

An Act

SENATE BILL 22-168

BY SENATOR(S) Donovan and Rankin, Bridges, Buckner, Coram, Danielson, Fields, Ginal, Gonzales, Hinrichsen, Jaquez Lewis, Lee, Moreno, Pettersen, Rodriguez, Scott, Simpson, Sonnenberg, Winter, Fenberg;

also REPRESENTATIVE(S) McCluskie and Will, Amabile, Bacon, Bennett, Bird, Boesenecker, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Herod, Hooton, Jodeh, Kipp, Lindsay, Lontine, McCormick, McLachlan, Michaelson Jenet, Mullica, Pico, Rich, Ricks, Roberts, Sirota, Snyder, Soper, Titone, Valdez A., Valdez D., Woodrow.

CONCERNING SUPPORT FOR BACKCOUNTRY SEARCH AND RESCUE SERVICES
IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING AND
REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 33-1-112, **add (1.7)** as follows:

33-1-112. Funds - cost accounting - definition - repeal.
(1.7) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1.7), THE STATE TREASURER SHALL TRANSFER ONE MILLION

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

DOLLARS FROM THE GENERAL FUND TO THE WILDLIFE CASH FUND. NOTWITHSTANDING SECTION 33-1-112.5 (4), THE DIVISION MAY USE THE MONEY TO:

(I) SUPPORT THE GOALS STATED IN SECTION 33-12-108 (2)(a)(IV)(C);

(II) SUPPORT THE NEEDS OF BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE STUDY COMPLETED PURSUANT TO SECTION 33-10-116; AND

(III) COVER RESPONSE COSTS, EQUIPMENT, AND OTHER RELATED EXPENSES FOR BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES.

(b) THIS SUBSECTION (1.7) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 2. In Colorado Revised Statutes, 33-1-112.5, **amend** (1), (2), (3), (4), (6), (9)(a), and (9)(b); **repeal** (5); and **add** (9)(b.5) and (10) as follows:

33-1-112.5. Backcountry search and rescue fund - repeal.

(1) (a) There is ~~hereby~~ created in the state treasury a backcountry search and rescue fund, ~~Such fund is established~~ REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND CONSISTS OF MONEY CREDITED TO THE FUND PURSUANT TO THIS SECTION AND SECTION 33-12-108 (4)(e)(I)(B), AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR USE BY THE DIVISION AS FOLLOWS:

(I) THE DIVISION MAY USE MONEY CREDITED TO THE FUND PURSUANT TO SUBSECTION (9) OF THIS SECTION AND SECTION 33-12-108 (4)(e)(I)(B), AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND TO:

(A) SUPPORT THE GOALS STATED IN SECTION 33-12-108

(2)(a)(IV)(C);

(B) SUPPORT THE NEEDS OF BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE STUDY COMPLETED PURSUANT TO SECTION 33-10-116; AND

(C) COVER RESPONSE COSTS, EQUIPMENT, AND OTHER RELATED EXPENSES FOR BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES.

(II) THE DIVISION MAY USE MONEY CREDITED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION TO ASSIST ANY AGENCY OR POLITICAL SUBDIVISION OF THE STATE OF COLORADO FOR COSTS INCURRED IN BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES INVOLVING PERSONS HOLDING HUNTING OR FISHING LICENSES; VESSEL, SNOWMOBILE, OR OFF-HIGHWAY VEHICLE REGISTRATIONS; OR A COLORADO OUTDOOR RECREATION BACKCOUNTRY SEARCH AND RESCUE CARD PURSUANT TO SUBSECTION (3) OF THIS SECTION. REIMBURSABLE COSTS ARE LIMITED TO ACTUAL OPERATIONAL EXPENSES. REIMBURSABLE COSTS ~~shall~~ DO NOT INCLUDE SALARIES PAID TO PERSONS PERMANENTLY EMPLOYED BY THE AGENCY OR POLITICAL SUBDIVISION.

(d) THE DIVISION MAY USE A PORTION OF THE MONEY IN THE FUND FOR THE DIRECT AND INDIRECT COSTS OF ADMINISTERING THIS SECTION.

