A BILL FOR AN ACT

CONCERNING WILDFIRE MITIGATION ASSISTANCE FOR LANDOWNERS.

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/.)

Wildfire Matters Review Committee. The bill establishes the wildfire mitigation resources and best practices grant program (grant program) within the division of local government in the department of local affairs. Grant recipients use grant money to conduct outreach among landowners to inform them of resources available for wildfire mitigation and best practices for wildfire mitigation. The grant program only awards grants to applicants conducting outreach to landowners in high wildfire hazard areas and prioritizes applications based on the potential impact of
the applicant's proposed outreach.

The bill also extends the increased wildfire mitigation income tax deduction that allows a landowner to claim 100%, rather than 50%, of the costs they incur in performing wildfire mitigation measures.

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

SECTION 1. In Colorado Revised Statutes, add 24-32-128 as follows:

24-32-128. Wildfire mitigation resources and best practices grant program - creation - report - repeal. (1) There is hereby created in the division the wildfire mitigation resources and best practices grant program, referred to in this section as the "grant program". Grant recipients may use the money to conduct outreach among landowners to inform them of resources available for wildfire mitigation and best practices for wildfire mitigation.

(2) The division shall administer the grant program and, subject to available appropriations, shall award grants as provided in this section. The division shall develop and publish policies and procedures to implement the grant program in accordance with this section. At a minimum, the policies and procedures must specify the time frames for applying for grants, the form of the grant program application, and the grant program evaluation and reporting requirements for grant recipients.

(3) To be eligible to receive a grant, an entity must be an agency of local government, a special district, a tribal agency or program, a faith-based organization, or a nonprofit or
NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND IN GOOD
STANDING WITH THE SECRETARY OF STATE'S OFFICE. APPLICANTS MUST
MEET ANY OTHER CRITERIA SPECIFIED IN THE DIVISION'S POLICIES AND
PROCEDURES.

(4) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
PURSUANT TO THIS SECTION. THE DIVISION SHALL ONLY AWARD GRANTS
TO APPLICANTS PROPOSING TO CONDUCT OUTREACH AMONG LANDOWNERS
IN HIGH WILDFIRE HAZARD AREAS AND SHALL CONSIDER THE POTENTIAL
IMPACT OF THE APPLICANTS' PROPOSED OUTREACH WHEN AWARDING
GRANTS.

(5) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
JANUARY 1 AND EACH YEAR THEREAFTER FOR THE DURATION OF THE
GRANT PROGRAM, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
LOCAL AFFAIRS SHALL AWARD GRANTS AS PROVIDED IN THIS SECTION.
GRANTS ARE AWARDED AT THE SOLE DISCRETION OF THE EXECUTIVE
DIRECTOR IN ACCORDANCE WITH THIS SECTION.

(6) ON OR BEFORE SEPTEMBER 1, 2021, AND ON OR BEFORE
SEPTEMBER 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF LOCAL
AFFAIRS SHALL SUBMIT A REPORT TO THE WILDFIRE MATTERS REVIEW
COMMITTEE, OR ANY SUCCESSOR COMMITTEE, ON THE GRANT PROGRAM.
NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING
REQUIREMENT CONTINUES UNTIL THE GRANT PROGRAM REPEALS
PURSUANT TO SUBSECTION (8) OF THIS SECTION.

(7) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS
TO IMPLEMENT THE GRANT PROGRAM. THE DIVISION MAY USE A PORTION
OF THE MONEY ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM TO
PAY THE DIRECT AND INDIRECT COSTS THAT THE DIVISION INCURS TO ADMINISTER THE GRANT PROGRAM.

(8) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2025.

SECTION 2. In Colorado Revised Statutes, 39-22-104, amend (4)(n.5)(I)(A.5) and (4)(n.5)(IV) as follows:

39-22-104. Income tax imposed on individuals, estates, and trusts - single rate - legislative declaration - definitions - repeal.

(4) There shall be subtracted from federal taxable income:

(n.5) (I) (A.5) For income tax years commencing on or after January 1, 2017, but prior to January 1, 2020, AND FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT PRIOR TO JANUARY 1, 2024, an amount equal to one hundred percent of a landowner's costs incurred in performing wildfire mitigation measures in that income tax year on his or her property located within the state; except that the amount of the deduction claimed in an income tax year shall not exceed two thousand five hundred dollars or the total amount of the landowner's federal taxable income for the income tax year for which the deduction is claimed, whichever is less.

(IV) This paragraph (n.5) SUBSECTION (4)(n.5) is repealed, effective December 31, 2027.

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