

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 18-0969.01 Megan Waples x4348

HOUSE BILL 18-1394

HOUSE SPONSORSHIP

Singer and McKean,

SENATE SPONSORSHIP

Kefalas,

House Committees

Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AMENDMENTS TO THE COLORADO DISASTER EMERGENCY
102 ACT TO ADDRESS ALL PHASES OF EMERGENCY MANAGEMENT.

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://leg.colorado.gov>.)

The bill updates the Colorado disaster emergency act to include provisions related specifically to recovery, mitigation, and resiliency and to establish the roles and responsibilities of state and local agencies at all stages of emergency management. **Section 3** of the bill adds language defining the stages of response and recovery, as well as definitions of

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

HOUSE
Amended 2nd Reading
April 26, 2018

emergency, resiliency, and mitigation. **Section 4** allows the governor to convene a disaster policy group to coordinate the response and recovery from disaster emergencies. If the governor convenes the policy group, the governor is required to appoint a chair and to delegate to the chair the authority to manage cross-departmental and interjurisdictional coordination of recovery efforts.

Sections 5 and 21 repeal and relocate existing language establishing the governor's expert emergency epidemic response committee, update the language to reflect amendments throughout the bill, and add the executive director of the department of local affairs or his or her designee to the committee.

The bill creates the Colorado resiliency office in the division of local government within the department of local affairs in **sections 17 and 18**. The office is required to develop a resiliency and community recovery program for the state that must address coordination among state and local agencies and risk and vulnerability reduction. The office is required to consult with other state agencies and stakeholders in developing the program.

Sections 6, 8, 9, 10, 12, 13, and 14 amend existing statutes concerning disaster planning and response at the state and local level to include references to recovery, mitigation, and preparedness. The requirement for a state disaster plan is amended to require a comprehensive emergency management program that addresses preparation, prevention, mitigation, response, and recovery from emergencies and disasters.

Local and interjurisdictional disaster agencies are renamed as emergency management agencies. The emergency management agencies are required to develop a local or interjurisdictional plan that includes provisions for preparation, prevention, mitigation, response, and recovery from emergencies and disasters. Agencies may incorporate by reference existing locally adopted plans, plans approved by the office of emergency management or the federal emergency management agency, and other relevant plans.

Section 15 amends a requirement in existing law that the governor consider steps that could be taken on a continuing basis to prevent and reduce the harmful consequences of disasters and adds language requiring the governor to also consider mitigation and recovery from disasters.

Sections 16, 19, and 20 make conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 24-33.5-701

3 as follows:

1 **24-33.5-701. Short title.** THE SHORT TITLE OF this part 7 ~~shall be~~
2 ~~known and may be cited as~~ IS the "Colorado Disaster Emergency Act".

3 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-702, **amend**
4 (1)(a), (1)(c), and (1)(g) as follows:

5 **24-33.5-702. Purposes and limitations.** (1) The purposes of this
6 part 7 are to:

7 (a) Reduce vulnerability of people and communities of this state
8 to damage, injury, and loss of life and property resulting from
9 ALL-HAZARDS, INCLUDING natural catastrophes or catastrophes of human
10 origin, civil disturbance, or hostile military or paramilitary action;

11 (c) Provide a setting conducive to the rapid and orderly ~~start of~~
12 RECOVERY, restoration, and rehabilitation of persons and property
13 affected by disasters;

14 (g) Provide a disaster and emergency management system
15 embodying all aspects of ~~pre-disaster~~ PRE-DISASTER and pre-emergency
16 preparedness, PREVENTION, MITIGATION, and ~~post-disaster~~ POST-DISASTER
17 and ~~post-emergency~~ POST-EMERGENCY response AND RECOVERY; and

18 **SECTION 3.** In Colorado Revised Statutes, 24-33.5-703, **amend**
19 (2); and **add** (3.5), (4.3), (4.5), (7.3), (7.5), and (7.7) as follows:

20 **24-33.5-703. Definitions.** As used in this part 7, unless the
21 context otherwise requires:

22 (2) "Committee" means the governor's expert emergency epidemic
23 response committee created in ~~section 24-33.5-704~~ SECTION
24 24-33.5-704.5.

