

First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

DRAFT
9.11.08

BILL 7

LLS NO. 09-0127.01 Christy Chase

INTERIM COMMITTEE BILL

**Interim Committee on Wildfire Issues
in Wild Land-Urban Interface Areas**

SHORT TITLE: "Fund Voluntary Fire Serv Training Prog"

A BILL FOR AN ACT

101 **CONCERNING THE ALLOCATION OF A PORTION OF INSURANCE PREMIUM**
102 **TAX REVENUES TO THE DIVISION OF FIRE SAFETY FOR THE**
103 **ADMINISTRATION OF STATEWIDE VOLUNTARY FIRE SERVICE**
104 **TRAINING PROGRAMS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Interim Committee on Wildfire Issues in Wild Land-Urban Interface Areas. Allocates a portion of insurance premium tax revenues to the fire service education and training fund for appropriation to the division of fire safety (division) in the department of public safety for the

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

purpose of funding statewide voluntary fire service education and training programs. Requires the director of the division, with the assistance of the fire service training and certification advisory board, to develop criteria for prioritizing the development and administration of voluntary fire service education and training programs in those counties demonstrating the greatest need.

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

2 **SECTION 1.** 10-3-209 (4), Colorado Revised Statutes, is
3 amended to read:

4 **10-3-209. Tax on premiums collected - exemptions - penalties.**

5 (4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4),
6 all taxes, penalties, and fines collected by the division of insurance ~~under~~
7 ~~the provisions of~~ PURSUANT TO this section shall be transmitted to the
8 department of the treasury and credited to the general fund. ~~except that~~
9 ~~such amounts~~

10 (b) (I) THE DIVISION OF INSURANCE SHALL TRANSMIT THE AMOUNT
11 OF TAXES, PENALTIES, AND FINES COLLECTED PURSUANT TO THIS SECTION
12 THAT IS appropriated by the general assembly to the division of insurance
13 cash fund, created in section 10-1-103 (3), not to exceed a maximum of
14 five percent of all taxes collected under this section, ~~shall be transmitted~~
15 to the state treasurer ~~and deposited~~ FOR DEPOSIT in the division of
16 insurance cash fund.

17 (II) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT OF
18 THE TAXES COLLECTED PURSUANT TO THIS SECTION **EQUAL TO/NOT TO**
19 **EXCEED** **PERCENT** OF ALL TAXES COLLECTED UNDER THIS SECTION
20 TO THE FIRE SERVICE EDUCATION AND TRAINING FUND CREATED IN
21 SECTION 24-33.5-1207.5 (1) (a), C.R.S. THE DIVISION OF INSURANCE
22 SHALL TRANSMIT THE AMOUNT OF TAXES APPROPRIATED PURSUANT TO

1 THIS SUBPARAGRAPH (II) TO THE STATE TREASURER FOR DEPOSIT IN THE
2 FIRE SERVICE EDUCATION AND TRAINING FUND FOR USE IN ACCORDANCE
3 WITH SECTION 24-33.5-1207.5, C.R.S.

4 **SECTION 2.** 24-33.5-1207.5, Colorado Revised Statutes, is
5 amended to read:

6 **24-33.5-1207.5. Fire service education and training fund -**
7 **created.** (1) (a) All moneys received by the director pursuant to the
8 administration of the fire service education and training programs and all
9 interest earned on the moneys shall be deposited in the state treasury in
10 the fire service education and training fund, which fund is hereby created.
11 ~~and~~ The moneys IN THE FUND shall be ~~used~~, subject to annual
12 appropriations by the general assembly AND SHALL BE USED for the
13 purposes set forth in this part 12. ~~and~~ THE MONEYS IN THE FUND shall not
14 be deposited in or transferred to the general fund ~~of the state of Colorado~~
15 or any other fund.

16 (b) THE FIRE SERVICE EDUCATION AND TRAINING FUND SHALL
17 ALSO CONSIST OF MONEYS DEPOSITED IN THE FUND PURSUANT TO SECTION
18 10-3-209 (4) (b) (II), C.R.S. MONEYS DEPOSITED IN THE FUND PURSUANT
19 TO SECTION 10-3-209 (4) (b) (II), C.R.S., SHALL BE SUBJECT TO ANNUAL
20 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DIVISION FOR THE
21 PURPOSE OF ESTABLISHING AND ADMINISTERING A STATEWIDE VOLUNTARY
22 FIRE SERVICE EDUCATION AND TRAINING PROGRAM PURSUANT TO SECTION
23 24-33.5-1203 (1) (i).

24 (c) THE DIRECTOR, WITH THE ASSISTANCE OF THE ADVISORY
25 BOARD, SHALL DEVELOP CRITERIA FOR PRIORITIZING THE USE OF MONEYS
26 IN THE FIRE SERVICE EDUCATION AND TRAINING FUND TO DEVELOP AND
27 ADMINISTER VOLUNTARY FIRE SERVICE EDUCATION AND TRAINING

1 PROGRAMS IN COUNTIES DEMONSTRATING THE GREATEST NEED. THE
2 CRITERIA SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

3 (I) THE PER CAPITA ASSESSED VALUATION OF PROPERTY IN THE
4 COUNTY SEEKING VOLUNTARY FIRE SERVICE EDUCATION AND TRAINING,
5 WITH PRIORITY GIVEN TO THOSE COUNTIES WITH THE LOWEST ASSESSED
6 VALUATION PER CAPITA;

7 (II) THE PER CAPITA PERSONAL INCOME IN THE COUNTY, WITH
8 PRIORITY GIVEN TO THOSE COUNTIES WITH THE LOWEST PER CAPITA
9 PERSONAL INCOME;

10 (III) THE LEVEL OF DEFICIENCY IN VOLUNTARY FIRE SERVICE
11 EDUCATION AND TRAINING IN THE COUNTY; AND

12 (IV) WHETHER THE COUNTY HAS ADOPTED A WILD LAND-URBAN
13 INTERFACE CODE PURSUANT TO SECTION 30-28-140, C.R.S., AS ENACTED
14 IN **BILL 09-**, ENACTED AT THE FIRST REGULAR SESSION OF THE
15 SIXTY-SEVENTH GENERAL ASSEMBLY, OR HAS ADOPTED AN ADEQUATE
16 BUILDING CODE APPLICABLE TO APPLICATIONS SUBMITTED TO THE COUNTY
17 FOR A BUILDING PERMIT FOR NEW RESIDENTIAL, COMMERCIAL, OR
18 INDUSTRIAL CONSTRUCTION IN A WILD LAND-URBAN INTERFACE AREA OR
19 FOR THE RENOVATION OF AN EXISTING RESIDENTIAL, COMMERCIAL, OR
20 INDUSTRIAL STRUCTURE THAT WAS CONSTRUCTED BEFORE THE EFFECTIVE
21 DATE OF THIS PARAGRAPH (c) AND THAT IS LOCATED WITHIN A WILD
22 LAND-URBAN INTERFACE AREA.

23 (2) ~~The moneys in the fire service training fund, which fund was~~
24 ~~repealed, shall be deposited in and consolidated with the fire service~~
25 ~~education and training fund.~~

26 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety. **ASK COMMITTEE**