

NOTE: The governor signed this measure on 2/19/2013.

An Act

SENATE BILL 13-110

BY SENATOR(S) Lambert, Hodge, Steadman, Aguilar, Baumgardner, Cadman, Giron, Grantham, Guzman, Heath, Jahn, Lundberg, Newell, Nicholson, Schwartz, Todd, Ulibarri, Morse;
also REPRESENTATIVE(S) Levy and Gerou, Duran, Exum, Fields, Ginal, Hamner, Holbert, Humphrey, Labuda, Lawrence, Lebsock, Lee, McLachlan, Melton, Mitsch Bush, Moreno, Pabon, Pettersen, Priola, Salazar, Schafer, Scott, Vigil, Williams, Young, Ferrandino.

CONCERNING THE WILDLAND FIRE COST RECOVERY FUND.

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

SECTION 1. In Colorado Revised Statutes, 24-33.5-1220, **amend** (4) and (5) as follows:

24-33.5-1220. Funds available - emergency fire fund - wildland fire equipment repair fund - wildland fire cost recovery fund - creation - gifts, grants, and donations authorized. (4) (a) There is hereby created in the state treasury the wildland fire cost recovery fund, ~~which fund shall~~ TO be administered by the division for personnel and operating expenses associated with WILDLAND fire suppression activities. The division is authorized to seek and accept gifts, grants, reimbursements, or donations from private or public sources for the purposes of this ~~section~~ SUBSECTION

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(4). The fund consists of all moneys recovered for the division's expenditures for WILDLAND fire suppression moneys that may be appropriated thereto by the general assembly and all private and public funds, including from counties and the Denver water board, received through gifts, grants, reimbursements, or donations that are transmitted to the state treasurer and credited to the fund. ~~All interest earned from the investment of moneys in the fund shall be credited to the fund.~~ THE FUND IS NONINTEREST-BEARING. The moneys in the fund are hereby continuously appropriated for the purposes set forth in this ~~section~~ SUBSECTION (4). Any moneys not expended at the end of the fiscal year shall remain in the fund and shall not be transferred to or revert to the general fund.

(b) NOTWITHSTANDING ANY LIMITATION ON THE AMOUNT OF ADVANCES SET FORTH IN SECTION 24-75-203 (2), THE CONTROLLER MAY AUTHORIZE AN ADVANCE WITHOUT INTEREST IN ANY AMOUNT TO BE MADE TO THE DIVISION TO PROVIDE IT WITH WORKING CAPITAL FOR THE OPERATION OF WILDLAND FIRE SUPPRESSION ACTIVITIES TO WHICH WILDLAND FIRE COST RECOVERY FUND MONEYS ARE ALLOCATED PURSUANT TO THIS SUBSECTION (4).

(5) Notwithstanding any provision of law to the contrary, the funds established under subsections (2), (3), and (4) of this section are exempt from the limitations set forth in ~~section 24-72-402~~ SECTION 24-75-402.

SECTION 2. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

John P. Morse
PRESIDENT OF
THE SENATE

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO