

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 14-0198.02 Thomas Morris x4218

SENATE BILL 14-046

SENATE SPONSORSHIP

Nicholson, Tochtrop, Jones

HOUSE SPONSORSHIP

Exum,

Senate Committees

Local Government
Finance
Appropriations

House Committees

Local Government
Finance
Appropriations

A BILL FOR AN ACT

101 CONCERNING A GRANT PROGRAM TO INCREASE LOCAL FIREFIGHTER
102 SAFETY.

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://www.leg.state.co.us/billsummaries>.)

Wildfire Matters Review Committee. Until July 1, 2013, the wildfire preparedness fund received an annual \$3.25 million transfer from the mineral leasing fund; last year the general assembly substituted a portion of insurance premium taxes as the source of revenues for this fund.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
April 30, 2014

SENATE
3rd Reading Unamended
April 14, 2014

SENATE
Amended 2nd Reading
April 11, 2014

Section 1 of the bill directs the state treasurer to annually transfer, for 5 state fiscal years, \$3.25 million from the mineral leasing fund to a newly created local firefighter safety fund.

Section 2:

- ! Creates the local firefighter safety and disease prevention fund and uses it for a need-based grant program to provide funding or reimbursement to local government governing bodies for equipment and training designed to increase firefighter safety and prevent occupation-related diseases;
- ! Directs the director of the division of fire safety and control to promulgate rules governing the award of the grants, including consideration of the recommendations of the fire service training, certification, and firefighter safety advisory board and the governing body's other fund-raising efforts; and
- ! Allows the division to expend up to 3% per year from the fund for its direct and indirect costs in administering the grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 34-63-102, **amend**
3 (5.4) (b) (II) as follows:

4 **34-63-102. Creation of mineral leasing fund - distribution -**
5 **advisory committee - local government permanent fund created -**
6 **definitions - repeal.** (5.4) Except as otherwise provided in subsection
7 (5.5) of this section, on and after July 1, 2008, all moneys other than
8 bonus payments, as defined in paragraph (b) of subsection (5.3) of this
9 section, credited to the mineral leasing fund created in subparagraph (II)
10 of paragraph (a) of subsection (1) of this section shall be distributed on
11 a quarterly basis for quarters beginning on July 1, October 1, January 1,
12 and April 1 of each state fiscal year as follows:

13 (b) (II) Notwithstanding any other provision of this section, in the
14 TWO fiscal years commencing ON OR AFTER July 1, ~~2012, and July 1,~~
15 ~~2013, unless another source of funding becomes available~~ 2014, the

1 executive director of the department of local affairs shall transfer, prior
2 to any other distribution specified in this paragraph (b), three million two
3 hundred fifty thousand dollars of the moneys available for grant
4 applications pursuant to this paragraph (b) to the state treasurer, who shall
5 credit the moneys to the ~~wildfire preparedness~~ LOCAL FIREFIGHTER
6 SAFETY AND DISEASE PREVENTION fund created in section ~~24-33.5-1227~~
7 24-33.5-1229, C.R.S. The division of fire prevention and control in the
8 department of public safety, created pursuant to section 24-33.5-1201,
9 C.R.S., shall annually report on the use of the moneys transferred
10 pursuant to this subparagraph (II) to the department of local affairs, the
11 office of state planning and budgeting, and the general assembly. This
12 subparagraph (II) is repealed, effective July 1, ~~2016~~ 2017.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-1229 as
14 follows:

15 **24-33.5-1229. Local firefighter safety and disease prevention**
16 **fund - creation - grants - rules.** (1) THERE IS HEREBY CREATED IN THE
17 STATE TREASURY THE LOCAL FIREFIGHTER SAFETY AND DISEASE
18 PREVENTION FUND. THE FUND CONSISTS OF ALL MONEYS THAT MAY BE
19 APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, ALL PRIVATE
20 AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS
21 THAT ARE TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE
22 FUND, AND ALL MONEYS TRANSFERRED TO THE FUND PURSUANT TO
23 SECTION 34-63-102 (5.4) (b) (II), C.R.S. THE STATE TREASURER SHALL
24 CREDIT ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN THE
25 FUND TO THE FUND. THE MONEYS IN THE FUND ARE HEREBY
26 CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSES
27 INDICATED IN THIS SECTION. ANY MONEYS NOT EXPENDED AT THE END OF

1 EACH FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED
2 TO OR REVERT TO THE GENERAL FUND.

3 (2) THE DIVISION SHALL USE THE MONEYS IN THE FUND TO AWARD
4 NEED-BASED GRANTS TO GOVERNING BODIES TO PROVIDE FUNDING OR
5 REIMBURSEMENT FOR EQUIPMENT AND TRAINING DESIGNED TO INCREASE
6 FIREFIGHTER SAFETY AND PREVENT OCCUPATION-RELATED DISEASES. THE
7 DIVISION MAY EXPEND UP TO THREE PERCENT PER YEAR FROM THE FUND
8 FOR ITS DIRECT AND INDIRECT COSTS IN ADMINISTERING THE GRANT
9 PROGRAM. THE GENERAL ASSEMBLY INTENDS THAT THE NEED-BASED
10 GRANTS FROM THE FUND ARE IN ADDITION TO, AND DO NOT SUPPLANT,
11 OTHER SOURCES OF FUNDING TO GOVERNING BODIES REGARDING
12 FIREFIGHTING.

13 (3) THE DIRECTOR SHALL PROMULGATE RULES GOVERNING THE
14 AWARD OF GRANTS PURSUANT TO SUBSECTION (2) OF THIS SECTION,
15 INCLUDING CONSIDERATION OF:

16 (a) THE RECOMMENDATIONS OF THE FIRE SERVICE TRAINING,
17 CERTIFICATION, AND FIREFIGHTER SAFETY ADVISORY BOARD, CREATED IN
18 SECTION 24-33.5-1204 (1), CONCERNING THE GRANT APPLICATION
19 PROCESS, FUNDING PRIORITIES, AND THE CRITERIA FOR AWARDED
20 GRANTS;

21 (b) HOW TO STRUCTURE THE GRANT APPLICATION PROCESS, WHICH
22 MUST INCLUDE A MERIT-BASED, PEER-REVIEW PROCESS WITH GRANT
23 REVIEWERS FROM THE COLORADO STATE FIRE CHIEFS, COLORADO
24 PROFESSIONAL FIRE FIGHTERS ASSOCIATION, AND THE COLORADO STATE
25 FIRE FIGHTERS ASSOCIATION, IN EQUAL REPRESENTATION. THE PEER
26 REVIEWERS SHALL MAKE RECOMMENDATIONS TO THE DIRECTOR ON THE
27 AWARD OF GRANTS UNDER THE PROGRAM.

1 (c) THE FINDINGS OF THE COLORADO FIRE SERVICE NEEDS
2 ASSESSMENT, WHICH THE DIVISION SHALL CONDUCT AT LEAST EVERY
3 OTHER YEAR; AND

4 (d) A GOVERNING BODY'S EFFORTS TO FINANCE EQUIPMENT AND
5 TRAINING DESIGNED TO INCREASE FIREFIGHTER SAFETY OTHER THAN
6 THROUGH AN AWARD OF A GRANT PURSUANT TO THIS SECTION.

7 **SECTION 3.** In Colorado Revised Statutes, 24-33.5-1204,
8 **amend** (1) as follows:

9 **24-33.5-1204. Voluntary education and training program -**
10 **voluntary certification of firefighters, first responders, and**
11 **hazardous materials responders - advisory board.** (1) For the
12 purposes of advising the director on the administration of the voluntary
13 fire service education and training program within the division of fire
14 prevention and control, THE LOCAL FIREFIGHTER SAFETY AND DISEASE
15 PREVENTION GRANT PROGRAM CREATED IN SECTION 24-33.5-1229, and the
16 voluntary firefighter, first responder, and hazardous materials responder
17 certification programs, there is hereby created in the division of fire
18 prevention and control the fire service training and certification advisory
19 board, referred to in this part 12 as the "advisory board", to serve as an
20 advisory board to the director.

21 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1205, **add**
22 (5) as follows:

23 **24-33.5-1205. Duties of the director and the advisory board.**
24 (5) THE ADVISORY BOARD SHALL ADVISE THE DIRECTOR ON THE
25 PROMULGATION OF RULES GOVERNING THE LOCAL FIREFIGHTER SAFETY
26 AND DISEASE PREVENTION GRANT PROGRAM CREATED IN SECTION
27 24-33.5-1229.

1 **SECTION 5. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.