(2) (a) (I) UNTIL THE COMMISSION ESTABLISHES A NEW AMOUNT IN RULES PROMULGATED PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION, A SURCHARGE OF TWENTY-FIVE CENTS SHALL BE ASSESSED ON EACH LICENSE LISTED IN SECTION 33-4-102 (1) AND (1.4) THAT IS SOLD BY THE DIVISION OR ONE OF ITS LICENSE AGENTS PURSUANT TO SECTION 33-4-101. RECEIPTS AND INTEREST FROM THE SURCHARGE SHALL BE DEPOSITED IN THE BACKCOUNTRY SEARCH AND RESCUE FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

(II) ON OR AFTER JANUARY 1, 2023, THE COMMISSION SHALL PROMULGATE RULES ESTABLISHING THE AMOUNT OF THE SURCHARGE THAT SHALL BE ASSESSED ON EACH LICENSE LISTED IN SECTION 33-4-102 (1) AND (1.4) THAT IS SOLD BY THE DIVISION OR ONE OF ITS LICENSE AGENTS PURSUANT TO SECTION 33-4-101. RECEIPTS AND INTEREST FROM THE SURCHARGE SHALL BE DEPOSITED IN THE BACKCOUNTRY SEARCH AND RESCUE FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

(b) (I) UNTIL THE COMMISSION ESTABLISHES A NEW AMOUNT IN

RULES PROMULGATED PURSUANT TO SUBSECTION (2)(b)(II) OF THIS SECTION, a surcharge of twenty-five cents shall be assessed on each vessel, each snowmobile, and each off-highway vehicle registration that is sold by the division or one of its agents pursuant to section 33-13-103, 33-14-102, or 33-14.5-102. Receipts and interest from the surcharge shall be deposited in the backcountry search and rescue fund created in subsection (1) of this section. ~~To coincide with annual registration renewal schedules, the surcharge shall be assessed on an annual basis beginning on October 1, 1992, for snowmobile registrations, January 1, 1993, for vessel registrations, and April 1, 1993, for off-highway vehicle registrations.~~

(II) ON OR AFTER JANUARY 1, 2023, THE COMMISSION SHALL PROMULGATE RULES ESTABLISHING THE AMOUNT OF THE SURCHARGE THAT SHALL BE ASSESSED ON EACH VESSEL, EACH SNOWMOBILE, AND EACH OFF-HIGHWAY VEHICLE REGISTRATION THAT IS SOLD BY THE DIVISION OR ONE OF ITS AGENTS PURSUANT TO SECTION 33-13-103, 33-14-102, OR 33-14.5-102. RECEIPTS AND INTEREST FROM THE SURCHARGE SHALL BE DEPOSITED IN THE BACKCOUNTRY SEARCH AND RESCUE FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

(c) (I) The general assembly hereby creates the Colorado outdoor recreation backcountry search and rescue card program. The ~~department of local affairs~~ DIVISION shall make a Colorado outdoor recreation backcountry search and rescue card available to the public in accordance with this subsection (2)(c) to backpackers, hikers, mountain and trail bikers, cross country skiers, and other persons who use the Colorado backcountry for recreation. The ~~department of local affairs~~ DIVISION shall establish procedures for the licensing of vendors who sell the outdoor recreation backcountry search and rescue card, the printing of such cards, and the distribution of such cards to vendors for sale to the public.

(II) (A) UNTIL THE COMMISSION ESTABLISHES A NEW AMOUNT IN RULES PROMULGATED PURSUANT TO SUBSECTION (2)(c)(II)(B) OF THIS SECTION, the Colorado outdoor recreation backcountry search and rescue card ~~shall cost~~ COSTS three dollars and ~~shall be~~ IS valid for one year from the date of purchase. The ~~department~~ DIVISION shall charge vendors two dollars for each Colorado outdoor recreation backcountry search and rescue card, which shall be transmitted to the state treasurer, who shall credit the amount to the backcountry search and rescue fund created in subsection (1) of this section. The remaining one dollar shall be retained by the vendor as

the vendor's fee.

(B) ON OR AFTER JANUARY 1, 2023, THE COMMISSION SHALL PROMULGATE RULES ESTABLISHING THE PRICE AND VENDOR FEE FOR THE COLORADO OUTDOOR RECREATION BACKCOUNTRY SEARCH AND RESCUE CARD. MONEY FROM THE SALE OF THE CARDS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE AMOUNT TO THE BACKCOUNTRY SEARCH AND RESCUE FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

(III) The ~~department~~ DIVISION may issue a multi-year Colorado outdoor recreation backcountry search and rescue card that ~~shall be~~ IS valid for a period not to exceed five years. ~~Such~~ THE multi-year card may be offered at a reduced rate to vendors with a reduced vendor fee to reflect administrative cost savings and other considerations.

(IV) The general assembly finds and declares that the Colorado outdoor recreation backcountry search and rescue card program is a new program. PRIOR TO JANUARY 1, 2023, the department of local affairs is ~~therefore~~ authorized to contract, pursuant to section 24-50-504 (2)(b), with a person, corporation, or entity for any elements of the administration of the program created by this subsection (2)(c). ON AND AFTER JANUARY 1, 2023, THE DIVISION ASSUMES THE RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS OF THE DEPARTMENT OF LOCAL AFFAIRS UNDER ANY CONTRACT ENTERED INTO PURSUANT TO THIS SUBSECTION (2)(c)(IV) AND IS AUTHORIZED TO CONTRACT, PURSUANT TO SECTION 24-50-504 (2)(b), WITH A PERSON, CORPORATION, OR ENTITY FOR ANY ELEMENTS OF THE ADMINISTRATION OF THE PROGRAM CREATED BY THIS SUBSECTION (2)(c).

(3) All agencies and political subdivisions of the state ~~shall~~ have the right to make a ~~claim on~~ REQUEST FOR REIMBURSEMENT FROM the backcountry search and rescue fund for ~~reimbursement of~~ costs incurred in the performance of backcountry search and rescue activities involving those persons specified in subsection (1)(c)(II) of this section. Such ~~claims~~ REQUESTS shall be submitted to the ~~department of local affairs~~ DIVISION for immediate consideration. Any reimbursement ~~claims~~ REQUESTS which have been certified by the sheriff of the county in which the backcountry search and rescue activity occurred shall be eligible for payment by the ~~department of local affairs~~ DIVISION. The ~~department of local affairs~~ DIVISION shall establish ~~rules for~~ the procedure through which ~~claims shall~~ REQUESTS MUST

be submitted and for payment of such claims REQUESTS.

~~(4) The backcountry search and rescue fund created in subsection (1) of this section shall be the sole source of funds for the reimbursement of costs incurred under this section in backcountry search and rescue activities involving those persons specified in subsection (1) of this section. The wildlife cash fund established in section 33-1-112 and the parks and outdoor recreation cash fund established in section 33-10-111 shall not be used for reimbursement of costs as provided in SUBSECTION (1)(c)(II) OF this section.~~

~~(5) The money in the backcountry search and rescue fund created in subsection (1) of this section shall be subject to annual appropriation by the general assembly for the direct and indirect costs of the administration of this section.~~

~~(6) At the close of any fiscal year, all of the money remaining in the backcountry search and rescue fund and appropriated for backcountry search and rescue expenses THAT WAS CREDITED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION, after all approved claims REQUESTS FOR REIMBURSEMENT and administrative costs have been paid, shall be USED FIRST TO PAY FOR UNREIMBURSED BACKCOUNTRY SEARCH AND RESCUE INCIDENTS AND THEN SHALL BE divided among those counties that have applied to the department of local affairs DIVISION for year-end grants or reimbursements from the backcountry search and rescue fund. The department of local affairs shall divide such money among the counties, first making payment for uncompensated backcountry searches and rescues of parents, siblings, spouses, children, or grandchildren of persons holding hunting or fishing licenses, vessel, snowmobile, or off-highway vehicle registrations, or the owner of a Colorado outdoor recreation backcountry search and rescue card and second making payment for backcountry-search-and-rescue-related training and equipment, and for any other uncompensated backcountry search and rescue incidents. The department of local affairs DIVISION shall establish operating procedures for applying for year-end grants or reimbursements from the money remaining in the backcountry search and rescue fund IN ACCORDANCE WITH THIS SUBSECTION (6).~~

(9) (a) Within three days after June 21, 2021, the state treasurer shall transfer two million two hundred fifty thousand dollars from the general

fund to the backcountry search and rescue fund for use by the department of local affairs in consultation with the division to support backcountry search and rescue efforts, including to cover response costs, equipment, and other related expenses. ON AND AFTER JANUARY 1, 2023, ANY UNSPENT MONEY FROM THE TRANSFER MADE PURSUANT TO THIS SUBSECTION (9)(a) IS FOR USE BY THE DIVISION PURSUANT TO SUBSECTION (1)(c)(I) OF THIS SECTION.

