

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0269.03 Jed Franklin x5484

**HOUSE BILL 25-1009**

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**A BILL FOR AN ACT**

101     **CONCERNING A VEGETATIVE FUEL MITIGATION PROGRAM FOR A**  
102     **DISTRICT PROVIDING FIRE PROTECTION SERVICES.**

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**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 allows a fire protection district or a metropolitan district providing fire protection services (district) to create a program to mitigate the presence of dead or dry plant material that can burn and contribute to a fire on privately owned property within a district (vegetative fuel program). A district that creates a vegetative fuel program is required to adopt policies consistent with the 2024 International Wildland-urban

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.

HOUSE  
3rd Reading Unamended  
February 7, 2025

HOUSE  
Amended 2nd Reading  
February 6, 2025

Interface Code or the standards and codes adopted or issued by the Colorado wildfire resiliency code board. A district that creates a vegetative fuel program may require an owner or occupier with an interest in private real property that contains vegetative fuel within the district to remove the vegetative fuel and assess a fine per incident of noncompliance. In order to assess a fine, for each incident, the district must provide written notice of the requirement to remove vegetative fuel and allow at least 10 days for the owner or occupier to comply. An owner or occupier that does not remove the vegetative fuel as provided in the first notice may be subject to a second notice requiring the removal of vegetative fuel. An owner or occupier has at least 10 days to comply with the second notice. An owner or occupier that does not comply within at least 10 days after the second notice may receive a third notice providing for a fine approximately equal to the cost of removing the vegetative fuel. The fine may not exceed \$300 per property per incident. An owner or occupier receiving a third notice may avoid a fine by removing the vegetative fuel within 10 days of the date of the third notice.

The money a district collects from a fine must be used by the district to remove vegetative fuel on private real property within the district's jurisdiction. An owner or occupier that is subject to a fine imposed by the district has standing to file an objection to the fine with the district's board. A district's board may waive the fine in all or in part, in its discretion, if it determines that the fine was not assessed pursuant to law, an owner or occupier is financially unable to pay the fine, or the vegetative fuel has been removed, and must prioritize use of the money to assist a low-income owner or occupier, a senior owner or occupier, or an owner or occupier with a disability in removing vegetative fuel from the owner or occupier's property.

A district shall adopt rules and policies after public notice and comment to implement the bill and shall post the adopted rules and policies to the district's website.

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

2             **SECTION 1. Legislative declaration.** (1) The general assembly  
3     finds and declares that:

4             (a) Colorado's wildfire season has grown in length and severity,  
5     in some cases posing a year-round threat to communities throughout  
6     Colorado;

7             (b) Wildfires present a grave risk to Colorado's residents,

1 property, and natural environment, whether in the mountains, on the  
2 prairie, or in suburban areas;

3 (c) Wildfires can cause devastating property destruction and loss  
4 of life; ==

5 (d) The creation and maintenance of defensible space around  
6 homes is a proven strategy to reduce wildfire risks and provide critical  
7 time for responding firefighters, while overgrown, dead, or dying  
8 vegetation, including logs, branches, slash, and mulch, increases the risk  
9 of fire spread, threatening homes and neighboring properties;

10 (e) The state forest service's publication "The Home Ignition  
11 Zone" describes defensible space as the area around a structure that has  
12 been modified to reduce fire hazard by creating space between potential  
13 fuel sources. Successful programs are rooted in a comprehensive  
14 education and outreach approach to obtain voluntary compliance; and

15 (f) Creating defensible space and maintaining water-efficient  
16 landscaping are compatible goals because vegetation within defensible  
17 space can be properly spaced and can include water-wise landscapes with  
18 functional and efficient irrigation systems.

19 (2) Therefore, the general assembly further finds and declares that  
20 while the state of Colorado and local governments have invested  
21 substantial resources in wildfire mitigation and suppression, there is a  
22 need to further empower fire protection districts and metropolitan districts  
23 providing fire protection services to implement localized vegetative fuel  
24 management programs, which are essential to enhance community safety  
25 and resilience in the face of an increasing wildfire threat.

26 **SECTION 2.** In Colorado Revised Statutes, 32-1-103, **add** (13.5),  
27 (14.3), and (23.7) as follows:

1           **32-1-103. Definitions.** As used in this article 1, unless the context  
2 otherwise requires:

3           (13.5) "NONPROFIT ENTITY" MEANS A PERSON THAT IS REGISTERED  
4 AS AN EXEMPT CHARITABLE ORGANIZATION PURSUANT TO 26 U.S.C. SEC.  
5 501 (c)(3) AND THAT IS EXEMPT FROM TAXATION PURSUANT TO 26 U.S.C.  
6 SEC. 501 (a) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986".

7           (14.3) "PRIVATELY OWNED REAL PROPERTY" OR "PROPERTY"  
8 MEANS PRIVATELY OWNED REAL PROPERTY THAT IS NOT CLASSIFIED AS  
9 AGRICULTURAL LAND BY THE TAX ASSESSOR. "PRIVATELY OWNED REAL  
10 PROPERTY" OR "PROPERTY" DOES NOT MEAN PRIVATELY OWNED REAL  
11 PROPERTY OWNED BY A NONPROFIT ENTITY THAT IS LEASED FOR  
12 AGRICULTURAL PURPOSES. "PRIVATELY OWNED REAL PROPERTY" OR  
13 "PROPERTY" DOES NOT MEAN REAL PROPERTY OWNED OR OCCUPIED BY A  
14 PUBLIC UTILITY THAT HAS A VEGETATION MANAGEMENT OR WILDFIRE  
15 MITIGATION PLAN TO ADDRESS VEGETATIVE FUEL SOURCES OR REAL  
16 PROPERTY ADJACENT TO A DITCH THAT CONVEYS DECREED WATER RIGHTS  
17 OR WITHIN THE APPURTENANT EASEMENT WITHIN WHICH THE DITCH IS  
18 LOCATED.

19           (23.7) "VEGETATIVE FUEL" MEANS ANY DEAD PLANT MATERIAL  
20 THAT CAN BURN AND CONTRIBUTE TO A FIRE, INCLUDING LEAVES, GRASS,  
21 SHRUBS, GROUND LITTER, DEAD LEAVES, AND FALLEN PINE NEEDLES.

22           **SECTION 3.** In Colorado Revised Statutes, 32-1-1002, **add** (1)(i)  
23 as follows:

24           **32-1-1002. Fire protection districts - additional powers and**  
25 **duties - definitions - vegetative fuel removal.** (1) In addition to the  
26 powers specified in section 32-1-1001, the board of any fire protection  
27 district has the following powers for and on behalf of the district:

1 (i) (I) A FIRE PROTECTION DISTRICT MAY ESTABLISH, IN ITS  
2 DISCRETION, A PROGRAM TO REQUIRE THE REMOVAL OF VEGETATIVE FUEL  
3 FROM PRIVATELY OWNED REAL PROPERTY WITHIN THE BOUNDARIES OF THE  
4 DISTRICT, AND A FIRE PROTECTION DISTRICT THAT ESTABLISHES A  
5 PROGRAM SHALL ADOPT POLICIES CONSISTENT WITH THE 2024  
6 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, A SUBSEQUENT  
7 CODE ESTABLISHED BY THE INTERNATIONAL CODE COUNCIL, OR THE  
8 STANDARDS AND CODES ADOPTED OR ISSUED BY THE COLORADO WILDFIRE  
9 RESILIENCY CODE BOARD. A FIRE PROTECTION DISTRICT SHALL  
10 COORDINATE WITH ALL APPLICABLE LOCAL ENTITIES AS DEFINED IN  
11 SECTION 37-99-102 (9) WHEN DEVELOPING A VEGETATIVE FUEL  
12 MITIGATION PROGRAM AND SHALL COMPLY WITH THE REQUIREMENTS OF  
13 SECTION 37-99-103.

