

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0860.03 Megan Waples x4348

SENATE BILL 22-206

SENATE SPONSORSHIP

Fenberg, Bridges, Buckner, Danielson, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Story, Winter, Zenzinger

HOUSE SPONSORSHIP

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Senate Committees
State, Veterans, & Military Affairs
Appropriations

House Committees
State, Civic, Military, & Veterans Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING RESOURCES FOR DISASTER PREPAREDNESS AND**
102 **RECOVERY, AND, IN CONNECTION THEREWITH, CREATING THE**
103 **DISASTER RESILIENCE REBUILDING PROGRAM, THE SUSTAINABLE**
104 **REBUILDING PROGRAM, _____ THE OFFICE OF CLIMATE**
105 **PREPAREDNESS, AND 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>.)

Section 2 creates the disaster resilience rebuilding program in the division of local government (division) in the department of local affairs.

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.*

SENATE
3rd Reading Unamended
May 3, 2022

SENATE
Amended 2nd Reading
May 2, 2022

The disaster resilience rebuilding program's purpose is to provide loans and grants to homeowners, owners of residential rental property, businesses, governmental entities, and other organizations working to rebuild after a disaster emergency. The division may contract with a governmental entity, bank, credit union, community development financial institution (CDFI), or other entity to administer the disaster resilience rebuilding program. If the division contracts with an entity other than a governmental entity or CDFI, the division is required to engage in an open and competitive process to select the entity.

The division or an administrator is required to establish policies for administering the disaster resilience rebuilding program, including application requirements, eligibility requirements for applicants, maximum assistance levels, loan terms, and any specific criteria for the allowable uses of the loans and grants. Loans and grants may be used to:

- Subsidize costs to repair or rebuild a homeowner's primary residence that are insufficiently covered by the homeowner's insurance or by federal assistance programs, including costs to rebuild to advanced fire resistance standards and to replant climate ready trees and vegetation;
- Repair or reconstruct housing stock in areas that are experiencing a shortage of available housing by housing authorities and nonprofit organizations working to repair or reconstruct housing stock, or by owners of rental housing who agree to requirements to provide affordable rent;
- Rebuild neighborhoods planned to resist the impacts of natural disasters;
- Provide operating capital to a business experiencing a loss or interruption of business or to pay to repair or replace damaged business property and inventory; or
- Reimburse governmental entities for costs associated with a declared disaster that are not covered by available federal assistance, including costs associated with disaster management, fee waivers for building permits, infrastructure repairs, and replacement of lost revenue.

The bill creates the disaster resilience rebuilding program fund. The state treasurer is required to transfer \$15 million to the fund after the effective date of the bill. The money in the fund is continuously appropriated to the division for the rebuilding program.

Section 3 creates the sustainable rebuilding program in the Colorado energy office. The office is required to consult with the Colorado resiliency office and the department of local affairs in creating the sustainable rebuilding program. The sustainable rebuilding program's purpose is to provide loans and grants to homeowners, owners of residential rental property, and businesses that are rebuilding after a wildfire or other natural disaster to cover costs associated with building

high performing, energy efficient, and resilient homes and structures. The office may contract with a governmental entity, Colorado-based nonprofit green bank with history and expertise in providing loans and grants for energy efficiency projects and services, business nonprofit, bank, credit union, or community development financial institution to administer the sustainable rebuilding program. If the office contracts with an entity other than a governmental entity, the office is required to engage in an open and competitive process to select the entity.

The Colorado energy office or an administrator is required to establish policies for administering the sustainable rebuilding program, including application requirements, eligibility requirements for homeowners and businesses, maximum assistance levels, loan terms, and any specific criteria for the allowable uses of the loans and grants.

The loans and grants may be used to:

- Install high-efficiency heat pumps for heating space or water;
- Achieve advanced energy certifications, including from Energy Star, the Passive House Institute U.S., the United States department of energy zero energy ready homes, or other similar programs;
- Achieve net zero energy or net zero carbon buildings with the addition of renewable energy generation;
- Assist with the costs of installing battery storage and electric vehicle charging stations;
- Cover the incremental costs of building to the most recent energy standard adopted by a local jurisdiction compared to the earlier version of the jurisdiction's energy code; and
- Support other similar uses identified by the office.

The bill creates the sustainable rebuilding program fund. The state treasurer is required to transfer \$20 million to the fund after the effective date of the bill. The money in the fund is continuously appropriated to the office for the resiliency program.

Section 4 creates the office of climate preparedness in the governor's office. The office is required to coordinate disaster recovery efforts for the governor's office as well as the development and implementation of the statewide climate preparedness roadmap (roadmap) that the office is also charged with preparing and publishing.

The office of climate preparedness may establish interagency and intergovernmental task forces and community advisory groups to inform and support the work of the office. The office may promote community engagement and information sharing and further efforts to implement the recommendations of the roadmap.

The office of climate preparedness is required to coordinate the implementation of the roadmap and may establish criteria for evaluating existing programs in all other state agencies to ensure implementation of

the roadmap and its governing principles.

No later than December 1, 2023, the office of climate preparedness is required to prepare and publish and, every 3 years thereafter, update the roadmap. The roadmap must integrate and include information from all existing state plans that address climate mitigation, adaptation, resiliency, and recovery. The roadmap must build upon this previous body of work, seek to align existing plans, and identify any gaps in policy, planning, or resources. The roadmap must identify strategies for how the state will grow in population and continue to develop in a manner that meets certain goals specified in the bill.

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

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

4 (a) In recent years, hundreds of Colorado residents have lost their
5 homes and businesses to wildfires, floods, and other disasters across the
6 state;

7 (b) Many homeowners and owners of residential rental property
8 affected by wildfires or floods do not have adequate resources to rebuild
9 in the face of their loss, and may need hundreds of thousands of dollars
10 to rebuild a home similar to what they lost;

11 (c) Local business owners similarly face destruction of their
12 property, as well as interruptions to their business and resulting losses in
13 revenue;

14 (d) Local governments are also negatively affected by natural
15 disasters, both directly through damage to public infrastructure and
16 indirectly due to decreased property values, lowered tax revenues, and
17 increased work load in responding to the disaster and to the needs of
18 community members and residents working to recover;

19 (e) Rebuilding homes, businesses, and infrastructure in the wake
20 of wildfires, floods, and other disasters is essential to sustaining the

1 communities affected by the disaster, as well as to the recovery of the
2 local and state economies that depend on those homeowners and
3 businesses;

4 (f) Creating a disaster resilience rebuilding program to help
5 homeowners, businesses, local governments, and communities rebuild
6 after natural disasters will help local communities and the state recover
7 from the devastating physical and economic effects of disasters and
8 serves an important and discrete public purpose; and

9 (g) Supporting the physical and economic recovery of local
10 communities and the state is the primary purpose of the disaster resilience
11 rebuilding program and outweighs any benefit to private individuals or
12 entities.

13 (2) The general assembly further finds and declares that:

14 (a) The need to rebuild homes and business structures after a
15 disaster also presents an opportunity to build homes and structures that
16 meet high performance building standards adopted by local communities
17 and voluntary sustainable building elements that exceed local code
18 requirements, including by incorporating fire-resistant building materials,
19 high-efficiency equipment and materials, and renewable energy and
20 battery storage technologies;

21 (b) Ensuring that homeowners and owners of residential rental
22 property can rebuild their homes as energy efficient and resilient
23 structures will lower utility costs for homeowners, residents, and
24 businesses, reduce greenhouse gas emissions, and produce healthier,
25 safer, and more resilient homes and businesses;

26 (c) Creating a sustainable rebuilding program to provide grants
27 and loans to homeowners, owners of rental housing, mobile home parks,

1 and businesses seeking to rebuild or rehabilitate from a wildfire or other
2 disaster will help local communities and the state recover from the
3 devastating effects of the disaster while also providing public health and
4 environmental benefits to local communities and the state;

5 (d) By supporting the state and local communities in recovering
6 from wildfires and other disasters and promoting the public health and
7 environmental goals associated with high performance and resilient
8 buildings, a sustainable rebuilding program serves an important and
9 discrete public purpose; and

10 (e) Supporting the recovery of local communities and the state
11 from wildfires and other disasters and promoting the public health and
12 environmental benefits of high efficiency and resilient building is the
13 primary purpose of the program and outweighs any benefit to private
14 individuals or entities.

15 **SECTION 2.** In Colorado Revised Statutes, **add 24-32-132** as
16 follows:

17 **24-32-132. Disaster resilience rebuilding program - fund -**
18 **creation - policies - report - definitions.** (1) AS USED IN THIS SECTION,
19 UNLESS THE CONTEXT OTHERWISE REQUIRES:

20 (a) "ADMINISTRATOR" MEANS AN ENTITY OR ENTITIES THAT THE
21 DIVISION CONTRACTS WITH PURSUANT TO SUBSECTION (2)(b) OF THIS
22 SECTION TO ADMINISTER THE PROGRAM.