(b) The restrictions on use of money set forth in this section do not apply to the department of local affairs' use, PRIOR TO JANUARY 1, 2023, of the money transferred pursuant to subsection (9)(a) of this section. ON AND AFTER JANUARY 1, 2023, THE DIVISION MAY USE THE MONEY TRANSFERRED PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION IN ACCORDANCE WITH SUBSECTION (1)(c)(I) OF THIS SECTION.

(b.5) ON JANUARY 2, 2023, IF THERE IS ANY UNOBLIGATED AND UNEXPENDED MONEY FROM THE TRANSFER REQUIRED BY SECTION 33-1-112 (1.7)(a) IN THE WILDLIFE CASH FUND CREATED IN SECTION 33-1-112 (1), THE STATE TREASURER SHALL TRANSFER THE REMAINING MONEY FROM THE WILDLIFE CASH FUND TO THE BACKCOUNTRY SEARCH AND RESCUE FUND ON THAT DATE.

(10) (a) ON AND AFTER JANUARY 1, 2023, THE DIVISION SHALL EXECUTE, ADMINISTER, PERFORM, AND ENFORCE THE RIGHTS, POWERS, DUTIES, FUNCTIONS, AND OBLIGATIONS PREVIOUSLY VESTED UNDER THIS SECTION IN THE DEPARTMENT OF LOCAL AFFAIRS.

(b) EFFECTIVE ON JANUARY 1, 2023, ALL POSITIONS OF EMPLOYMENT AND APPROPRIATIONS FOR PERSONAL SERVICES IN THE DEPARTMENT OF LOCAL AFFAIRS RELATED TO PERFORMING THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE DIVISION PURSUANT TO THIS SUBSECTION (10) AND DETERMINED BY THE DIVISION TO BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS SECTION ARE TRANSFERRED TO THE DIVISION AND ARE EMPLOYMENT POSITIONS THEREIN. ALL SUCH EMPLOYEES ARE EMPLOYEES OF THE DIVISION AND RETAIN ALL RIGHTS UNDER THE STATE PERSONNEL SYSTEM AND TO RETIREMENT BENEFITS PURSUANT TO THE LAWS OF THIS STATE, AND THEIR SERVICES ARE DEEMED CONTINUOUS.

(c) ALL RULES AND POLICIES OF THE DEPARTMENT OF LOCAL AFFAIRS ADOPTED PURSUANT TO THIS SECTION AND IN EFFECT AS OF JANUARY 1,

2023, CONTINUE TO BE EFFECTIVE AND SHALL BE ENFORCED BY THE DIVISION UNTIL SUPERSEDED, REVISED, AMENDED, REPEALED, OR NULLIFIED PURSUANT TO LAW. THE DIVISION SHALL ADOPT ANY RULES OR POLICIES NECESSARY FOR THE ADMINISTRATION OF THIS SECTION AND AS OTHERWISE AUTHORIZED BY LAW. BEFORE INITIATING ITS FIRST RULE-MAKING OR ADOPTING INITIAL POLICIES PURSUANT TO THIS SUBSECTION (10)(c), THE DIVISION SHALL CONSULT WITH THE COUNTY SHERIFFS AND THE COLORADO SEARCH AND RESCUE ASSOCIATION FOR INPUT ON CHANGES THAT ARE NECESSARY TO ADMINISTER THIS SECTION.

(d) ANY REQUESTS FOR REIMBURSEMENT SUBMITTED TO THE DEPARTMENT OF LOCAL AFFAIRS PRIOR TO JANUARY 1, 2023, PURSUANT TO SUBSECTION (3) OF THIS SECTION THAT HAVE NOT BEEN PROCESSED OR PAID ON JANUARY 1, 2023, ARE TRANSFERRED TO THE DIVISION FOR IMMEDIATE CONSIDERATION AND PAYMENT PURSUANT TO RULES ADOPTED BY THE DEPARTMENT OF LOCAL AFFAIRS, UNTIL SUCH RULES ARE SUPERSEDED, REVISED, REPEALED, OR AMENDED BY THE DIVISION.