14 (II) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
15 PURSUANT TO SECTION (1)(i)(I) OF THIS SECTION MAY ASSESS A FINE  
16 AGAINST AN OWNER OR OCCUPIER OF PRIVATELY OWNED REAL PROPERTY  
17 CONTAINING VEGETATIVE FUEL ONLY IN ACCORDANCE WITH THIS  
18 SUBSECTION (1)(i)(II). AN INCIDENT COVERS ALL VEGETATIVE FUEL ON A  
19 PROPERTY. FOR EACH INCIDENT OF VEGETATIVE FUEL ON A PROPERTY, A  
20 FIRE PROTECTION DISTRICT MUST PROVIDE TO AN OWNER AND OCCUPIER  
21 OF THE PRIVATELY OWNED REAL PROPERTY WRITTEN NOTICE OF THE  
22 REQUIREMENT TO REMOVE VEGETATIVE FUEL FROM A PROPERTY AND THE  
23 AMOUNT OF A POTENTIAL FINE, AND INFORMATION ON POSSIBLE FUNDING  
24 OR GRANT PROGRAMS TO ASSIST OWNERS OR OCCUPIERS ABOUT EFFECTIVE  
25 VEGETATIVE FUEL MITIGATION, INCLUDING THE COLORADO WILDFIRE  
26 RESILIENT HOMES GRANT, THE FOREST RESTORATION AND WILDFIRE RISK  
27 MITIGATION GRANT PROGRAM, OR ANY OTHER LOCAL OR STATE PROGRAM

1 ABOUT EFFECTIVE VEGETATIVE FUEL MITIGATION. AT LEAST FOURTEEN  
2 DAYS AFTER PROVIDING A FIRST NOTICE, IF THE VEGETATIVE FUEL HAS NOT  
3 BEEN REMOVED, A DISTRICT MAY PROVIDE A SECOND WRITTEN NOTICE TO  
4 THE OWNER AND OCCUPIER CONTAINING THE SAME INFORMATION. AT  
5 LEAST FOURTEEN DAYS AFTER PROVIDING A SECOND NOTICE, IF THE  
6 VEGETATIVE FUEL HAS NOT BEEN REMOVED, A DISTRICT MAY ASSESS A  
7 FINE AGAINST THE OWNER OR OCCUPIER BY PROVIDING WRITTEN NOTICE  
8 OF THE FINE TO THE OWNER AND OCCUPIER BY CERTIFIED MAIL. THE  
9 AMOUNT OF A FINE MUST BE APPROXIMATELY EQUAL TO THE COST OF  
10 REMOVAL OF THE VEGETATIVE FUEL ON THE PROPERTY AND MUST NOT  
11 EXCEED TWO HUNDRED DOLLARS PER PROPERTY PER INCIDENT. AN OWNER  
12 OR OCCUPIER IS NOT SUBJECT TO MORE THAN ONE FINE FOR THE SAME  
13 INCIDENT. THE SUM OF ALL FINES ASSESSED AGAINST A SINGLE PROPERTY  
14 MUST NOT EXCEED ONE THOUSAND TWO HUNDRED DOLLARS. A FINE IS  
15 WAIVED IF THE OWNER OR OCCUPIER REMOVES OR CAUSES THE REMOVAL  
16 OF THE VEGETATIVE FUEL WITHIN FOURTEEN DAYS OF RECEIVING NOTICE  
17 OF AN ASSESSMENT OF A FINE. A FIRE PROTECTION DISTRICT MAY NOT  
18 ACCESS ANY PRIVATELY OWNED REAL PROPERTY PURSUANT TO THIS  
19 SUBSECTION (1)(i)(II) WITHOUT THE WRITTEN PERMISSION OF THE OWNER  
20 OR OCCUPIER OF THE PROPERTY. AN OWNER OR OCCUPIER IS NOT LIABLE  
21 TO A FIRE PROTECTION DISTRICT FOR DAMAGES TO FIRE PROTECTION  
22 DISTRICT PERSONNEL OR EQUIPMENT OCCURRING ON THE PRIVATELY  
23 OWNED REAL PROPERTY WHILE FIRE PROTECTION DISTRICT PERSONNEL OR  
24 EQUIPMENT ARE PRESENT ON THE PROPERTY TO CARRY OUT THE PURPOSES  
25 OF THIS SECTION. A FIRE PROTECTION DISTRICT MAY NOT USE A DRONE TO  
26 DISCOVER VEGETATIVE FUEL ON A PROPERTY OR TO ADMINISTER OR  
27 ENFORCE THIS SUBSECTION (1)(i).