25 (3.5) "EMERGENCY" MEANS AN UNEXPECTED EVENT THAT PLACES
26 LIFE OR PROPERTY IN DANGER AND REQUIRES AN IMMEDIATE RESPONSE
27 THROUGH THE USE OF STATE AND COMMUNITY RESOURCES AND

1 PROCEDURES.

2 (4.3) "EMERGENCY MANAGEMENT" MEANS THE ACTIONS TAKEN TO
3 PREPARE FOR, RESPOND TO, AND RECOVER FROM EMERGENCIES AND
4 DISASTERS AND MITIGATE AGAINST CURRENT AND FUTURE RISK.

5 (4.5) "MITIGATION" MEANS THE SUSTAINED ACTION TO REDUCE OR
6 ELIMINATE RISK TO PEOPLE AND PROPERTY FROM HAZARDS AND THEIR
7 EFFECTS.

8 (7.3) "RECOVERY" MEANS THE SHORT, INTERMEDIATE, AND
9 LONG-TERM ACTIONS TAKEN TO RESTORE COMMUNITY FUNCTIONS,
10 SERVICES, VITAL RESOURCES, FACILITIES, PROGRAMS, CONTINUITY OF
11 LOCAL GOVERNMENT SERVICES AND FUNCTIONS, AND INFRASTRUCTURE TO
12 THE AFFECTED AREA.

13 (7.5) "RESILIENCY" MEANS THE ABILITY OF COMMUNITIES TO
14 REBOUND, POSITIVELY ADAPT TO, OR THRIVE AMIDST CHANGING
15 CONDITIONS OR CHALLENGES, INCLUDING HUMAN-CAUSED AND NATURAL
16 DISASTERS, AND TO MAINTAIN QUALITY OF LIFE, HEALTHY GROWTH,
17 DURABLE SYSTEMS, ECONOMIC VITALITY, AND CONSERVATION OF
18 RESOURCES FOR PRESENT AND FUTURE GENERATIONS.

19 (7.7) "RESPONSE" MEANS THE ACTIONS TAKEN DIRECTLY
20 FOLLOWING THE ONSET OF AN EMERGENCY OR DISASTER TO PROVIDE
21 IMMEDIATE ASSISTANCE TO MAINTAIN LIFE, IMPROVE HEALTH, PROTECT
22 PROPERTY, RESTORE ESSENTIAL FUNCTIONS, AND ENSURE THE SECURITY
23 OF THE AFFECTED POPULATION.

24 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-704, **amend**
25 (4); and **add** (6.5) as follows:

26 **24-33.5-704. The governor and disaster emergencies - response**
27 **- recovery - duties and limitations.** (4) A disaster emergency shall be

1 declared by executive order or proclamation of the governor if the
2 governor finds a disaster has occurred or that this occurrence or the threat
3 thereof is imminent. The state of disaster emergency shall continue until
4 the governor finds that the threat of danger has passed or that the disaster
5 has been dealt with to the extent that emergency conditions no longer
6 exist and the governor terminates the state of disaster emergency by
7 executive order or proclamation, but no state of disaster emergency may
8 continue for longer than thirty days unless renewed by the governor. The
9 general assembly, by joint resolution, may terminate a state of disaster
10 emergency at any time. Thereupon, the governor shall issue an executive
11 order or proclamation ending the state of disaster emergency. All
12 executive orders or proclamations issued under this subsection (4) shall
13 indicate the nature of the disaster, the area threatened, and the conditions
14 ~~which have~~ THAT brought it about or ~~which~~ THAT make possible
15 termination of the state of disaster emergency. An executive order or
16 proclamation shall be disseminated promptly by means calculated to bring
17 its contents to the attention of the general public and, unless the
18 circumstances attendant upon the disaster prevent or impede, shall be
19 promptly filed with the office of emergency management IN THE DIVISION
20 OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, the secretary
21 of state, ~~and~~ the county clerk and recorder, and ~~disaster~~ EMERGENCY
22 MANAGEMENT agencies in the area to which it applies.

23 (6.5) (a) DURING THE RESPONSE TO OR RECOVERY FROM ANY
24 STATE OF DISASTER EMERGENCY, THE GOVERNOR MAY CONVENE A
25 DISASTER POLICY GROUP IF NEEDED TO EFFECTIVELY AND EFFICIENTLY
26 COORDINATE POLICY-LEVEL DECISION-MAKING AND TO ADVISE THE
27 GOVERNOR ON THE RESPONSE TO AND RECOVERY FROM THE EVENT. THE

1 POLICY GROUP MUST INCLUDE A REPRESENTATIVE FROM THE DEPARTMENT
2 OF LOCAL AFFAIRS AND APPROPRIATE STATE AGENCIES INVOLVED IN THE
3 RESPONSE AND RECOVERY EFFORT.

4 (b) IF THE GOVERNOR CONVENES A DISASTER POLICY GROUP
5 PURSUANT TO SUBSECTION (6.5)(a) OF THIS SECTION, THE GOVERNOR
6 SHALL APPOINT A CHAIR AND SHALL DELEGATE TO THE CHAIR THE
7 AUTHORITY TO MANAGE CROSS-DEPARTMENTAL AND
8 INTERJURISDICTIONAL COORDINATION FOR RECOVERY EFFORTS.

9 **SECTION 5.** In Colorado Revised Statutes, **add with amended**
10 **and relocated provisions** 24-33.5-704.5 as follows:

11 **24-33.5-704.5. Governor's expert emergency epidemic**
12 **response committee - creation. (1) [Similar to 24-33.5-704**

13 **(8)] (a)** THERE IS HEREBY CREATED A GOVERNOR'S EXPERT EMERGENCY
14 EPIDEMIC RESPONSE COMMITTEE. THE COMMITTEE SHALL:

15 (I) MEET AT LEAST ANNUALLY TO REVIEW AND AMEND, AS
16 NECESSARY, THE SUPPLEMENT TO THE STATE COMPREHENSIVE
17 EMERGENCY MANAGEMENT PROGRAM CREATED IN SECTION 24-33.5-705

18 (2) THAT IS CONCERNED WITH THE PUBLIC HEALTH RESPONSE TO ACTS OF
19 BIOTERRORISM, PANDEMIC INFLUENZA, AND EPIDEMICS CAUSED BY NOVEL
20 AND HIGHLY FATAL INFECTIOUS AGENTS; AND

21 (II) PROVIDE EXPERT PUBLIC HEALTH ADVICE TO THE GOVERNOR
22 IN THE EVENT OF AN EMERGENCY EPIDEMIC.

23 (b) (I) STATE MEMBERS OF THE COMMITTEE INCLUDE:

24 (A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
25 HEALTH AND ENVIRONMENT;

26 (B) THE CHIEF MEDICAL OFFICER OF THE DEPARTMENT OF PUBLIC
27 HEALTH AND ENVIRONMENT;

1 (C) THE CHIEF PUBLIC INFORMATION OFFICER OF THE DEPARTMENT
2 OF PUBLIC HEALTH AND ENVIRONMENT;

3 (D) THE EMERGENCY RESPONSE COORDINATOR FOR THE
4 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

5 (E) THE STATE EPIDEMIOLOGIST FOR THE DEPARTMENT OF PUBLIC
6 HEALTH AND ENVIRONMENT;

7 (F) THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S
8 DESIGNEE;

9 (G) THE PRESIDENT OF THE STATE BOARD OF HEALTH OR THE
10 PRESIDENT'S DESIGNEE;

11 (H) THE PRESIDENT OF THE STATE MEDICAL SOCIETY OR THE
12 PRESIDENT'S DESIGNEE;

13 (I) THE PRESIDENT OF THE COLORADO HEALTH AND HOSPITAL
14 ASSOCIATION OR THE PRESIDENT'S DESIGNEE;

15 (J) THE STATE VETERINARIAN OF THE DEPARTMENT OF
16 AGRICULTURE;

17 (K) THE DIRECTOR OF THE DIVISION OF HOMELAND SECURITY AND
18 EMERGENCY MANAGEMENT; AND

19 (L) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
20 AFFAIRS OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

21 (II) IN ADDITION TO THE STATE MEMBERS OF THE COMMITTEE, THE
22 GOVERNOR SHALL APPOINT TO THE COMMITTEE AN INDIVIDUAL FROM
23 EACH OF THE FOLLOWING CATEGORIES:

24 (A) A LICENSED PHYSICIAN WHO SPECIALIZES IN INFECTIOUS
25 DISEASES;

26 (B) A LICENSED PHYSICIAN WHO SPECIALIZES IN EMERGENCY
27 MEDICINE;

- 1 (C) A MEDICAL EXAMINER;
- 2 (D) A SPECIALIST IN POST-TRAUMATIC STRESS MANAGEMENT;
- 3 (E) A DIRECTOR OF A COUNTY, DISTRICT, OR MUNICIPAL PUBLIC
4 HEALTH AGENCY;
- 5 (F) A HOSPITAL INFECTION CONTROL PRACTITIONER;
- 6 (G) A WILDLIFE DISEASE SPECIALIST WITH THE DIVISION OF
7 WILDLIFE; AND
- 8 (H) A PHARMACIST MEMBER OF THE STATE BOARD OF PHARMACY.
- 9 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
10 HEALTH AND ENVIRONMENT SHALL SERVE AS THE CHAIR OF THE
11 COMMITTEE. A MAJORITY OF THE MEMBERSHIP OF THE COMMITTEE, NOT
12 INCLUDING VACANT POSITIONS, CONSTITUTES A QUORUM.
- 13 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
14 SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE AS AN EX
15 OFFICIO MEMBER OF THE COMMITTEE AND IS NOT ABLE TO VOTE ON
16 DECISIONS OF THE COMMITTEE. HE OR SHE SHALL SERVE AS A LIAISON
17 BETWEEN THE COMMITTEE AND THE EMERGENCY PLANNING
18 SUBCOMMITTEE OF THE HOMELAND SECURITY AND ALL-HAZARDS SENIOR
19 ADVISORY COMMITTEE CREATED IN SECTION 24-33.5-1614 (3.5) IN THE
20 EVENT OF AN EMERGENCY EPIDEMIC.
- 21 (c) THE COMMITTEE SHALL INCLUDE IN THE SUPPLEMENT TO THE
22 STATE DISASTER PLAN A PROPOSAL FOR THE PRIORITIZATION, ALLOCATION,
23 STORAGE, PROTECTION, AND DISTRIBUTION OF ANTIBIOTIC MEDICINES,
24 ANTIVIRAL MEDICINES, ANTIDOTES, AND VACCINES THAT MAY BE NEEDED
25 AND IN SHORT SUPPLY IN THE EVENT OF AN EMERGENCY EPIDEMIC.
- 26 (d) THE COMMITTEE SHALL CONVENE AT THE CALL OF THE
27 GOVERNOR OR THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC

1 HEALTH AND ENVIRONMENT TO CONSIDER EVIDENCE PRESENTED BY THE
2 DEPARTMENT'S CHIEF MEDICAL OFFICER OR STATE EPIDEMIOLOGIST THAT
3 THERE IS AN OCCURRENCE OR IMMINENT THREAT OF AN EMERGENCY
4 EPIDEMIC. IF THE COMMITTEE FINDS THAT THERE IS AN OCCURRENCE OR
5 IMMINENT THREAT OF AN EMERGENCY EPIDEMIC, THE EXECUTIVE
6 DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
7 SHALL ADVISE THE GOVERNOR TO DECLARE A DISASTER EMERGENCY.

8 (e) IN THE EVENT OF AN EMERGENCY EPIDEMIC THAT HAS BEEN
9 DECLARED A DISASTER EMERGENCY, THE COMMITTEE SHALL CONVENE AS
10 RAPIDLY AND AS OFTEN AS NECESSARY TO ADVISE THE GOVERNOR, WHO
11 SHALL ACT BY EXECUTIVE ORDER, REGARDING REASONABLE AND
12 APPROPRIATE MEASURES TO REDUCE OR PREVENT SPREAD OF THE DISEASE,
13 AGENT, OR TOXIN AND TO PROTECT THE PUBLIC HEALTH. SUCH MEASURES
14 MAY INCLUDE:

15 (I) PROCURING OR TAKING SUPPLIES OF MEDICINES AND VACCINES;

16 (II) ORDERING PHYSICIANS AND HOSPITALS TO TRANSFER OR CEASE
17 ADMISSION OF PATIENTS OR PERFORM MEDICAL EXAMINATIONS OF
18 PERSONS;

19 (III) ISOLATING OR QUARANTINING PERSONS OR PROPERTY;

20 (IV) DETERMINING WHETHER TO SEIZE, DESTROY, OR
21 DECONTAMINATE PROPERTY OR OBJECTS THAT MAY THREATEN THE PUBLIC
22 HEALTH;