(e) ANY SUIT, ACTION, OR OTHER PROCEEDING, JUDICIAL OR ADMINISTRATIVE, RELATED TO THE ADMINISTRATION OF THIS SECTION AND LAWFULLY COMMENCED, OR WHICH COULD HAVE BEEN COMMENCED, BY OR AGAINST THE DEPARTMENT OF LOCAL AFFAIRS, OR ANY OFFICER THEREOF IN SUCH OFFICER'S OFFICIAL CAPACITY OR IN RELATION TO THE DISCHARGE OF THE OFFICIAL'S DUTIES UNDER THIS SECTION, IS ABATED BY REASON OF THE TRANSFER OF DUTIES AND FUNCTIONS TO THE DIVISION PURSUANT TO THIS SUBSECTION (10).

SECTION 3. In Colorado Revised Statutes, 13-21-113.7, **amend** (1) and (2)(c) as follows:

13-21-113.7. Immunity of volunteer firefighters, volunteers, incident management teams, and their employers or organizations - definitions - legislative declaration. (1) A volunteer firefighter or volunteer who, in good faith, takes part in firefighting efforts or provides emergency care, rescue, assistance, or recovery services at the scene of an emergency, any incident management team, and any person who, in good faith, commands, directs, employs, sponsors, or represents any such volunteer firefighter, volunteer, or incident management team shall not be liable for civil damages as a result of an act or omission by such volunteer firefighter, volunteer, incident management team, or other person in

connection with the emergency OR WITH ACTIVITIES DESCRIBED IN SECTION 33-1-102 (1.3); except that this exemption shall not apply to grossly negligent, willful, wanton, or reckless acts or omissions.

(2) As used in this section:

(c) "Incident management team" means an ad hoc or standing team of trained personnel from different departments, organizations, agencies, and jurisdictions, INCLUDING PERSONS ENGAGED IN BACKCOUNTRY SEARCH AND RESCUE EFFORTS AS DEFINED IN SECTION 33-1-102 (1.3), activated to manage the logistical, fiscal, planning, operational, safety, and community issues related to an emergency or other incident.

SECTION 4. In Colorado Revised Statutes, 13-21-115.5, amend (3)(c)(II)(R) and (3)(c)(III); and add (3)(c)(II)(T) and (3)(c)(II)(U) as follows:

13-21-115.5. Volunteer service act - immunity - exception for operation of motor vehicles - short title - legislative declaration - definitions. (3) As used in this section, unless the context otherwise requires:

(c) (II) "Volunteer" includes:

(R) A licensed dentist or dental hygienist governed by article 220 of title 12 performing the practice of dentistry or dental hygiene, as defined in section 12-220-104 and as described in section 12-220-305, as a volunteer for a nonprofit organization, nonprofit corporation, governmental entity, or hospital; or a dentist or dental hygienist who holds a license in good standing from another state performing the practice of dentistry or dental hygiene, as defined in section 12-220-104 and as described in section 12-220-305, as a volunteer for a nonprofit organization, nonprofit corporation, governmental entity, or hospital pursuant to section 12-220-302 (1)(j); and

(T) A VOLUNTEER MEMBER OF A RESCUE UNIT AS DEFINED IN SECTION 25-3.5-103 (11); AND

(U) A PERSON ENGAGED IN BACKCOUNTRY SEARCH AND RESCUE EFFORTS AS DEFINED IN SECTION 33-1-102 (1.3).

(III) The nonprofit organization, nonprofit corporation, governmental entity, or hospital for which a volunteer performs shall annually verify that the volunteer holds an unrestricted Colorado license, registration, or certification to practice ~~his or her~~ THE VOLUNTEER'S respective profession, IF A LICENSE, REGISTRATION, OR CERTIFICATION IS REQUIRED FOR THE VOLUNTEER'S PROFESSION.

SECTION 5. In Colorado Revised Statutes, 23-3.3-205, amend (1)(a); and add (3)(c) as follows:

23-3.3-205. Dependents of deceased or permanently disabled National Guardsman, law enforcement officer, or firefighter. (1) (a) Any dependent of a person who died or was permanently disabled while on state active duty, federalized active duty, or authorized training duty as a Colorado National Guardsman or any dependent of any person who has been permanently disabled or killed while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or firefighter OR ANY DEPENDENT OF A PERSON, INCLUDING A VOLUNTEER, WHO DIED OR WAS PERMANENTLY DISABLED WHILE ENGAGED IN BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES, AS DEFINED IN SECTION 33-1-102 (1.3), upon being accepted for enrollment into any state institution, shall be permitted to pursue studies leading toward his or her first bachelor's degree or certificate of completion, free of tuition and free of room and board charges of the institution, for so long as said dependent achieves and maintains a cumulative grade point average of 2.5 or above based upon a 4.0 scale, but said benefits shall not be extended beyond six years from the date of enrollment. Such dependents pursuing studies at a nonpublic institution of higher education within the state of Colorado shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year, and the average cost of room and board calculated for a full-time equivalent student at all state institutions for the previous year. Such dependents pursuing studies at an out-of-state institution of higher education shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year. The commission shall provide tuition and, if appropriate, room and board assistance to such qualified students from appropriated student financial assistance funds.