1 (III) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
2 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION MUST USE THE  
3 MONEY COLLECTED FROM A FINE ASSESSED PURSUANT TO THIS SECTION  
4 ONLY TO REMOVE VEGETATIVE FUEL ON PRIVATE REAL PROPERTY WITHIN  
5 THE DISTRICT'S JURISDICTION. A FIRE PROTECTION DISTRICT MUST  
6 PRIORITIZE USE OF THE MONEY TO ASSIST A LOW-INCOME OWNER OR  
7 OCCUPIER, A SENIOR OWNER OR OCCUPIER, OR AN OWNER OR OCCUPIER  
8 WITH A DISABILITY TO REMOVE VEGETATIVE FUEL FROM THE OWNER OR  
9 OCCUPIER'S PROPERTY.

10 (IV) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
11 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION SHALL ESTABLISH A  
12 PROCESS FOR A PERSON THAT OWNS OR OCCUPIES PROPERTY THAT IS  
13 SUBJECT TO A FINE IMPOSED BY THE FIRE PROTECTION DISTRICT PURSUANT  
14 TO SUBSECTION (1)(i)(II) OF THIS SECTION TO FILE AN OBJECTION TO THE  
15 FINE WITH THE DISTRICT'S BOARD. A DISTRICT'S BOARD MAY WAIVE THE  
16 FINE IN ALL OR IN PART, IN ITS DISCRETION, IF IT DETERMINES THAT:

17 (A) THE FINE WAS NOT ASSESSED IN COMPLIANCE WITH  
18 SUBSECTION (1)(i)(II) OF THIS SECTION;

19 (B) THE OWNER OR OCCUPIER FILING AN OBJECTION IS  
20 FINANCIALLY UNABLE TO PAY ALL OR A PORTION OF THE FINE; ==

21 (C) AN OWNER OR OCCUPIER AGAINST WHICH A FINE WAS  
22 ASSESSED HAS REMOVED OR CAUSED THE REMOVAL OF THE VEGETATIVE  
23 FUEL AFTER THE ASSESSMENT OF THE FINE; OR

24 (D) A WAIVER IS APPROPRIATE UNDER THE CIRCUMSTANCES.

25 (V) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
26 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION MAY CAUSE A  
27 DELINQUENT CHARGE MADE OR LEVIED TO BE CERTIFIED TO THE

1 TREASURER OF THE COUNTY AND BE COLLECTED AND PAID OVER BY THE  
2 TREASURER OF THE COUNTY IN THE SAME MANNER AS TAXES ARE  
3 AUTHORIZED TO BE BY TITLE 31. \_\_\_

4 (VI) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
5 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION SHALL ADOPT RULES  
6 AND POLICIES AFTER A PUBLIC HEARING, PUBLIC NOTICE, AND THE  
7 ALLOWANCE OF PUBLIC COMMENT TO IMPLEMENT THIS SUBSECTION (1)(i)  
8 AND SHALL POST THE ADOPTED RULES AND POLICIES ON THE DISTRICT'S  
9 WEBSITE, ON SOCIAL MEDIA OPERATED BY THE DISTRICT, AND IN A LOCAL  
10 NEWSPAPER OF GENERAL CIRCULATION. A PROGRAM ESTABLISHED  
11 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION MAY ONLY BE  
12 EFFECTIVE THIRTY DAYS OR MORE AFTER POSTING OF THE ADOPTED RULES  
13 AND POLICIES ON THE DISTRICT'S WEBSITE. AS PART OF THE ADOPTED  
14 RULES AND POLICIES A FIRE PROTECTION DISTRICT SHALL DESIGNATE AN  
15 INDIVIDUAL TO OVERSEE AND MANAGE THE PROGRAM.

