

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF HOMELAND SECURITY AND
EMERGENCY MANAGEMENT**

Colorado Nonprofit Security Grant Program

8 CCR 1507-47

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

The General Assembly enacted section 24-33.5-1622 (2) (d), C.R.S. via House Bill 22-1077 to create the Colorado Nonprofit Security Grant Program. The bill was signed into law on June 7, 2022. The statute mandated that by August 30, 2022, “the Director of the Division of Homeland Security and Emergency Management shall promulgate rules and regulations concerning the administration, applicable costs, application and award criteria, reporting requirements, and time frames for applying for and distributing funds associated with the grant program.” DHSEM adopted emergency rules on June 30, 2022, in order to meet this statutory deadline.

The purpose of this rule making is to establish permanent rules to supercede the emergency rules adopted on June 30, 2022. The absence of implementing permanent rules to carry out the purpose of the statute would be contrary to the statute.



Kevin Klein
Director, Division of Homeland Security and Emergency Management

~~19 August 2022~~
Date of Adoption

Colorado Department of Public Safety**Division of Homeland Security and Emergency Management****24 CCR 33.5-1622****Colorado Nonprofit Security Grant Program****1. Authority**

This regulation is adopted pursuant to the authority in section 24-33.5-1622 (2) (d), C.R.S. and is intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq. (the "APA").

2. Scope and Purpose

This regulation shall govern the implementation of the Colorado Nonprofit Security Grant Program, which includes the time frames for applying for these grants, the form of the grant program application, and the time frames for distributing grant funds.

3. Applicability

The provisions of these rules shall be applicable to all eligible applicants and recipients of grant funds as provided by law.

4. Definitions

"Grant program" means the Colorado Nonprofit Security Grant Program that provides grants to nonprofits as set forth in 24-33.5-1622 (2)(b).

"Project Implementation Plan" means a written form or other document determined by the state agency to outline the steps necessary to achieve grant objectives.

"Quarterly Progress Report" means a written form or other document determined by the state agency to indicate and report the operational and financial activity of the recipient during the time period specified.

"Summary Report" means a written form or other document determined by the state agency allowing the grant award recipients to report the final operational and financial activity of the awarded grant funds.

"Reimbursement Request" means a written form or other document determined by the state agency to be used by the grant recipient to request reimbursement from grant award funds for approved expenditures.

"Financial Need" means the inability of a nonprofit organization to meet the financial requirements from the organization's general operating funds for the security related activities requested as part of the grant application process.

"The Federal Program" means the Nonprofit Security Grant Program (NSGP) administered by the Department of Homeland Security Federal Emergency Management Agency (FEMA).

"Recipient" means an eligible applicant receiving an award.

"Award" means a financial assistance grant that provides support to accomplish a public purpose given by the state to an eligible recipient.

"Period of Performance" means the period of time during which the recipient is required to complete the grant activities and to receive and expend approved funds.

5. Program Requirements

5.1 Eligibility

- A. Applicant must be a nonprofit entity meeting the federal requirements as described in the Notice of Funding Opportunity for the Federal Nonprofit Security Grant Program with the primary place of business in the state of Colorado in order to apply.
- B. Eligible applicants are required to have submitted an application for the Federal Program, but not yet selected to receive a grant under the Federal Program to be eligible to apply.
- C. Eligible applicants must submit an application developed by the Division of Homeland Security and Emergency Management Office of Grants Management in conformance with the application and the terms of the program guidance described below.
- D. Eligible applicants must indicate in the application that the grant funds will be used for the following security related activities and purposes (including by not limited to):
1. The installation of security equipment on real property owned or leased by the nonprofit organization;
 2. Security-related planning, exercises, training, and contracted security personnel;
 3. New or existing infrastructure; except that priority must be given to existing infrastructure projects;
 4. Any other security enhancements approved by the division and in accordance with the allowable costs under the federal program.
- E. The grant agreement between the State and the recipient(s) of the grant program will specify additional requirements, including, but not limited to: performance measures, reporting requirements, and monitoring of recipient's activities and expenditures.

5.2 Award Details

- A. Period of Performance: 7 months
- B. Funding Instrument: Discretionary Grant

5.3 Time Frames for Application

- A. ~~Time Frames~~ Timeline for any year that the state legislature allocates funding for the program ~~Year 1:~~
- Application Submission Deadline: ~~October 10, 2022~~ Second Monday in October, 2022, at ~~11:00-59 PM MDT~~
- Grant Awarded to Applicants Deadline: ~~October 31, 2022~~ First Monday in November
- Grant Award Notification on Website: ~~November 5, 2022~~ 5 business days after the first Monday in November
- Grant Fund Distribution Deadline: ~~November 30, 2022~~ Thirty days after the first Monday in November
- Period of Performance ~~7 months:~~ ~~December 1, 2022 - June 30, 2023~~ 7 Months

B. Restrictions

1. Applications that are not submitted by the stated Application Submission Deadline will not be reviewed or considered for funding.
2. Pre-Award Costs are NOT allowed under this program (costs incurred or

work completed prior to the award date)

5.4 Application Submissions

- A. Applicants must submit their acceptable signed application via email or other delivery methods as listed and allowed in the grant application and accompanying guidance.

5.5 Grant Guidance

The DHSEM Office of Grants Management is responsible for the implementation of this grant program and will develop and publish a grant application and guidance. Grant guidance will include the following reporting requirements:

1. A Project Implementation Plan
2. Quarterly Progress Reports
3. A Summary Report upon completion of the project
4. Reimbursement Requests