23 (b) "DECLARED DISASTER" MEANS A DISASTER EMERGENCY
24 DECLARED BY THE GOVERNOR PURSUANT TO SECTION 24-33.5-704 (4) IN
25 OR AFTER 2018 THAT RESULTED IN WIDESPREAD OR SEVERE DAMAGE OR
26 LOSS OF PROPERTY OR INFRASTRUCTURE AS DETERMINED PURSUANT TO
27 POLICIES ADOPTED BY THE DIVISION PURSUANT TO SUBSECTION (4) OF THIS

1 SECTION.

2 (c) "ELIGIBLE APPLICANT" MEANS:

3 (I) A PERSON WHO OWNS OR RENTS A HOME THAT IS THE PERSON'S
4 PRIMARY RESIDENCE, INCLUDING AN APARTMENT OR A MODULAR,
5 MANUFACTURED, OR MOBILE HOME, THAT WAS AFFECTED BY A DECLARED
6 DISASTER AND MEETS ELIGIBILITY CRITERIA ESTABLISHED BY POLICIES
7 ADOPTED PURSUANT TO SUBSECTION (5) OF THIS SECTION;

8 (II) A PERSON WHO OWNS RENTAL HOUSING, INCLUDING A
9 MODULAR, MANUFACTURED, OR MOBILE HOME, THAT WAS AFFECTED BY
10 A DECLARED DISASTER AND MEETS ELIGIBILITY CRITERIA ESTABLISHED BY
11 POLICIES ADOPTED PURSUANT TO SUBSECTION (4) OF THIS SECTION;

12 (III) A BUSINESS THAT OWNS REAL OR PERSONAL PROPERTY THAT
13 WAS AFFECTED BY A DECLARED DISASTER OR EXPERIENCED AN
14 INTERRUPTION OR LOSS OF BUSINESS DUE TO A DECLARED DISASTER AND
15 MEETS ELIGIBILITY CRITERIA ESTABLISHED BY POLICIES ADOPTED
16 PURSUANT TO SUBSECTION (4) OF THIS SECTION;

17 (IV) A HOUSING AUTHORITY CREATED PURSUANT TO PART 2 OR
18 PART 5 OF ARTICLE 4 OF TITLE 29 OR A LOW-INCOME HOUSING TAX CREDIT
19 PARTNERSHIP THAT SERVES AN AREA AFFECTED BY A DECLARED DISASTER;

20 (V) A COLORADO NONPROFIT CORPORATION THAT PROVIDES
21 CONSTRUCTION ASSISTANCE TO LOW-INCOME HOUSEHOLDS AND MEETS
22 ELIGIBILITY CRITERIA ESTABLISHED BY POLICIES ADOPTED PURSUANT TO
23 SUBSECTION (4) OF THIS SECTION; OR

24 (VI) A GOVERNMENTAL ENTITY WITH JURISDICTION IN AN AREA
25 AFFECTED BY A DECLARED DISASTER.

26 (d) "FUND" MEANS THE DISASTER RESILIENCE REBUILDING
27 PROGRAM FUND CREATED IN SUBSECTION (7) OF THIS SECTION.

6 (f) "PROGRAM" MEANS THE DISASTER RESILIENCE REBUILDING
7 PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

22 (3) A CONTRACT WITH AN ADMINISTRATOR MAY REQUIRE THE
23 ADMINISTRATOR TO REPAY ALL LENDING CAPITAL THAT IS NOT
24 COMMITTED TO LOANS OR GRANTS UNDER THE PROGRAM AND ALL
25 PRINCIPAL AND INTEREST THAT IS REPAYED BY BORROWERS UNDER THE
26 PROGRAM AT THE END OF THE CONTRACT PERIOD IF, IN THE JUDGMENT OF
27 THE DIVISION, THE ADMINISTRATOR HAS NOT PERFORMED SUCCESSFULLY

1 UNDER THE TERMS OF THE CONTRACT. THE DIVISION MAY REDEPLOY
2 MONEY REPAYED UNDER THIS SUBSECTION (3) AS GRANTS OR LOANS UNDER
3 THE PROGRAM OR THROUGH ANOTHER ADMINISTRATOR.

4 (4) THE DIVISION SHALL ESTABLISH AND PUBLICIZE POLICIES FOR
5 THE PROGRAM. AT A MINIMUM, THE POLICIES MUST ADDRESS:

6 (a) COORDINATION WITH THE OFFICE OF EMERGENCY
7 MANAGEMENT CREATED IN SECTION 24-33.5-705 TO PRIORITIZE THE USE
8 OF THE DISASTER EMERGENCY FUND CREATED IN SECTION 34-33.5-706 FOR
9 THE ALLOWABLE USES OF LOANS AND GRANTS UNDER THE PROGRAM THAT
10 ARE NOT HOUSING RELATED;

11 (b) THE PROCESS AND ANY DEADLINES FOR APPLYING FOR AND
12 RECEIVING A LOAN OR GRANT UNDER THE PROGRAM, INCLUDING THE
13 INFORMATION AND DOCUMENTATION REQUIRED FOR THE APPLICATION;

14 (c) ELIGIBILITY CRITERIA FOR APPLICANTS TO THE PROGRAM;

15 (d) MAXIMUM ASSISTANCE LEVELS FOR LOANS AND GRANTS;

16 (e) LOAN TERMS, INCLUDING INTEREST RATES AND REPAYMENT
17 TERMS;

18 (f) ANY ADDITIONAL SPECIFICATIONS OR CRITERIA FOR THE USES
19 OF THE GRANT OR LOAN MONEY ALLOWED BY SUBSECTION (5) OF THIS
20 SECTION;

21 (g) ANY REPORTING REQUIREMENTS FOR RECIPIENTS, WHICH MUST
22 INCLUDE THE DEMOGRAPHIC DATA OF EACH RECIPIENT AGGREGATED BY
23 RACE, ETHNICITY, DISABILITY STATUS, AND INCOME LEVEL;

24 (h) ANY PROGRAM FEES, INCLUDING ANY APPLICATION FEE OR
25 ORIGINATION FEE, AND CLOSING COSTS;

26 (i) UNDERWRITING AND RISK MANAGEMENT POLICIES;

27 (j) ANY REQUIREMENTS FOR APPLICANTS TO APPLY FOR OR

1 EXHAUST OTHER SOURCES OF ASSISTANCE OR REIMBURSEMENT TO BE
2 ELIGIBLE FOR A LOAN OR GRANT UNDER THE PROGRAM. IF THE POLICIES
3 ESTABLISH SUCH A REQUIREMENT, THE POLICIES MUST SPECIFY TO WHICH
4 APPLICANTS THE REQUIREMENT APPLIES, WHICH SOURCES MUST BE
5 APPLIED FOR AND DENIED OR EXHAUSTED, AND WHAT DOCUMENTATION IS
6 NECESSARY TO ESTABLISH THE APPLICANT HAS MET THE REQUIREMENT.

7 (k) EQUITABLE COMMUNITY OUTREACH AND EQUITABLE ACCESS
8 TO PROGRAM INFORMATION, INCLUDING COMMUNICATIONS IN THE
9 RELEVANT LANGUAGES OF THE COMMUNITY AND EQUITABLE HEARING,
10 SIGHT, AND PHYSICAL ACCESSIBILITY; AND

11 (1) ANY ADDITIONAL POLICIES NECESSARY TO ADMINISTER THE
12 PROGRAM.

13 (5) THE PROGRAM MAY PROVIDE LOANS OR GRANTS OR A
14 COMBINATION OF BOTH TO ELIGIBLE APPLICANTS. IN REVIEWING
15 APPLICATIONS AND AWARDING GRANTS, THE DIVISION SHALL GIVE
16 PRIORITY TO ELIGIBLE APPLICANTS WHO DEMONSTRATE THAT THEIR NEEDS
17 CANNOT BE MET BY OTHER SOURCES OF ASSISTANCE. LOANS OR GRANTS
18 MAY BE USED TO:

19 (a) SUBSIDIZE COSTS TO REPAIR OR REBUILD A HOMEOWNER'S
20 PRIMARY RESIDENCE THAT ARE INSUFFICIENTLY COVERED BY THE
21 HOMEOWNER'S INSURANCE OR BY LOANS, GRANTS, OR OTHER ASSISTANCE
22 AVAILABLE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE
23 FEDERAL SMALL BUSINESS ADMINISTRATION, OR OTHER STATE OR FEDERAL
24 ASSISTANCE PROGRAMS. COSTS THAT MAY BE COVERED INCLUDE, BUT ARE
25 NOT LIMITED TO:

26 (I) DIRECT COSTS OF REPAIRS OR RECONSTRUCTION OF A DAMAGED
27 OR DESTROYED PRIMARY RESIDENCE, INCLUDING COSTS TO REBUILD TO

1 ADVANCED FIRE AND OTHER NATURAL HAZARD MITIGATION STANDARDS;

2 (II) SOFT COSTS SUCH AS ARCHITECTURAL AND ENGINEERING
3 COSTS AND PERMITTING FEES ASSOCIATED WITH REPAIRING OR REBUILDING
4 A PRIMARY RESIDENCE;

5 (III) SOIL SAMPLING AND AIR QUALITY MONITORING;

6 (IV) CLEARANCE AND DEMOLITION COSTS, INCLUDING CONCRETE
7 FLAT WORK REMOVAL AND REMOVAL OF HAZARDOUS MATERIAL,
8 INCLUDING ASBESTOS;

9 (V) PRIVATE ROAD OR BRIDGE REPAIR IF NECESSARY TO ACCESS A
10 PRIMARY RESIDENCE;

11 (VI) COSTS ASSOCIATED WITH USING BUILDING AND SITE DESIGN
12 MEASURES THAT REDUCE RISK TO NATURAL HAZARDS, INCLUDING FIRE
13 RESISTANT BUILDING MATERIALS AND LANDSCAPE DESIGN;

14 (VII) COSTS TO REPLANT CLIMATE READY TREES AND
15 VEGETATION;

16 (VIII) TEMPORARY RENTAL ASSISTANCE DURING RELOCATION OR
17 REBUILDING OR RECOVERY WORK; AND

18 (IX) OTHER RECOVERY COSTS NOT COVERED BY OTHER SOURCES
19 THAT WILL INCREASE RESILIENCE TO FUTURE DISASTERS;

20 (b) REPAIR OR RECONSTRUCT HOUSING STOCK IN AN AREA THAT IS
21 AFFECTED BY A DECLARED DISASTER AND IS EXPERIENCING A SHORTAGE
22 OF ADEQUATE HOUSING OR HAS A SIGNIFICANT NUMBER OF AFFECTED
23 HOUSEHOLDS. THE PROGRAM MAY PROVIDE A GRANT OR LOAN UNDER THIS
24 SUBSECTION (5)(b) TO:

25 (I) A HOUSING AUTHORITY OR LOW-INCOME HOUSING TAX CREDIT
26 PARTNERSHIP TO FUND THE REPLACEMENT OR REPAIR OF MULTI-FAMILY
27 HOUSING IN AN AREA AFFECTED BY A DECLARED DISASTER;

1 (II) A NONPROFIT CORPORATION TO PROVIDE CONSTRUCTION
2 ASSISTANCE TO LOW-INCOME HOUSEHOLDS IN AN AREA AFFECTED BY A
3 DECLARED DISASTER;

4 (III) A PERSON WHO OWNS RENTAL HOUSING AND REQUIRES
5 ADDITIONAL RESOURCES TO REBUILD OR REPAIR THE RENTAL HOUSING. A
6 LOAN OR GRANT MADE PURSUANT TO THIS SUBSECTION (5)(b)(III) MUST
7 INCLUDE PROVISIONS REQUIRING THE RECIPIENT TO PROVIDE AFFORDABLE
8 RENT FOR THE RENTAL HOUSING FOLLOWING THE REPAIR OR
9 RECONSTRUCTION AND TEMPORARY RENTAL ASSISTANCE FOR DISPLACED
10 RENTERS AS DETERMINED BY THE DIVISION.

