

SENATE COMMITTEE OF REFERENCE REPORT

	March 5, 2025
Chair of Committee	Date

Committee on Agriculture & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB25-1009 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 3, line 4, strike "and".
- 2 Page 3, line 8, strike "vegetation" and substitute "vegetation, including
- 3 logs, branches, slash, and mulch,".
- 4 Page 3, line 9, strike "properties." and substitute "properties;".
- 5 Page 3, after line 9, insert:
  - 6 "(e) The state forest service's publication "The Home Ignition
  - 7 Zone" describes defensible space as the area around a structure that has
  - 8 been modified to reduce fire hazard by creating space between potential
  - 9 fuel sources. Successful programs are rooted in a comprehensive
  - 10 education and outreach approach to obtain voluntary compliance; and
  - 11 (f) Creating defensible space and maintaining water-efficient
  - 12 landscaping are compatible goals because vegetation within defensible
  - 13 space can be properly spaced and can include water-wise landscapes with
  - 14 functional and efficient irrigation systems.".
- 15 Page 4, line 3, after "PURPOSES." insert ""PRIVATELY OWNED REAL
- 16 PROPERTY" OR "PROPERTY" DOES NOT MEAN REAL PROPERTY OWNED OR
- 17 OCCUPIED BY A PUBLIC UTILITY THAT HAS A VEGETATION MANAGEMENT
- 18 OR WILDFIRE MITIGATION PLAN TO ADDRESS VEGETATIVE FUEL SOURCES
- 19 OR REAL PROPERTY ADJACENT TO A DITCH THAT CONVEYS DECREED
- 20 WATER RIGHTS OR WITHIN THE APPURTENANT EASEMENT WITHIN WHICH
- 21 THE DITCH IS LOCATED.".

- 1 Page 4, line 21, after "BOARD." insert "A FIRE PROTECTION DISTRICT  
2 SHALL COORDINATE WITH ALL APPLICABLE LOCAL ENTITIES AS DEFINED IN  
3 SECTION 37-99-102 (9) WHEN DEVELOPING A VEGETATIVE FUEL  
4 MITIGATION PROGRAM AND SHALL COMPLY WITH THE REQUIREMENTS OF  
5 SECTION 37-99-103.".
- 6 Page 4, line 23, after "FINE" insert "AGAINST AN OWNER OR OCCUPIER OF  
7 PRIVATELY OWNED REAL PROPERTY CONTAINING VEGETATIVE FUEL  
8 ONLY".
- 9 Page 5, line 2, strike "FINE." and substitute "FINE, AND INFORMATION ON  
10 POSSIBLE FUNDING OR GRANT PROGRAMS TO ASSIST OWNERS OR  
11 OCCUPIERS ABOUT EFFECTIVE VEGETATIVE FUEL MITIGATION, INCLUDING  
12 THE COLORADO WILDFIRE RESILIENT HOMES GRANT, THE FOREST  
13 RESTORATION AND WILDFIRE RISK MITIGATION GRANT PROGRAM, OR ANY  
14 OTHER LOCAL OR STATE PROGRAM ABOUT EFFECTIVE VEGETATIVE FUEL  
15 MITIGATION.".
- 16 Page 5, line 11, strike "THREE" and substitute "TWO".
- 17 Page 5, line 13, after "INCIDENT." insert "THE SUM OF ALL FINES ASSESSED  
18 AGAINST A SINGLE PROPERTY MUST NOT EXCEED ONE THOUSAND TWO  
19 HUNDRED DOLLARS.".
- 20 Page 5, line 16, after "FINE." insert "A FIRE PROTECTION DISTRICT MAY  
21 NOT ACCESS ANY PRIVATELY OWNED REAL PROPERTY PURSUANT TO THIS  
22 SUBSECTION (1)(i)(II) WITHOUT THE WRITTEN PERMISSION OF THE OWNER  
23 OR OCCUPIER OF THE PROPERTY. AN OWNER OR OCCUPIER IS NOT LIABLE  
24 TO A FIRE PROTECTION DISTRICT FOR DAMAGES TO FIRE PROTECTION  
25 DISTRICT PERSONNEL OR EQUIPMENT OCCURRING ON THE PRIVATELY  
26 OWNED REAL PROPERTY WHILE FIRE PROTECTION DISTRICT PERSONNEL OR  
27 EQUIPMENT ARE PRESENT ON THE PROPERTY TO CARRY OUT THE PURPOSES  
28 OF THIS SECTION. A FIRE PROTECTION DISTRICT MAY NOT USE A DRONE TO  
29 DISCOVER VEGETATIVE FUEL ON A PROPERTY OR TO ADMINISTER OR  
30 ENFORCE THIS SUBSECTION (1)(i).".
- 31 Page 6, line 9, strike "OR".
- 32 Page 6, line 12, strike "FINE." and substitute "FINE; OR".
- 33 Page 6, after line 12, insert:
- 34 "(D) A WAIVER IS APPROPRIATE UNDER THE CIRCUMSTANCES.".

1 Page 6, line 14, strike "SHALL NOT ASSESS A" and substitute "MAY CAUSE  
2 A DELINQUENT CHARGE MADE OR LEVIED TO BE CERTIFIED TO THE  
3 TREASURER OF THE COUNTY AND BE COLLECTED AND PAID OVER BY THE  
4 TREASURER OF THE COUNTY IN THE SAME MANNER AS TAXES ARE  
5 AUTHORIZED TO BE BY TITLE 31."

6 Page 6, strike lines 15 through 21.

7 Page 6, line 27, strike "WEBSITE." and substitute "WEBSITE, ON SOCIAL  
8 MEDIA OPERATED BY THE DISTRICT, AND IN A LOCAL NEWSPAPER OF  
9 GENERAL CIRCULATION. A PROGRAM ESTABLISHED PURSUANT TO  
10 SUBSECTION (1)(i)(I) OF THIS SECTION MAY ONLY BE EFFECTIVE THIRTY  
11 DAYS OR MORE AFTER POSTING OF THE ADOPTED RULES AND POLICIES ON  
12 THE DISTRICT'S WEBSITE."

13 Page 7, line 7, after the period add "GOOD FAITH EFFORTS INCLUDE  
14 DOCUMENTATION FROM AN ARBORIST OR LICENSED PROFESSIONAL  
15 LANDSCAPE ARCHITECT THAT STATES WHEN THE ARBORIST OR LICENSED  
16 PROFESSIONAL LANDSCAPE ARCHITECT WILL BE ABLE TO MITIGATE THE  
17 VEGETATIVE FUEL ON A PROPERTY AND THE COST OF THE MITIGATION. A  
18 FIRE PROTECTION DISTRICT SHALL GRANT A TIME EXTENSION TO MITIGATE  
19 OR PAY A FINE ASSESSED AGAINST THE OWNER OR OCCUPIER OF THE  
20 PROPERTY FOR:

21 (A) NO LONGER THAN THREE MONTHS IF THE COST TO MITIGATE  
22 EXCEEDS ONE THOUSAND DOLLARS AND IS LESS THAN TWO THOUSAND FIVE  
23 HUNDRED DOLLARS;

24 (B) NO LONGER THAN SIX MONTHS IF THE COST TO MITIGATE  
25 EQUALS OR EXCEEDS TWO THOUSAND FIVE HUNDRED DOLLARS AND IS LESS  
26 THAN FIVE THOUSAND DOLLARS;

27 (C) NO LONGER THAN NINE MONTHS IF THE COST TO MITIGATE  
28 EQUALS OR EXCEEDS FIVE THOUSAND DOLLARS AND IS LESS THAN TEN  
29 THOUSAND DOLLARS; OR

30 (D) NO LONGER THAN ONE YEAR IF THE COST TO MITIGATE EQUALS  
31 OR EXCEEDS TEN THOUSAND DOLLARS."

32 Page 7, line 25, after "BOARD." insert "A METROPOLITAN DISTRICT  
33 PROVIDING FIRE PROTECTION SERVICES SHALL COORDINATE WITH ALL  
34 APPLICABLE LOCAL ENTITIES AS DEFINED IN SECTION 37-99-102 (9) WHEN  
35 DEVELOPING A VEGETATIVE FUEL MITIGATION PROGRAM AND SHALL  
36 COMPLY WITH THE REQUIREMENTS OF SECTION 37-99-103."

37 Strike "TEN" and substitute "FOURTEEN" on: **Page 5**, lines 2, 6, and 15.

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