16 (VII) A FIRE PROTECTION DISTRICT MAY WAIVE A FINE FOR DELAYS  
17 DUE TO WEATHER OR UPON A PETITION FOR A TIME EXTENSION FROM AN  
18 OWNER OR OCCUPIER IF AN OWNER OR OCCUPIER HAS UNDERTAKEN GOOD  
19 FAITH EFFORTS TO REMOVE THE VEGETATIVE FUEL, AT THE DISCRETION OF  
20 THE FIRE PROTECTION DISTRICT. GOOD FAITH EFFORTS INCLUDE  
21 DOCUMENTATION FROM AN ARBORIST OR LICENSED PROFESSIONAL  
22 LANDSCAPE ARCHITECT THAT STATES WHEN THE ARBORIST OR LICENSED  
23 PROFESSIONAL LANDSCAPE ARCHITECT WILL BE ABLE TO MITIGATE THE  
24 VEGETATIVE FUEL ON A PROPERTY AND THE COST OF THE MITIGATION. A  
25 FIRE PROTECTION DISTRICT SHALL GRANT A TIME EXTENSION TO MITIGATE  
26 OR PAY A FINE ASSESSED AGAINST THE OWNER OR OCCUPIER OF THE  
27 PROPERTY FOR:



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

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

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

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

12           **SECTION 4.** In Colorado Revised Statutes, 32-1-1004, **add**  
13           **(1)(e) as follows:**

14           **32-1-1004. Metropolitan districts - additional powers and**  
15           **duties.** (1) In addition to the powers specified in section 32-1-1001, the  
16           board of any metropolitan district has the following powers for and on  
17           behalf of such district:

18           (e) A METROPOLITAN DISTRICT THAT PROVIDES FIRE PROTECTION  
19           SERVICES MAY ESTABLISH, IN ITS DISCRETION, A PROGRAM TO REQUIRE  
20           THE REMOVAL OF VEGETATIVE FUEL FROM PRIVATELY OWNED REAL  
21           PROPERTY WITHIN THE BOUNDARIES OF THE DISTRICT, AS SPECIFIED IN  
22           SECTION 32-1-1001 (1)(i) FOR FIRE PROTECTION DISTRICTS, AND A  
23           METROPOLITAN DISTRICT THAT PROVIDES FIRE PROTECTION SERVICES AND  
24           THAT ESTABLISHES A PROGRAM PURSUANT TO SECTION 32-1-1001 (1)(i)  
25           SHALL ADOPT POLICIES CONSISTENT WITH THE 2024 INTERNATIONAL  
26           WILDLAND-URBAN INTERFACE CODE, A SUBSEQUENT CODE ESTABLISHED  
27           BY THE INTERNATIONAL CODE COUNCIL, OR THE STANDARDS AND CODES

1 ADOPTED OR ISSUED BY THE COLORADO WILDFIRE RESILIENCY CODE  
2 BOARD. A METROPOLITAN DISTRICT PROVIDING FIRE PROTECTION SERVICES  
3 SHALL COORDINATE WITH ALL APPLICABLE LOCAL ENTITIES AS DEFINED IN  
4 SECTION 37-99-102 (9) WHEN DEVELOPING A VEGETATIVE FUEL  
5 MITIGATION PROGRAM AND SHALL COMPLY WITH THE REQUIREMENTS OF  
6 SECTION 37-99-103.

7 **SECTION 5. Act subject to petition - effective date.** This act  
8 takes effect at 12:01 a.m. on the day following the expiration of the  
9 ninety-day period after final adjournment of the general assembly; except  
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
11 of the state constitution against this act or an item, section, or part of this  
12 act within such period, then the act, item, section, or part will not take  
13 effect unless approved by the people at the general election to be held in  
14 November 2026 and, in such case, will take effect on the date of the  
15 official declaration of the vote thereon by the governor.