11 (c) PROVIDE OPERATING CAPITAL TO A BUSINESS EXPERIENCING A
12 BUSINESS INTERRUPTION OR COVER THE COSTS OF REPLACING OR
13 REPAIRING THE BUSINESS'S REAL PROPERTY, EQUIPMENT, OR INVENTORY
14 THAT WAS LOST OR DAMAGED IN THE DISASTER;

15 (d) REBUILD NEIGHBORHOODS OR PORTIONS OF NEIGHBORHOODS
16 IN A MANNER THAT SERVES AS A PILOT PROJECT FOR ADVANCED
17 COMMUNITY PLANNING TO RESIST THE IMPACTS OF NATURAL DISASTERS
18 CAUSED BY CLIMATE CHANGE OR REDUCE ACTIONS THAT CONTRIBUTE TO
19 CLIMATE CHANGE, INCLUDING BUT NOT LIMITED TO MICRO-GRIDS,
20 COMMUNITY BATTERY STORAGE, COMMUNITY DISTRICT HEATING OR
21 GEOTHERMAL HEATING SYSTEMS, OR WILDFIRE RESILIENT LAND USE
22 PLANNING STRATEGIES;

23 (e) REIMBURSE A GOVERNMENTAL ENTITY FOR ANY UNMET NEEDS
24 ASSOCIATED WITH A DECLARED DISASTER THAT ARE NOT COVERED BY
25 PUBLIC ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT
26 AGENCY OR OTHER STATE OR FEDERAL ASSISTANCE, INCLUDING
27 ASSISTANCE PROVIDED PURSUANT TO SECTION 24-33.5-704 (7)(j). UNMET

1 NEEDS THAT MAY BE COVERED INCLUDE, BUT ARE NOT LIMITED TO:

2 —

3 (I) REBUILDING OR REPAIRING TRANSPORTATION
4 INFRASTRUCTURE;

5 (II) HEALTH AND SAFETY IMPROVEMENTS OR INVESTMENTS
6 RELATED TO DISASTER RECOVERY AND RESILIENCY; OR

7 (III) REPLACEMENT OF LOST REVENUE FROM SALES TAXES,
8 PROPERTY TAXES, PUBLIC UTILITY OR SERVICE FEES, OR OTHER REVENUE
9 SOURCES THAT WERE NEGATIVELY AFFECTED BY A DECLARED DISASTER;
10 OR

11 (f) ASSIST ELIGIBLE APPLICANTS IN ADDRESSING OTHER RELATED
12 UNMET NEEDS AS ALLOWED BY THE POLICIES ADOPTED BY THE DIVISION
13 PURSUANT TO SUBSECTION (4) OF THIS SECTION IN ORDER TO RECOVER OR
14 REBUILD FROM A DECLARED DISASTER.

15 (6) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
16 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
17 THIS SECTION. THE DIVISION SHALL TRANSMIT ALL MONEY RECEIVED
18 THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO
19 SHALL CREDIT THE MONEY TO THE FUND.

20 (7) (a) THE DISASTER RESILIENCE REBUILDING PROGRAM FUND IS
21 HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF
22 MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION
23 (7)(d) OF THIS SECTION, ANY OTHER MONEY THAT THE GENERAL ASSEMBLY
24 APPROPRIATES OR TRANSFERS TO THE FUND, AND ANY GIFTS, GRANTS, OR
25 DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS
26 SECTION.

27 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND

1 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
2 FUND TO THE FUND.

3 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
4 DIVISION FOR THE PURPOSES SPECIFIED IN THIS SECTION.

5 (d) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
6 (7)(d), THE STATE TREASURER SHALL TRANSFER FIFTEEN MILLION DOLLARS
7 FROM THE GENERAL FUND TO THE DISASTER RESILIENCE REBUILDING
8 PROGRAM FUND CREATED IN SUBSECTION (7)(a) OF THIS SECTION.

9 (8) THE DIVISION AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL
10 COLLABORATE WITH THE COLORADO ENERGY OFFICE CREATED IN SECTION
11 24-38.5-101 ON THE IMPLEMENTATION OF THIS SECTION AS SET FORTH IN
12 SECTION 24-38.5-113 (8).

13 (9) ON OR BEFORE JANUARY 1, 2024, AND ON OR BEFORE EACH
14 JANUARY 1 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT
15 SUMMARIZING THE PROGRAM TO THE HOUSE OF REPRESENTATIVES
16 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE AND THE SENATE
17 LOCAL GOVERNMENT COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.
18 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),
19 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION
20 (9) CONTINUES INDEFINITELY.

21 **SECTION 3.** In Colorado Revised Statutes, **add 24-38.5-113 as**
22 **follows:**

23 **24-38.5-113. Sustainable rebuilding program - fund - creation**
24 **- policies - report - definitions.** (1) AS USED IN THIS SECTION, UNLESS
25 THE CONTEXT OTHERWISE REQUIRES:

26 (a) "ADMINISTRATOR" MEANS AN ENTITY OR ENTITIES THAT THE
27 OFFICE CONTRACTS WITH PURSUANT TO SUBSECTION (2)(b) OF THIS

1 SECTION TO ADMINISTER THE PROGRAM.

2 (b) "ELIGIBLE BUSINESS" MEANS A BUSINESS THAT OWNS A
3 BUILDING OR STRUCTURE THAT WAS AFFECTED BY A DISASTER
4 EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO SECTION
5 24-33.5-704(4) AND THAT MEETS THE ELIGIBILITY CRITERIA ESTABLISHED
6 BY THE OFFICE IN POLICIES ADOPTED PURSUANT TO SUBSECTION (4) OF
7 THIS SECTION.

8 (c) "ELIGIBLE HOMEOWNER" MEANS A PERSON OR PERSONS WHO
9 OWN A HOME THAT WAS AFFECTED BY A DISASTER EMERGENCY DECLARED
10 BY THE GOVERNOR PURSUANT TO SECTION 24-33.5-704 (4) AND THAT
11 MEETS THE ELIGIBILITY CRITERIA ESTABLISHED BY THE OFFICE IN POLICIES
12 ADOPTED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

13 (d) "FUND" MEANS THE SUSTAINABLE REBUILDING PROGRAM FUND
14 ESTABLISHED IN SUBSECTION (7) OF THIS SECTION.

15 (e) "GOVERNMENTAL ENTITY" MEANS ANY AUTHORITY, COUNTY,
16 MUNICIPALITY, CITY AND COUNTY, DISTRICT, OR OTHER POLITICAL
17 SUBDIVISION OF THE STATE; ANY TRIBAL GOVERNMENT WITH JURISDICTION
18 IN COLORADO; AND ANY INSTITUTION, DEPARTMENT, AGENCY, OR
19 AUTHORITY OF ANY OF THE FOREGOING.

20 (f) "HOME" MEANS ANY RESIDENTIAL STRUCTURE, INCLUDING A
21 MANUFACTURED, MOBILE, OR MODULAR HOME, WHETHER THE STRUCTURE
22 IS OWNER-OCCUPIED OR IS A RENTAL PROPERTY.

23 (g) "LOW-INCOME COMMUNITY MEMBER" MEANS AN INDIVIDUAL
24 OR HOUSEHOLD MEETING ONE OR MORE OF THE FOLLOWING CRITERIA:

25 (I) A HOUSEHOLD INCOME THAT IS LESS THAN OR EQUAL TO TWO
26 HUNDRED PERCENT OF THE FEDERAL POVERTY GUIDELINE;

27 (II) A HOUSEHOLD INCOME THAT IS LESS THAN OR EQUAL TO

1 EIGHTY PERCENT OF MEDIAN INCOME FOR THE AREA; OR

2 (III) QUALIFICATION UNDER INCOME GUIDELINES ADOPTED BY THE
3 DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 40-8.5-105.

4 (h) "OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN
5 SECTION 24-38.5-101.

6 (i) "PROGRAM" MEANS THE SUSTAINABLE REBUILDING PROGRAM
7 CREATED IN SUBSECTION (2) OF THIS SECTION.

8 (2) (a) THE OFFICE SHALL, IN CONSULTATION WITH THE
9 DEPARTMENT OF LOCAL AFFAIRS, ESTABLISH THE SUSTAINABLE
10 REBUILDING PROGRAM AS A LOAN AND GRANT PROGRAM IN ACCORDANCE
11 WITH THE REQUIREMENTS OF THIS SECTION AND THE POLICIES
12 ESTABLISHED BY THE OFFICE PURSUANT TO SUBSECTION (4) OF THIS
13 SECTION. THE PROGRAM MAY PROVIDE LOANS AND GRANTS FROM THE
14 FUND TO ELIGIBLE HOMEOWNERS AND ELIGIBLE BUSINESSES SEEKING
15 ASSISTANCE TO REBUILD HIGH-EFFICIENCY HOMES AND BUILDINGS AFTER
16 A DISASTER EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO
17 SECTION 24-33.5-704 (4).