(3) (c) AN INDIVIDUAL WHO HAS BEEN PERMANENTLY DISABLED WHILE ENGAGED IN BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES, AS DEFINED IN SECTION 33-1-102 (1.3), IS PERMANENTLY DISABLED FOR THE PURPOSE OF DETERMINING ELIGIBILITY OF DEPENDENTS TO QUALIFY FOR EDUCATIONAL BENEFITS IF THE INDIVIDUAL IS, AS A RESULT OF THE DISABILITY, UNABLE TO PERFORM IN THE POSITION TO WHICH THE INDIVIDUAL WAS REGULARLY ASSIGNED AT THE TIME THE INDIVIDUAL BECAME DISABLED, OR, IF THE INDIVIDUAL WAS ENGAGED IN BACKCOUNTRY SEARCH AND RESCUE ACTIVITIES AS A VOLUNTEER, IS UNABLE TO ENGAGE IN ANY SUBSTANTIAL FULL-TIME GAINFUL ACTIVITY BY REASON OF MEDICALLY DETERMINABLE PHYSICAL OR MENTAL IMPAIRMENT WHICH CAN BE EXPECTED TO RESULT IN DEATH OR WHICH HAS LASTED FOR A CONTINUOUS PERIOD OF NOT LESS THAN TWELVE MONTHS AND EXISTS AT THE TIME THE DEPENDENT SEEKS ENTRY INTO AN INSTITUTION.

SECTION 6. Appropriation - adjustments to 2022 long bill.

(1) To implement this act, the cash funds appropriation from the backcountry search and rescue fund created in section 33-1-112.5 (1), C.R.S., made in the annual general appropriation act for the 2022-23 state fiscal year to the department of local affairs for use by the division of local government for the search and rescue program is decreased by \$314,123.

(2) For the 2022-23 state fiscal year, \$1,000,000 is appropriated to the department of natural resources for use by the division of parks and wildlife. This appropriation is from the wildlife cash fund created in section 33-1-112 (1)(a), C.R.S. To implement this act, the division may use this appropriation for backcountry search and rescue activities pursuant to section 33-1-112 (1.7), C.R.S.

SECTION 7. Effective date. This act takes effect upon passage; except that section 33-1-112.5 (1), (2), (3), (4), (5), and (6), Colorado Revised Statutes, as amended in section 2 of this act, take effect January 1, 2023.

SECTION 8. Safety clause. The general assembly hereby finds,

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



Steve Fenberg
PRESIDENT OF
THE SENATE



Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

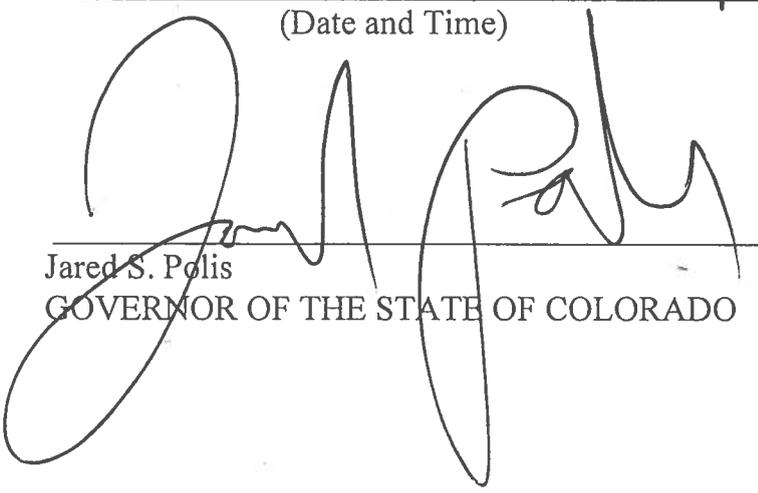


Cindi L. Markwell
SECRETARY OF
THE SENATE



Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED June 1st at 3:40 p.m.
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO