



Colorado Legislative Council Staff Fiscal Note
**STATE and LOCAL
 FISCAL IMPACT**

Drafting Number: LLS 11-1052 **Date:** May 3, 2011
Prime Sponsor(s): Rep. Gerou **Bill Status:** House Local Government
 Sen. Foster; Roberts **Fiscal Analyst:** Alex Schatz (303-866-4375)

TITLE: CONCERNING A MODIFICATION OF STATUTORY PROVISIONS ADDRESSING INTERGOVERNMENTAL COOPERATION IN CONNECTION WITH WILDLAND FIRE MITIGATION TO CLARIFY THAT SUCH PROVISIONS ARE INTENDED TO AFFECT LAND AREAS USED SOLELY FOR RECREATIONAL PURPOSES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

This bill extends a statutory deadline and narrows the scope of current law requiring intergovernmental agreements (IGAs) between certain municipalities and counties concerning wildland fire mitigation. Under current law, a municipality owning extraterritorial land with a significant risk of wildland fire (e.g., over 50 percent forested) must, by July 1, 2011, enter into an IGA with the county in which the land is located.

The bill limits the requirement that local governments enter into wildland fire mitigation IGAs to only circumstances where the subject land is used solely for recreational purposes, leaving IGAs covering other categories of land to the discretion of local governments under other Colorado law. Affected local governments may comply with the bill by executing an IGA by July 1, 2012, instead of the current statutory deadline.

Background

In 2009, the Colorado General Assembly legislated the requirement for wildland fire mitigation IGAs in HB 09-1162. This legislation potentially affects numerous municipal and county governments in Colorado (e.g., the City of Boulder owns forest land in unincorporated Boulder

County; the City and County of Denver owns forested land in Jefferson County), though the 2009 law exempts land already subject to an IGA. As enacted, HB 09-1162 also potentially encompasses properties owned by special districts and other local governments for water storage, utilities, and various other purposes.

State Expenditures

The Department of Local Affairs (DOLA) assists local governments with technical questions regarding legislation. DOLA will absorb within existing resources a minimal increase in workload to clarify the effect of the bill on local government clients.

Local Government Impact

Wildland fire mitigation IGAs under HB 09-1162 are not mandated until July 1, 2011. Because the bill limits the scope of HB 09-1162 and provides an additional year in which to comply, costs may be reduced for municipalities owning non-recreational extraterritorial lands and for counties attempting to negotiate multiple IGAs simultaneously.

The bill does not curtail the enforcement of existing IGAs and does not prohibit the formation or renewal of any IGA. The fiscal impact of the bill on local government is assessed as minimal.

Departments Contacted

Local Affairs

Public Safety