18 (b) THE OFFICE MAY CONTRACT WITH A GOVERNMENTAL ENTITY,
19 COLORADO-BASED NONPROFIT GREEN BANK WITH A HISTORY OF AND
20 EXPERTISE IN PROVIDING LOANS AND GRANTS FOR SUCCESSFUL ENERGY
21 EFFICIENCY PROJECTS AND SERVICES, BUSINESS NONPROFIT
22 ORGANIZATION, BANK, NONDEPOSITORY COMMUNITY DEVELOPMENT
23 FINANCIAL INSTITUTION, OR BUSINESS DEVELOPMENT CORPORATION OR
24 OTHER ENTITY AS DETERMINED BY THE OFFICE TO ADMINISTER THE
25 PROGRAM. IF THE OFFICE CONTRACTS WITH AN ENTITY OR ENTITIES TO
26 ADMINISTER THE PROGRAM, THE OFFICE SHALL USE AN OPEN AND
27 COMPETITIVE PROCESS TO SELECT THE ENTITY OR ENTITIES. A CONTRACT

1 WITH AN ADMINISTRATOR MAY INCLUDE AN ADMINISTRATION FEE
2 ESTABLISHED BY THE OFFICE AT AN AMOUNT REASONABLY CALCULATED
3 TO COVER THE ONGOING ADMINISTRATIVE COSTS OF THE OFFICE IN
4 OVERSEEING THE PROGRAM. THE OFFICE MAY ADVANCE MONEY TO AN
5 ENTITY UNDER A CONTRACT IN PREPARATION FOR ISSUING LOANS AND
6 GRANTS AND ADMINISTERING THE PROGRAM.

7 (3) A CONTRACT WITH AN ADMINISTRATOR MAY REQUIRE THE
8 ADMINISTRATOR TO REPAY ALL LENDING CAPITAL THAT IS NOT
9 COMMITTED TO LOANS OR GRANTS UNDER THE PROGRAM AND ALL
10 PRINCIPAL AND INTEREST THAT IS REPAYED BY BORROWERS UNDER THE
11 PROGRAM AT THE END OF THE CONTRACT PERIOD IF, IN THE JUDGMENT OF
12 THE OFFICE, THE ADMINISTRATOR HAS NOT PERFORMED SUCCESSFULLY
13 UNDER THE TERMS OF THE CONTRACT. THE OFFICE MAY REDEPLOY MONEY
14 REPAYED UNDER THIS SUBSECTION (3) AS GRANTS OR LOANS UNDER THE
15 PROGRAM OR THROUGH ANOTHER ADMINISTRATOR.

16 (4) (a) THE OFFICE OR, IF APPLICABLE, AN ADMINISTRATOR SHALL
17 ESTABLISH AND PUBLICIZE POLICIES FOR THE PROGRAM. AT A MINIMUM,
18 THE POLICIES MUST ADDRESS:

19 (I) THE PROCESS AND ANY DEADLINES FOR APPLYING FOR AND
20 RECEIVING A LOAN OR GRANT UNDER THE PROGRAM, INCLUDING THE
21 INFORMATION AND DOCUMENTATION REQUIRED FOR THE APPLICATION;

22 (II) ELIGIBILITY CRITERIA FOR HOMEOWNERS AND BUSINESSES
23 APPLYING TO THE PROGRAM;

24 (III) MAXIMUM ASSISTANCE LEVELS FOR LOANS AND GRANTS;

25 (IV) LOAN TERMS, INCLUDING INTEREST RATES AND REPAYMENT
26 TERMS;

27 (V) ANY ADDITIONAL SPECIFICATIONS OR CRITERIA FOR THE USES

1 OF THE GRANT OR LOAN MONEY ALLOWED BY SUBSECTION (5) OF THIS
2 SECTION;

3 (VI) ANY REPORTING REQUIREMENTS FOR RECIPIENTS, WHICH
4 MUST INCLUDE THE DEMOGRAPHIC DATA OF EACH RECIPIENT AGGREGATED
5 BY RACE, ETHNICITY, DISABILITY STATUS, AND INCOME LEVEL;

6 (VII) ANY PROGRAM FEES, INCLUDING ANY APPLICATION FEE OR
7 ORIGINATION FEE, AND CLOSING COSTS;

8 (VIII) UNDERWRITING AND RISK MANAGEMENT POLICIES;

9 (IX) EQUITABLE COMMUNITY OUTREACH AND EQUITABLE ACCESS
10 TO PROGRAM INFORMATION, INCLUDING COMMUNICATIONS IN THE
11 RELEVANT LANGUAGES OF THE COMMUNITY AND EQUITABLE HEARING,
12 SIGHT, AND PHYSICAL ACCESSIBILITY; AND

13 (X) ANY ADDITIONAL POLICIES NECESSARY TO ADMINISTER THE
14 PROGRAM.

15 (b) THE POLICIES REQUIRED BY THIS SUBSECTION (4) SHALL BE
16 DEVELOPED AND IMPLEMENTED WITH A GOAL OF ENSURING THAT
17 LOW-INCOME COMMUNITY MEMBERS WHO ARE MOST IMPACTED BY
18 CLIMATE CHANGE RECEIVE EQUITABLE SUPPORT AND RESOURCES.

19 (5) LOANS AND GRANTS RECEIVED FROM THE PROGRAM MAY BE
20 USED:

21 (a) TO REBUILD OR REHABILITATE A HOME OR BUILDING WITH A
22 HIGHLY EFFICIENT HEAT PUMP FOR SPACE OR WATER HEATING;

23 (b) TO ACHIEVE ADVANCED ENERGY CERTIFICATIONS, INCLUDING
24 FROM ENERGY STAR, THE PASSIVE HOUSE INSTITUTE U.S., THE UNITED
25 STATES DEPARTMENT OF ENERGY ZERO ENERGY READY HOMES, OR OTHER
26 SIMILAR PROGRAMS, AS DETERMINED BY THE OFFICE;

27 (c) TO ACHIEVE NET ZERO ENERGY OR NET ZERO CARBON

1 BUILDINGS WITH THE ADDITION OF RENEWABLE ENERGY GENERATION;

2 (d) TO ASSIST WITH THE COSTS OF INSTALLING BATTERY STORAGE
3 AND ELECTRIC VEHICLE CHARGING STATIONS;

4 (e) IN A JURISDICTION THAT HAS ADOPTED THE MOST RECENT
5 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE OR
6 ENERGY REQUIREMENTS THAT EXCEED THE REQUIREMENTS OF THAT CODE,
7 TO ASSIST WITH THE INCREMENTAL COSTS OF MEETING THE REQUIREMENTS
8 OF THAT CODE COMPARED TO THE PREVIOUS EDITION OF THE CODE, TAKING
9 INTO ACCOUNT THE FUNDING AVAILABLE FROM UTILITIES AND FROM THE
10 LAW, AND ORDINANCE COVERAGE OF ANY AVAILABLE HOMEOWNERS
11 INSURANCE; AND

12 (f) FOR OTHER SIMILAR USES AS DETERMINED BY THE OFFICE.

13 (6) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
14 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
15 THIS SECTION. THE OFFICE SHALL TRANSMIT ALL MONEY RECEIVED
16 THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO
17 SHALL CREDIT THE MONEY TO THE FUND.

18 (7) (a) THE SUSTAINABLE REBUILDING PROGRAM FUND IS HEREBY
19 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
20 TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION (7)(d) OF
21 THIS SECTION, ANY OTHER MONEY THAT THE GENERAL ASSEMBLY
22 APPROPRIATES OR TRANSFERS TO THE FUND, AND ANY GIFTS, GRANTS, OR
23 DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS
24 SECTION.

25 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
26 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
27 FUND TO THE FUND.

1 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
2 OFFICE FOR THE PURPOSES SPECIFIED IN THIS SECTION.

3 (d) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
4 (7)(d), THE STATE TREASURER SHALL TRANSFER TWENTY MILLION
5 DOLLARS FROM THE GENERAL FUND TO THE SUSTAINABLE REBUILDING
6 PROGRAM FUND CREATED IN SUBSECTION (7)(a) OF THIS SECTION.

20 **SECTION 4.** In Colorado Revised Statutes, **add** article 38.8 to
21 title 24 as follows:

ARTICLE 38.8

Statewide Climate Preparedness Roadmap

24 **24-38.8-101. Legislative declaration.** (1) THE GENERAL
25 ASSEMBLY HEREBY FINDS AND DECLARIES THAT:

26 (a) ENSURING A THRIVING FUTURE FOR THE STATE OF COLORADO
27 AND ITS CITIZENS REQUIRES A COLLABORATIVE, COORDINATED, AND

1 PROACTIVE STATEWIDE EFFORT TO IDENTIFY, PLAN FOR, ADDRESS, AND
2 AVOID ANY DETRIMENTAL IMPACTS OF CLIMATE CHANGE. AVOIDING
3 FUTURE DISASTERS, AND DETRIMENTAL IMPACTS TO OUR NATURAL
4 SYSTEMS, BUILT ENVIRONMENT, AND PEOPLE, BY MEANS OF THOROUGH
5 AND COORDINATED PLANNING AND PREPAREDNESS WILL BE MORE
6 EFFICIENT AND COST EFFECTIVE THAN SHORT-TERM SOLUTIONS.

7 (b) UNDERTAKING A DATA-DRIVEN, COMPREHENSIVE, AND
8 AGGREGATE ANALYSIS OF POPULATION AND ENVIRONMENTAL TRENDS TO
9 UNDERSTAND THE LIKELY IMPACT ON COLORADO'S INFRASTRUCTURE,
10 PEOPLE, LANDSCAPES, ECOSYSTEMS, AND COMMUNITIES WILL AID IN
11 INFORMING THE STATE AND LOCAL GOVERNMENTS ABOUT POTENTIAL
12 THREATS; ALIGNING RESOURCES; IDENTIFYING GAPS IN POLICY,
13 COORDINATION, OR COMMUNICATION; AND DEVELOPING EFFICIENT,
14 EFFECTIVE, AND EQUITABLE SOLUTIONS.

15 (c) A COMPREHENSIVE, STRATEGIC PLAN FOR HOW COLORADO CAN
16 GROW IN A MANNER THAT ACHIEVES THE STATE'S CLIMATE MITIGATION
17 GOALS AND ADAPTS TO A WARMING CLIMATE WILL PROVIDE THE STATE
18 WITH A PATH FOR BECOMING MORE CLIMATE-RESILIENT, AFFORDABLE,
19 INCLUSIVE, AND ECONOMICALLY COMPETITIVE.

20 (d) IN 2015, THE STATE OF COLORADO WISELY UNDERTOOK A
21 LONG-TERM, COMPREHENSIVE, LIVING APPROACH TO EVALUATING AND
22 PLANNING THE FUTURE OF THE STATE'S WATER RESOURCES THROUGH THE
23 DEVELOPMENT OF THE COLORADO WATER PLAN. MUCH AS WATER IS THE
24 LIFELOOD OF THE STATE, COLORADO'S CLIMATE FUTURE IS VITAL TO THE
25 HEALTH OF COLORADO COMMUNITIES. THE STATE, THEREFORE, SHOULD
26 MAKE THE SAME EFFORT TO ADDRESS ITS CLIMATE FUTURE AS IT DOES TO
27 ADDRESS WATER CONSERVATION GIVEN THE DEMONSTRATED AND

1 INCREASING IMPACTS OF CLIMATE CHANGE ON THE STATE'S COMMUNITIES,
2 INFRASTRUCTURE, AND NATURAL SYSTEMS.

3 (e) THE STATE OF COLORADO IS EXPECTED TO CONTINUE TO GROW,
4 ADDING MORE THAN ONE MILLION EIGHT HUNDRED THOUSAND NEW
5 PEOPLE BETWEEN 2020 AND 2050. THIS POPULATION GROWTH WILL LEAD
6 TO DYNAMIC SHIFTS IN HOW THE MOVEMENT OF GOODS AND PEOPLE
7 IMPACTS STATEWIDE RESOURCES, SYSTEMS, COMMUNITIES, ECONOMIES,
8 AND THE STATE'S PUBLIC LANDS, AIR, WATER RESOURCES, AND WILDLIFE
9 RESOURCES.

10 (f) WHILE COLORADO GROWS, A CHANGING CLIMATE IS ALREADY
11 SHOWING INCREASINGLY LONG-TERM DETRIMENTAL EFFECTS ON OUR
12 WATER RESOURCES, PUBLIC LANDS, WILDLIFE POPULATIONS, AND FOREST
13 HEALTH, AS WELL AS OUR PUBLIC INFRASTRUCTURE, BUILT ENVIRONMENT,
14 AND PUBLIC HEALTH.

15 (g) THE NUMBER OF DISASTERS AROUND THE WORLD HAS
16 INCREASED BY A FACTOR OF FIVE OVER THE PREVIOUS FIFTY YEARS, AND
17 THE RATE OF INCREASE IS EXPECTED TO CONTINUE AND ACCELERATE.
18 COLORADO CONTINUES TO EXPERIENCE SIGNIFICANT CLIMATE CHANGE
19 INDUCED NATURAL DISASTERS, INCLUDING WILDFIRES, DROUGHT, FLASH
20 FLOODING, AND MUDSLIDES THAT HAVE RESULTED IN SIGNIFICANT
21 INCREASES IN THE USE OF STATE RESOURCES AND WORK TIME EXPENDED
22 BY STATE EMPLOYEES. BY 2050, WITHOUT SIGNIFICANT INTERVENTIONS,
23 THE AVERAGE AREA OF OUR STATE BURNED BY FIRE EACH YEAR IS
24 EXPECTED TO INCREASE ANYWHERE FROM FIFTY PERCENT TO TWO
25 HUNDRED PERCENT.

26 (h) THE GENERAL ASSEMBLY, THROUGH HOUSE BILL 19-1261,
27 ENACTED IN 2019, HAS SET GOALS TO ENSURE THAT THE STATE WILL

1 REDUCE GREENHOUSE GAS POLLUTION. RELATIVE TO 2005 LEVELS, THE
2 STATE HAS SET GOALS TO REDUCE GREENHOUSE GAS POLLUTION
3 STATEWIDE BY TWENTY-SIX PERCENT BY 2025, FIFTY PERCENT BY 2030,
4 AND NINETY PERCENT BY 2050.

5 (i) THE STATE'S NATURAL SYSTEMS, LANDS, WATERS, AIR, AND
6 WILDLIFE FACE SIGNIFICANT IMPACTS FROM CLIMATE CHANGE AND
7 CHANGING DEMOGRAPHICS, AND REPRESENT FOUNDATIONAL ELEMENTS OF
8 COLORADO'S CHARACTER, STATEWIDE ECONOMIES, AND LOCAL
9 ECONOMIES. A COMPREHENSIVE APPROACH TO CLIMATE PREPAREDNESS
10 MUST ADDRESS THE NEEDS OF THE STATE'S NATURAL SYSTEMS, LANDS,
11 WATERS, AIR, AND WILDLIFE TO ENSURE THRIVING SYSTEMS AND THEIR
12 LONG-TERM HEALTH. A COMPREHENSIVE APPROACH TO CLIMATE
13 PREPAREDNESS SHOULD SUPPORT THE CRITICAL ROLE THAT VOLUNTARY
14 AND INCENTIVE-BASED CONSERVATION MEASURES PLAY IN SUPPORTING
15 AGRICULTURAL PRODUCERS AND PRIVATE LANDOWNERS WHILE ACHIEVING
16 BROADER ECOSYSTEM BENEFITS. A COMPREHENSIVE APPROACH TO
17 CLIMATE PREPAREDNESS SHOULD ALSO ADDRESS THE NEED TO ENSURE
18 RESILIENT AND CONNECTED LANDSCAPES THAT ARE CRITICALLY
19 IMPORTANT FOR ECOSYSTEM HEALTH IN FACING THE IMPACTS OF CLIMATE
20 CHANGE.

21 (j) FOLLOWING PASSAGE OF THE FEDERAL "AMERICAN RESCUE
22 PLAN ACT", THE UNITED STATES CONGRESS HAS PASSED THE
23 ONCE-IN-A-GENERATION, FEDERAL "INFRASTRUCTURE INVESTMENT AND
24 JOBS ACT" THAT WILL DIRECTLY PROVIDE OVER THREE BILLION DOLLARS
25 TO COLORADO FOR CRITICAL INFRASTRUCTURE AND OTHER AREAS OF
26 NEEDED INVESTMENT OVER THE NEXT FIVE YEARS. THESE RARE, ONE-TIME
27 INVESTMENTS WILL HAVE A PROFOUND IMPACT ON THE WAY THE STATE

1 GROWS. THESE INVESTMENTS SHOULD BE PLANNED AND UNDERTAKEN IN
2 CONCERT WITH THE GOALS ARTICULATED BY HOUSE BILL 19-1261, IN A
3 MANNER THAT SEEKS TO AVOID FUTURE DISASTERS AND SUPPORT CLIMATE
4 ADAPTATION NEEDS, AND ARE ASSISTED BY A COORDINATED EFFORT.

5 (k) THE STATE CAN REALIZE THE BEST OUTCOMES IN PREPARING
6 FOR CLIMATE AND DEMOGRAPHIC CHANGES BY PROMOTING STRONG
7 PARTNERSHIPS WITH LOCAL GOVERNMENTS AND COMMUNITY PARTNERS;
8 IDENTIFYING NEEDS, SUPPORT, AND INCENTIVES FOR LOCAL COMMUNITIES;
9 AND FOSTERING COORDINATION AMONG LOCAL GOVERNMENTS TO
10 ACHIEVE REGIONAL AND STATEWIDE BENEFITS.

11 (l) THE STATE MUST ENSURE THAT EQUITY, ENVIRONMENTAL
12 JUSTICE, AND REPRESENTATION ARE CENTRAL CONSIDERATIONS OF STATE
13 PREPAREDNESS, PLANNING, COORDINATION, AND OUTCOMES. EQUITY
14 MUST BE A KEY VALUE IN PREPARING FOR A WORLD THAT IS IMPACTED BY
15 CLIMATE CHANGE AND EVER INCREASING DISASTERS TO ENSURE THE
16 REPRESENTATION OF THOSE COMMUNITIES THAT STAND TO BE THE MOST
17 AFFECTED BY A CHANGING CLIMATE.

18 **24-38.8-102. Office of climate preparedness - creation - powers
19 and duties.** (1) THE OFFICE OF CLIMATE PREPAREDNESS, REFERRED TO IN
20 THIS ARTICLE 38.8 AS THE "OFFICE", IS CREATED IN THE GOVERNOR'S
21 OFFICE. THE OFFICE SHALL:

22 (a) COORDINATE DISASTER RECOVERY EFFORTS FOR THE
23 GOVERNOR'S OFFICE, AS DETERMINED BY THE GOVERNOR AND CONSISTENT
24 WITH SECTIONS 24-33.5-704 (6.5) AND 24-33.5-705.2, SEEKING TO
25 INTEGRATE CLIMATE RESILIENCE AND ADAPTATION INTO RECOVERY
26 EFFORTS; AND

27 (b) DEVELOP, PUBLISH, AND IMPLEMENT THE STATEWIDE CLIMATE

1 PREPAREDNESS ROADMAP REQUIRED PURSUANT TO SECTION 24-38.8-103

2 (1).

3 (2) THE OFFICE MAY ESTABLISH INTERAGENCY AND
4 INTERGOVERNMENTAL TASK FORCES AND COMMUNITY ADVISORY GROUPS,
5 WITH PARTICULAR ATTENTION TO THE INCLUSION, ACCESSIBILITY, AND
6 ENGAGEMENT OF DISPROPORTIONATELY IMPACTED COMMUNITIES, AS
7 DEFINED IN SECTION 24-4-109 (2)(b)(II), TO INFORM AND SUPPORT THE
8 WORK OF THE OFFICE. THE OFFICE MAY PROMOTE COMMUNITY
9 ENGAGEMENT AND INFORMATION SHARING AND FURTHER EFFORTS TO
10 IMPLEMENT THE RECOMMENDATIONS OF THE ROADMAP.

11 (3) THE OFFICE SHALL DIRECT THE IMPLEMENTATION OF THE
12 ROADMAP, INCLUDING ALL SUBSEQUENT UPDATES, AND MAY ESTABLISH
13 CRITERIA FOR EVALUATING EXISTING PROGRAMS IN ALL OTHER STATE
14 AGENCIES TO ENSURE IMPLEMENTATION OF THE ROADMAP AND ITS
15 GOVERNING PRINCIPLES.

16 **24-38.8-103. Development of statewide climate preparedness**
17 **roadmap.** (1) NO LATER THAN DECEMBER 1, 2023, THE OFFICE SHALL
18 PREPARE AND PUBLISH AND, EVERY THREE YEARS THEREAFTER, UPDATE
19 A LONG-TERM, STATEWIDE CLIMATE PREPAREDNESS STRATEGIC PLAN AND
20 ROADMAP, REFERRED TO IN THIS ARTICLE 38.8 AS THE "ROADMAP". THE
21 ROADMAP MUST INTEGRATE AND INCLUDE INFORMATION FROM ALL
22 EXISTING STATE PLANS THAT ADDRESS CLIMATE MITIGATION,
23 ADAPTATION, RESILIENCY, AND RECOVERY, INCLUDING NEW OR UPDATED
24 PLANS COMPLETED AFTER THE INITIAL PUBLICATION OF THE ROADMAP.
25 THE ROADMAP MUST BUILD UPON THIS PREVIOUS BODY OF WORK, SEEK TO
26 ALIGN EXISTING PLANS, AND IDENTIFY ANY GAPS IN POLICY, PLANNING, OR
27 RESOURCES. THE ROADMAP SERVES TO UPDATE ANY OUTDATED

1 ASSUMPTIONS, DEMOGRAPHIC INFORMATION, AND STATEWIDE GOALS IN
2 EXISTING PLANS WITH THE MOST RECENT AND AVAILABLE INFORMATION.

3 THE ROADMAP MUST IDENTIFY STRATEGIES FOR HOW THE STATE WILL
4 GROW IN POPULATION AND CONTINUE TO DEVELOP IN A MANNER THAT:

5 (a) IS IN ALIGNMENT WITH STATE GREENHOUSE GAS REDUCTION
6 GOALS AND GREENHOUSE GAS ROADMAP AND CLIMATE MITIGATION
7 STRATEGIES, PARTICULARLY IN THE NATURAL AND WORKING LANDS, LAND
8 USE DEVELOPMENT, WATER QUALITY AND QUANTITY, AND
9 TRANSPORTATION SECTORS OF THE STATE;

10 (b) ADAPTS TO A WARMING CLIMATE, PARTICULARLY UTILIZING
11 ECOSYSTEM-BASED ADAPTATION STRATEGIES AND BEST AVAILABLE
12 SCIENCE, TO ENSURE THE LONG-TERM HEALTH OF THE STATE'S LANDS,
13 PEOPLE, WATERS, WILDLIFE, NATIVE BIODIVERSITY, AND NATURAL
14 SYSTEMS; INCREASE THE RESILIENCE OF COLORADO'S SPECIES, HABITATS,
15 ECOSYSTEMS, AND NATURAL INFRASTRUCTURE TO THE EFFECTS OF
16 CLIMATE CHANGE; AND INFORM THE DEVELOPMENT OF STATEWIDE
17 CONSERVATION GOALS, IN ONGOING COORDINATION WITH THE DIVISION OF
18 PARKS AND WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES
19 CREATED IN SECTION 33-9-104 (1), THE DEPARTMENT OF NATURAL
20 RESOURCES CREATED IN SECTION 24-33-101 (1), AND THE DEPARTMENT OF
21 AGRICULTURE CREATED IN SECTION 35-1-103;

22 (c) MAXIMIZES THE USE OF RESILIENCY PRINCIPLES FOR THE
23 STATE'S BUILT ENVIRONMENT TO STRENGTHEN THE STATE'S
24 INFRASTRUCTURE AND MINIMIZE THE IMPACTS OF NATURAL DISASTERS ON
25 COMMUNITIES IN COORDINATION WITH THE DEPARTMENT OF PUBLIC
26 SAFETY CREATED IN SECTION 24-33.5-103, THE DEPARTMENT OF LOCAL
27 AFFAIRS CREATED IN SECTION 24-1-125, AND THE COLORADO RESILIENCY

1 OFFICE CREATED IN SECTION 24-32-122; AND
2 (d) ACTIVELY TAKES INTO ACCOUNT THAT DISPROPORTIONATELY
3 IMPACTED COMMUNITIES, AS DEFINED IN SECTION 24-4-109 (2)(b)(II), ARE
4 PARTICULARLY VULNERABLE TO THE IMPACTS OF CLIMATE CHANGE AND
5 IDENTIFIES OPPORTUNITIES FOR PROJECTS, POLICIES, AND STRATEGIES TO
6 PROTECT THE STATE'S MOST VULNERABLE RESIDENTS WITH THE GOAL OF
7 ATTAINING A MORE EQUITABLE FUTURE.

8 **SECTION 5. In Colorado Revised Statutes, add 10-1-143 as**
9 **follows:**

10 **10-1-143. Study on homeowner's insurance - repeal.** (1) THE
11 COMMISSIONER SHALL CONDUCT A STUDY AND PREPARE A REPORT
12 CONCERNING METHODS TO ADDRESS THE STABILITY, AVAILABILITY, AND
13 AFFORDABILITY OF HOMEOWNER'S INSURANCE FOR COLORADANS WITH A
14 FOCUS ON STABILIZING THE CURRENT MARKET. THE STUDY MUST TAKE
15 INTO CONSIDERATION:

16 (a) CURRENT MARKET CONDITIONS, INCLUDING:
17 (I) AVAILABILITY OF COVERAGE BY COUNTY OR ZIP CODE;
18 (II) AFFORDABILITY OF COVERAGE BY PROPERTY VALUE; AND
19 (III) IDENTIFICATION OF AREAS OF THE STATE WITH PARTICULAR

20 RISK CONCERNs;

21 (b) POTENTIAL PREMIUM IMPACTS TO CONSUMERS; AND
22 (c) MEASURES AND PROGRAMS TO ENSURE THE LONG-TERM
23 SUSTAINABILITY AND AVAILABILITY OF HOMEOWNER'S INSURANCE
24 COVERAGE.

25 (2) (a) THE COMMISSIONER MAY CONTRACT WITH A THIRD PARTY
26 TO CONDUCT THE STUDY REQUIRED IN SUBSECTION (1) OF THIS SECTION.
27 THE COMMISSIONER IS NOT REQUIRED TO COMPLY WITH THE

1 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, FOR PURPOSES
2 OF THIS SUBSECTION (2), BUT SHALL USE A COMPETITIVE PROCESS TO
3 SELECT A THIRD PARTY TO CONDUCT THE STUDY.

4 (b) THE COMMISSIONER AND ANY THIRD PARTY CONDUCTING THE
5 STUDY SHALL ENGAGE WITH AND SEEK INPUT FROM CARRIERS, CONSUMER
6 GROUPS, AND OTHER INTERESTED PARTIES.

7 (c) INFORMATION SUBMITTED BY THE CARRIERS TO THE DIVISION
8 OR THIRD-PARTY CONTRACTOR SELECTED TO CONDUCT THE STUDY IN
9 ACCORDANCE WITH THIS SECTION IS SUBJECT TO PUBLIC INSPECTION ONLY
10 TO THE EXTENT ALLOWED UNDER THE "COLORADO OPEN RECORDS ACT",
11 PART 2 OF ARTICLE 72 OF TITLE 24. THE DIVISION AND THIRD-PARTY
12 CONTRACTOR SHALL NOT DISCLOSE TRADE-SECRET, CONFIDENTIAL, OR
13 PROPRIETARY INFORMATION TO ANY PERSON WHO IS NOT OTHERWISE
14 AUTHORIZED TO ACCESS SUCH INFORMATION.

15 (3) THE COMMISSIONER SHALL SUBMIT THE REPORT REQUIRED BY
16 THIS SECTION TO THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND
17 LABOR COMMITTEE, THE SENATE BUSINESS, LABOR, AND TECHNOLOGY
18 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE JOINT BUDGET
19 COMMITTEE. THE REPORT MAY BE CONSIDERED, AS NECESSARY, IN THE
20 BUDGETING PROCESS. THE REPORT MAY INCLUDE RECOMMENDATIONS FOR
21 OTHER PROPERTY INSURANCE MARKETS THAT NEED TO BE STUDIED.

22 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

23 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1106,
24 amend (2); and add (3) and (4) as follows:

25 **24-33.5-1106. Grants to individuals.** (2) Notwithstanding any
26 other law or rule, the governor is authorized to make financial grants to
27 meet disaster-related necessary expenses or serious needs of individuals

1 or families adversely affected by a major disaster which cannot otherwise
2 adequately be met from other means of assistance. ~~which grants shall not~~
3 ~~exceed five thousand dollars in the aggregate to an individual or family~~
4 ~~in any single major disaster declared by the governor.~~

5 (3) THE OFFICE OF EMERGENCY MANAGEMENT CREATED IN
6 ~~24-33.5-705~~ SHALL COORDINATE WITH THE GOVERNOR'S OFFICE, FEDERAL
7 AGENCIES, OTHER STATE AGENCIES, LOCAL GOVERNMENTS, AND
8 PHILANTHROPIC ENTITIES AS DETERMINED BY THE OFFICE TO ENSURE
9 DISASTER INDIVIDUAL ASSISTANCE IS DELIVERED IN A COORDINATED
10 EFFORT AND TO AVOID DUPLICATION OF BENEFITS.

11 (4) THE OFFICE OF EMERGENCY MANAGEMENT SHALL IMPLEMENT
12 AND MAINTAIN A DISASTER SURVIVOR PORTAL FOR DISASTER SURVIVORS
13 TO APPLY FOR APPROVED STATE DISASTER INDIVIDUAL ASSISTANCE. THE
14 PORTAL MUST PROVIDE DISASTER SURVIVORS WITH A COORDINATED
15 METHOD TO ACCESS APPROPRIATE BENEFITS, INCLUDING FEDERAL BENEFIT
16 PROGRAMS, APPROVED STATE DISASTER INDIVIDUAL ASSISTANCE
17 BENEFITS, THE DISASTER RESILIENCE REBUILDING PROGRAM CREATED IN
18 ~~24-32-132~~, AND THE SUSTAINABLE REBUILDING PROGRAM CREATED IN
19 ~~24-38.5-113~~. THE PORTAL MUST ENSURE EQUITABLE ACCESS TO PROGRAM
20 INFORMATION INCLUDING COMMUNICATIONS IN THE RELEVANT
21 LANGUAGES OF THE COMMUNITY AND EQUITABLE HEARING, SIGHT, AND
22 PHYSICAL ACCESSIBILITY. LOCAL GOVERNMENTS AND PHILANTHROPIC
23 ENTITIES MAY OPERATE THEIR OWN DISASTER SURVIVOR PORTALS IN
24 COORDINATION WITH THE OFFICE OF EMERGENCY MANAGEMENT.

25 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1203, add
26 (1)(x) as follows:

27 **24-33.5-1203. Duties of division.** (1) The division shall perform

1 the following duties:

2 (x) ESTABLISH AND MAINTAIN A STATEWIDE FIRE DISPATCH
3 CENTER TO ENSURE RAPID RESPONSE OF FIRE-BASED RESOURCES TO
4 EMERGING WILDFIRE AND ALL-HAZARD INCIDENTS IN SUPPORT OF LOCAL,
5 COUNTY, STATE, AND FEDERAL AGENCIES IN COLORADO.

6 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-1228,
7 amend (3)(c)(I); and add (2.5)(b)(V) and (3)(c)(III) as follows:

8 **24-33.5-1228. Colorado firefighting air corps - creation -**
9 **powers - aircraft acquisitions required - center of excellence -**
10 **unmanned aircraft systems study and pilot program - Colorado**
11 **firefighting air corps fund - creation - report - rules.** (2.5) (b) The
12 center of excellence shall perform, but is not limited to, the following
13 functions:

14 **(V) DEVELOP AND IMPLEMENT A COLORADO TEAM AWARENESS**
15 **KIT FOR INTERESTED PUBLIC SAFETY AGENCIES IN THE STATE.**

16 **(3) (c) (I) EXCEPT AS PROVIDED IN SUBSECTION (3)(c)(III) OF THIS**
17 **SECTION, the division shall use the money in the Colorado firefighting air**
18 **corps fund for the purposes of subsection (2.5) of this section and for**
19 **paying the direct and indirect costs of maintaining the Colorado**
20 **firefighting air corps, including expenses associated with acquisition,**
21 **retrofitting, labor, equipment, supply, transportation, air, mobilization,**
22 **repair, maintenance, and demobilization.**

23 **(III) WITHIN THREE DAYS OF THE EFFECTIVE DATE OF THIS**
24 **SUBSECTION (3)(c)(III), THE STATE TREASURER SHALL TRANSFER FIFTEEN**
25 **MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE DISASTER**
26 **EMERGENCY FUND CREATED IN SECTION 24-33.5-706 (2)(a) TO THE**
27 **COLORADO FIREFIGHTING AIR CORPS FUND CREATED IN SUBSECTION (3)(a)**

1 OF THIS SECTION. NOTWITHSTANDING ANY OTHER REQUIREMENT OF THIS
2 SECTION, THE DIVISION SHALL USE THE MONEY TRANSFERRED PURSUANT
3 TO THIS SUBSECTION (3)(c)(III) FOR THE FOLLOWING PURPOSES IN FISCAL
4 YEAR 2021-22 AND IN FISCAL YEAR 2022-23:

5 (A) ESTABLISHING AND MAINTAINING A STATEWIDE FIRE DISPATCH
6 CENTER TO ENSURE RAPID RESPONSE OF FIRE-BASED RESOURCES TO
7 EMERGING WILDFIRE AND ALL-HAZARD INCIDENTS IN SUPPORT OF LOCAL,
8 COUNTY, STATE, AND FEDERAL AGENCIES IN COLORADO IN ACCORDANCE
9 WITH SECTION 24-33.5-1203 (1)(x);

10 (B) THE LEASING BY THE DIVISION OF APPROPRIATE AVIATION
11 RESOURCES CONFIGURED FOR WILDFIRE SUPPRESSION, FOR THE
12 OPERATIONAL COSTS ASSOCIATED WITH THE USE OF THE LEASED AND
13 PURCHASED AVIATION RESOURCES, AND THE COSTS ASSOCIATED WITH
14 LEASING, PURCHASING, OR OWNING CAPITAL INFRASTRUCTURE TO HOUSE
15 THE AVIATION RESOURCES; AND

16 (C) EXPANDING AND FURTHER IMPLEMENTING THE COLORADO
17 TEAM AWARENESS KIT SYSTEMS IN ACCORDANCE WITH SUBSECTION
18 (2.5)(b)(V) OF THIS SECTION.

19 **SECTION 9.** In Colorado Revised Statutes, 24-33.5-706, amend
20 (2)(a) as follows:

21 **24-33.5-706. Disaster emergency fund - established - financing**
22 - legislative intent. (2) (a) A disaster emergency fund is hereby
23 established. The fund consists of any ~~moneys~~ MONEY appropriated by the
24 general assembly, ~~moneys~~ MONEY transferred pursuant to subsections
25 (2.5) and (4)(b) of this section, and ~~moneys~~ MONEY to reimburse
26 expenditures from the fund that are transmitted to the state treasurer and
27 credited to the fund. ~~Moneys~~ MONEY in the disaster emergency fund shall

1 remain in the fund until expended or until transferred pursuant to
2 subsection (2.5)(c), (4.3), or (4.5) of this section OR SECTION
3 24-33.5-1228 (3)(c)(III).

4 **SECTION 10.** In Colorado Revised Statutes, **add 39-26-731 as**
5 **follows:**

6 **39-26-731. Rebuilding from wildfire - exemption - definitions**
7 **- legislative declaration - repeal.** (1) IN ACCORDANCE WITH SECTION
8 39-21-304 (1), WHICH REQUIRES EACH BILL THAT CREATES A NEW TAX
9 EXPENDITURE TO INCLUDE A TAX PREFERENCE PERFORMANCE STATEMENT
10 AS PART OF A STATUTORY LEGISLATIVE DECLARATION, THE GENERAL
11 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

12 (a) THE GENERAL LEGISLATIVE PURPOSE OF THE EXEMPTION
13 ALLOWED BY THIS SECTION IS TO PROVIDE TAX RELIEF FOR CERTAIN
14 INDIVIDUALS;

15 (b) THE SPECIFIC LEGISLATIVE PURPOSE OF THE EXEMPTION
16 ALLOWED BY THIS SECTION IS TO PROVIDE FINANCIAL RELIEF TO
17 COLORADANS RECOVERING AND REBUILDING FROM WILDFIRE; AND

18 (c) IN ORDER TO ALLOW THE GENERAL ASSEMBLY AND THE STATE
19 AUDITOR TO MEASURE THE EFFECTIVENESS OF THE EXEMPTION ALLOWED
20 BY THIS SECTION, THE STATE AUDITOR SHALL ESTIMATE THE PROPORTION
21 OF HOMEOWNERS AFFECTED BY WILDFIRE WHO BENEFITTED FROM THE
22 EXEMPTION WHILE REBUILDING OR REPAIRING THEIR HOMES.

23 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
24 REQUIRES:

25 (a) "DECLARED WILDFIRE DISASTER" MEANS A WILDFIRE THAT IS
26 DECLARED A DISASTER EMERGENCY BY THE GOVERNOR PURSUANT TO
27 SECTION 24-33.5-704 (4) IN OR AFTER 2020.

3 (c) "QUALIFIED HOMEOWNER OR CONTRACTOR" MEANS A
4 HOMEOWNER OR CONTRACTOR WHO HAS BEEN ISSUED A REBUILDING
5 EXEMPTION CERTIFICATE BY A LOCAL GOVERNMENT PURSUANT TO
6 SUBSECTION (4) OF THIS SECTION.

7 (3) (a) ON AND AFTER JULY 1, 2022, BUT BEFORE JULY 1, 2025,
8 ALL SALES OF CONSTRUCTION AND BUILDING MATERIALS TO A QUALIFIED
9 HOMEOWNER OR CONTRACTOR ARE EXEMPT FROM TAXATION UNDER PART
10 1 OF THIS ARTICLE 26, SO LONG AS THE MATERIALS WILL BE USED
11 DIRECTLY IN THE REBUILDING OR REPAIR OF A RESIDENTIAL STRUCTURE
12 DAMAGED OR DESTROYED BY A DECLARED WILDFIRE DISASTER.

