS AS DEFINED IN SECTION
11 24-33.5-703 (3) OR EMERGENCIES AS DEFINED IN SECTION 24-33.5-703
12 (3.5). THE DIVISION SHALL NOT EXPEND MONEY FROM THE FUND:

13 (a) FOR ANY OF THE PURPOSES SPECIFIED IN SECTION 24-33.5-702;

14 (b) TO REIMBURSE STATE AGENCIES OR LOCAL GOVERNMENTS FOR
15 THE COSTS OF RESPONDING TO DISASTERS AS DEFINED IN SECTION
16 24-33.5-703 (3) OR EMERGENCIES AS DEFINED IN SECTION 24-33.5-703
17 (3.5); OR

18 (c) FOR THE PURPOSE OF RESPONDING TO A DISASTER EMERGENCY
19 DECLARED PURSUANT TO SECTION 24-33.5-704.

20 (4) AFTER REIMBURSING A STATE AGENCY OR LOCAL GOVERNMENT
21 FOR THE COSTS OF RESPONDING TO AN URGENT INCIDENT, THE DIVISION
22 SHALL PUBLISH, AT A MINIMUM, THE FOLLOWING INFORMATION ON THE
23 DIVISION'S WEBSITE: THE STATE AGENCY OR LOCAL GOVERNMENT
24 RECEIVING THE REIMBURSEMENT, THE AMOUNT OF THE REIMBURSEMENT,
25 AND THE PURPOSE FOR WHICH THE STATE AGENCY OR LOCAL GOVERNMENT
26 WILL USE THE REIMBURSEMENT.

27 (5) THE DIVISION SHALL PROMULGATE RULES TO ESTABLISH A

1 PROCESS FOR LOCAL GOVERNMENTS AND STATE AGENCIES TO RECEIVE
2 REIMBURSEMENT PURSUANT TO SUBSECTION (3) OF THIS SECTION. AT
3 MINIMUM, THE PROCESS MUST INCLUDE CRITERIA FOR:

4 (a) APPLYING FOR A REIMBURSEMENT;

5 (b) ELIGIBILITY FOR DETERMINING THE AMOUNT OF A
6 REIMBURSEMENT; AND

7 (c) THE DISTRIBUTION AND RECEIPT OF AN APPROVED
8 REIMBURSEMENT.

9 **SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal
10 year, \$1,000,000 is appropriated to the urgent incident response fund
11 created in section 24-33.5-1623 (2), C.R.S. This appropriation is from the
12 general fund. The department of public safety is responsible for the
13 accounting related to this appropriation.

14 (2) For the 2023-24 state fiscal year, \$1,000,000 is appropriated
15 to the department of public safety for use by the division of homeland
16 security and emergency management. This appropriation is from
17 reappropriated funds in the urgent incident response fund under
18 subsection (1) of this section. To implement this act, the division may use
19 the appropriation for urgent incident response.

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