13 (b) ON AND AFTER JULY 1, 2022, BUT BEFORE JULY 1, 2025, THE
14 STORAGE, USE, OR CONSUMPTION OF CONSTRUCTION AND BUILDING
15 MATERIALS BY A QUALIFIED HOMEOWNER OR CONTRACTOR ARE EXEMPT
16 FROM TAXATION UNDER PART 2 OF THIS ARTICLE 26, SO LONG AS THE
17 MATERIALS WILL BE USED DIRECTLY IN THE REBUILDING OR REPAIR OF A
18 RESIDENTIAL STRUCTURE DAMAGED OR DESTROYED BY A DECLARED
19 WILDFIRE DISASTER.

20 (c) TO CLAIM THE EXEMPTION ALLOWED BY THIS SUBSECTION (3),
21 A QUALIFIED HOMEOWNER OR CONTRACTOR MUST PROVIDE A COPY OF THE
22 REBUILDING EXEMPTION CERTIFICATE ISSUED PURSUANT TO SUBSECTION
23 (4) OF THIS SECTION TO EVERY RETAILER FROM WHICH THE QUALIFIED
24 HOMEOWNER OR CONTRACTOR IS PURCHASING MATERIALS THAT ARE
25 EXEMPT UNDER THIS SECTION.

26 (4) THE LOCAL GOVERNMENT WITH JURISDICTION TO ISSUE A
27 BUILDING PERMIT IN AN AREA AFFECTED BY A DECLARED WILDFIRE

1 DISASTER MAY ISSUE A REBUILDING EXEMPTION CERTIFICATE TO A
2 HOMEOWNER OR CONTRACTOR WHO IS REBUILDING OR REPAIRING ONE OR
3 MORE RESIDENTIAL STRUCTURES WITHIN THE LOCAL GOVERNMENT'S
4 JURISDICTION THAT WAS DAMAGED OR DESTROYED BY THE DECLARED
5 WILDFIRE DISASTER. A REBUILDING EXEMPTION CERTIFICATE SHALL
6 CLEARLY IDENTIFY EACH RESIDENTIAL STRUCTURE TO WHICH IT APPLIES.
7 THE HOMEOWNER OR CONTRACTOR MAY USE THE REBUILDING EXEMPTION
8 CERTIFICATE TO CLAIM THE EXEMPTION ALLOWED BY SUBSECTION (3) OF
9 THIS SECTION ONLY FOR THE SALES, STORAGE, USE, OR CONSUMPTION OF
10 CONSTRUCTION AND BUILDING MATERIALS THAT WILL BE USED DIRECTLY
11 IN THE REBUILDING OR REPAIR OF A RESIDENTIAL STRUCTURE DAMAGED
12 OR DESTROYED BY THE DECLARED WILDFIRE DISASTER THAT IS IDENTIFIED
13 IN THE REBUILDING EXEMPTION CERTIFICATE AND SHALL NOT USE THE
14 CERTIFICATE TO CLAIM THE EXEMPTION FOR ANY OTHER PURPOSE.

15 (5) THE EXECUTIVE DIRECTOR SHALL PROVIDE A FORM FOR THE
16 REBUILDING EXEMPTION CERTIFICATE TO THE PROPER OFFICIAL OF THE
17 LOCAL GOVERNMENT WITH JURISDICTION TO ISSUE A BUILDING PERMIT IN
18 AN AREA AFTER DETERMINING THAT THE AREA WAS AFFECTED BY A
19 DECLARED WILDFIRE DISASTER.

20 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2028.

21 **SECTION 11.** In Colorado Revised Statutes, 29-2-105, add
22 (1)(d)(I)(Q) as follows:

23 **29-2-105. Contents of sales tax ordinances and proposals.**
24 (1) The sales tax ordinance or proposal of any incorporated town, city,
25 or county adopted pursuant to this article 2 shall be imposed on the sale
26 of tangible personal property at retail or the furnishing of services, as
27 provided in subsection (1)(d) of this section. Any countywide or

1 incorporated town or city sales tax ordinance or proposal shall include the
2 following provisions:

3 (d) (I) A provision that the sale of tangible personal property and
4 services taxable pursuant to this article 2 shall be the same as the sale of
5 tangible personal property and services taxable pursuant to section
6 39-26-104, except as otherwise provided in this subsection (1)(d). The
7 sale of tangible personal property and services taxable pursuant to this
8 article 2 shall be subject to the same sales tax exemptions as those
9 specified in part 7 of article 26 of title 39; except that the sale of the
10 following may be exempted from a town, city, or county sales tax only by
11 the express inclusion of the exemption either at the time of adoption of
12 the initial sales tax ordinance or resolution or by amendment thereto:

13 (Q) THE EXEMPTION FOR SALES OF CONSTRUCTION AND BUILDING
14 MATERIALS TO A QUALIFIED HOMEOWNER OR CONTRACTOR AS SPECIFIED
15 IN SECTION 39-26-731.

16 **SECTION 12.** In Colorado Revised Statutes, 29-2-109, **amend**
17 (1) introductory portion as follows:

18 **29-2-109. Contents of use tax ordinances and proposals -**
19 **repeal.** (1) The use tax ordinance, resolution, or proposal of any town,
20 city, or county adopted pursuant to this article 2 shall be imposed only for
21 the privilege of using or consuming in the town, city, or county any
22 construction and building materials purchased at retail or for the privilege
23 of storing, using, or consuming in the town, city, or county any motor and
24 other vehicles, purchased at retail on which registration is required, or
25 both. For the purposes of this subsection (1), the term "construction and
26 building materials" shall not include parts or materials utilized in the
27 fabrication, construction, assembly, or installation of passenger tramways,

1 as defined in section 12-150-103 (5), by any ski area operator, as defined
2 in section 33-44-103 (7), or any person fabricating, constructing,
3 assembling, or installing a passenger tramway for a ski area operator. The
4 ordinance, resolution, or proposal may recite that the use tax shall not
5 apply to the storage and use of wood from salvaged trees killed or
6 infested in Colorado by mountain pine beetles or spruce beetles as
7 exempted from the state use tax pursuant to section 39-26-723. The
8 ordinance, resolution, or proposal may recite that the use tax shall not
9 apply to the storage and use of components used in the production of
10 energy, including but not limited to alternating current electricity, from
11 a renewable energy source, as exempted from the state use tax pursuant
12 to section 39-26-724. THE ORDINANCE, RESOLUTION, OR PROPOSAL MAY
13 RECITE THAT THE USE TAX SHALL NOT APPLY TO THE STORAGE, USE, AND
14 CONSUMPTION OF CONSTRUCTION AND BUILDING MATERIALS EXEMPT
15 FROM STATE USE TAX UNDER SECTION 39-26-731 (3)(b). The ordinance,
16 resolution, or proposal shall recite that the use tax shall not apply:

17 **SECTION 13. Appropriation.** (1) For the 2022-23 state fiscal
18 year, \$472,137 is appropriated to the office of the governor. This
19 appropriation is from the general fund. To implement this act, the
20 department may use this appropriation as follows:

21 (a) \$426,629 for use by the office of the governor for the office
22 of climate preparedness related to governor's office, which amount is
23 based on an assumption that the office will require an additional 2.7 FTE;

24 (b) \$30,722 for use by the Colorado energy office related to
25 sustainable building program; and

26 (c) \$14,786 for the purchase of legal services related to the
27 Colorado energy office.

1 (2) For the 2022-23 state fiscal year, \$14,786 is appropriated to
2 the department of law. This appropriation is from reappropriated funds
3 received from the office of the governor under subsection (1)(c) of this
4 section. To implement this act, the department of law may use this
5 appropriation to provide legal services for the Colorado energy office.

6 (3) For the 2022-23 state fiscal year, \$233,837 is appropriated to
7 the department of local affairs. This appropriation is from the general
8 fund. To implement this act, the department may use this appropriation
9 as follows:

10 (a) \$219,052 for use by the division of local government for
11 disaster resilience rebuilding program related to community services,
12 which amount is based on an assumption that the division will require an
13 additional 2.8 FTE; and

14 (b) \$14,785 for the purchase of legal services.

15 (4) For the 2022-23 state fiscal year, \$14,785 is appropriated to
16 the department of law. This appropriation is from reappropriated funds
17 received from the department of local affairs under subsection (1)(b) of
18 this section. To implement this act, the department of law may use this
19 appropriation to provide legal services for the department of local affairs.

20 (5) For the 2022-23 state fiscal year, \$91,937 is appropriated to
21 the department of agriculture for use by the agricultural services division.
22 This appropriation is from the general fund and is based on an assumption
23 that the division will require an additional 0.9 FTE. To implement this
24 act, the division may use this appropriation for the conservation services
25 division.

26 (6) For the 2022-23 state fiscal year, \$107,307 is appropriated to
27 the department of natural resources for use by the division of parks and

1 wildlife. This appropriation is from the general fund and is based on an
2 assumption that the division will require an additional 0.9 FTE. To
3 implement this act, the division may use this appropriation for wildlife
4 operations.

5 (7) For the 2022-23 state fiscal year, \$19,334 is appropriated to
6 the department of personnel for use by the division of capital assets. This
7 appropriation is from the Colorado firefighting air corps fund created in
8 section 24-33.5-1228 (3)(a), C.R.S. To implement this act, the division
9 may use this appropriation for vehicle replacement lease/purchase for the
10 department of public safety.

11 (8) For the 2022-23 state fiscal year, \$230,000 is appropriated to
12 the department of regulatory agencies for use by the division of insurance.
13 This appropriation is from the division of insurance cash fund created in
14 section 10-1-103 (3), C.R.S. To implement this act, the division may use
15 this appropriation for personal services.

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