23 (V) DETERMINING HOW TO SAFELY DISPOSE OF CORPSES AND
24 INFECTIOUS WASTE;

25 (VI) ASSESSING THE ADEQUACY AND POTENTIAL CONTAMINATION
26 OF FOOD AND WATER SUPPLIES;

27 (VII) PROVIDING MENTAL HEALTH SUPPORT TO AFFECTED

1 PERSONS; AND

2 (VIII) INFORMING THE CITIZENS OF THE STATE HOW TO PROTECT
3 THEMSELVES, WHAT ACTIONS ARE BEING TAKEN TO CONTROL THE
4 EPIDEMIC, AND WHEN THE EPIDEMIC IS OVER.

5 (2) [Similar to 24-33.5-704 (9)] EACH DEPARTMENT THAT
6 ADMINISTERS A PUBLICLY FUNDED SAFETY NET PROGRAM SHALL DEVELOP
7 A CONTINUITY OF OPERATIONS PLAN. THE PLAN SHALL ESTABLISH
8 PROCEDURES FOR THE RESPONSE BY, AND CONTINUATION OF OPERATIONS
9 OF, THE DEPARTMENT AND THE PROGRAM IN THE EVENT OF AN
10 EMERGENCY EPIDEMIC. EACH DEPARTMENT SHALL FILE ITS PLAN WITH THE
11 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND
12 ENVIRONMENT AND SHALL UPDATE THE PLAN AT LEAST ANNUALLY. IN
13 ADDITION, NOTWITHSTANDING SECTION 24-1-136(11), EACH DEPARTMENT
14 SHALL SUBMIT A REPORT BY MARCH 1 OF EACH YEAR TO THE HEALTH AND
15 HUMAN SERVICES COMMITTEE OF THE SENATE AND THE PUBLIC HEALTH
16 CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
17 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, REGARDING THE
18 STATUS OF THE DEPARTMENT'S PLAN, AS WELL AS THE STATUS OF ANY
19 OTHER PLANS OR PROCEDURES OF THE DEPARTMENT REGARDING
20 EMERGENCY AND DISASTER PREPAREDNESS.

21 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-705, **amend**
22 (1), (2), (3), (4), and (5) as follows:

23 **24-33.5-705. Office of emergency management - creation.**

24 (1) ~~(a) There is hereby created in the division of homeland security and~~
25 ~~emergency management~~ The office of emergency management IS
26 CREATED WITHIN THE DIVISION OF HOMELAND SECURITY AND EMERGENCY
27 MANAGEMENT IN THE DEPARTMENT OF PUBLIC SAFETY. THE OFFICE OF

1 EMERGENCY MANAGEMENT EXERCISES ITS POWERS, DUTIES, AND
2 FUNCTIONS AS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.
3 Pursuant to section 13 of article XII of the state constitution, the director
4 of the division of homeland security and emergency management shall
5 appoint a director as head of the office of emergency management.

6 ~~(b) The office of emergency management and the office of the~~
7 ~~director thereof shall exercise their powers and perform their duties and~~
8 ~~functions under the department and the executive director as if the same~~
9 ~~were transferred to the department by a **type 2** transfer, as such transfer~~
10 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
11 ~~this title.~~

12 (2) The office of emergency management shall ~~prepare, maintain,~~
13 ~~and keep current a state disaster plan that complies with all applicable~~
14 ~~federal and state regulations~~ CREATE A COMPREHENSIVE EMERGENCY
15 MANAGEMENT PROGRAM THAT INCLUDES POLICIES, PLANS, AND
16 PROCEDURES THAT ADDRESS THE PREPARATION, PREVENTION, MITIGATION,
17 RESPONSE, AND RECOVERY FROM EMERGENCIES AND DISASTERS. THE
18 OFFICE SHALL PREPARE, MAINTAIN, AND KEEP THE PROGRAM CURRENT IN
19 ORDER TO MEET THE NEEDS OF THE STATE.

20 (3) The office of emergency management shall take part in the
21 development and revision of local and interjurisdictional ~~disaster~~
22 EMERGENCY MANAGEMENT plans prepared under section 24-33.5-707. To
23 this end the office of emergency management shall employ or otherwise
24 secure the services of professional and technical personnel capable of
25 providing expert assistance to political subdivisions, their ~~disaster~~
26 EMERGENCY MANAGEMENT agencies and interjurisdictional planning ~~and~~
27 ~~disaster~~ agencies. Such personnel shall consult with political subdivisions

1 and ~~disaster~~ EMERGENCY MANAGEMENT agencies and shall make field
2 examinations.

3 (4) In preparing and revising the state ~~disaster plan~~ EMERGENCY
4 MANAGEMENT PROGRAM, the office of emergency management ~~may seek~~
5 ~~the advice and~~ SHALL ENSURE A PARTICIPATORY PROCESS THAT INCLUDES
6 THE assistance of local government, business, labor, industry, agriculture,
7 civic and volunteer organizations, ACADEMIA, OTHER STATE GOVERNMENT
8 AGENCIES, and community leaders.

9 (5) The state ~~disaster plan~~ EMERGENCY MANAGEMENT PROGRAM
10 or any part thereof may be incorporated in regulations of the office of
11 emergency management or executive orders that have the force and effect
12 of law.

13 **SECTION 7.** In Colorado Revised Statutes, **add** 24-33.5-705.2
14 as follows:

15 **24-33.5-705.2. Resiliency and community recovery program.**
16 **SUBJECT TO AVAILABLE GRANT FUNDING, THE** COLORADO RESILIENCY
17 OFFICE CREATED IN SECTION 24-32-121 SHALL CREATE A RESILIENCY AND
18 COMMUNITY RECOVERY PROGRAM AS PROVIDED IN SECTION 24-32-122 TO
19 PROVIDE LONG-TERM, LASTING SOLUTIONS AND EFFORTS FOR RESILIENCY.

20 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-705.3,
21 **amend** (2)(b), (3), and (4); and **add** (2)(a.5) as follows:

22 **24-33.5-705.3. Statewide all-hazards resource database -**
23 **creation - definitions.** (2) (a.5) NOT LATER THAN JUNE 30, 2019, THE
24 OFFICE OF EMERGENCY MANAGEMENT, USING EXISTING COMPUTER
25 RESOURCES, SHALL UPDATE THE CENTRALIZED RESPONSE COMPUTER
26 DATABASE CREATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO
27 INCLUDE A LISTING OF ALL-HAZARDS RECOVERY RESOURCES LOCATED IN

1 COLORADO. THE OFFICE SHALL CONTINUE TO MAINTAIN AND UPDATE THE
2 DATABASE REGULARLY.

3 (b) The database created pursuant to ~~paragraph (a) of this~~
4 ~~subsection (2) shall~~ THIS SUBSECTION (2) MUST contain resource
5 inventories, personnel counts, resource status, such other information
6 relevant to the efficient tracking and allocation of all-hazards response
7 AND RECOVERY resources, and a listing of all supplemental funding
8 sources available to tribal, state, and local all-hazards response AND
9 RECOVERY agencies. The information in this database shall be included
10 with the information required to be collected and maintained pursuant to
11 section 25-1.5-101 (1)(p). ~~C.R.S. No~~ THE data gathered for or stored in
12 this database ~~shall~~ MUST NOT contain personally identifying information
13 without prior notice to the involved individual. The database ~~is not~~
14 ~~intended to~~ SHALL be used ~~in place of~~ IN CONJUNCTION WITH the existing
15 interagency ~~wildland fire~~ dispatch system.

16 (3) (a) The office of emergency management shall encourage
17 tribal, state, and local response agencies to enter the information
18 described in ~~paragraph (b) of~~ subsection (2) of this section into the
19 database via the internet and provide a means for such data entry. All data
20 entered into the database ~~shall~~ MUST be verifiable by the office of
21 emergency management. The office of emergency management shall
22 encourage participating tribal, state, regional, and local response agencies
23 to update the data as necessary.

24 (b) The database ~~shall~~ MUST be accessible via the internet to all
25 tribal, state, regional, and local response agencies for the purpose of
26 efficiently tracking and allocating response AND RECOVERY resources in
27 the event of a disaster or local incident that requires more resources than

1 those available under any existing interjurisdictional or mutual aid
2 arrangement.

3 (4) The office of emergency management shall establish
4 guidelines for the development and maintenance of the database created
5 pursuant to subsection (2) of this section so that tribal, state, regional, and
6 local response AND RECOVERY agencies can easily access the database.
7 The ~~guidelines shall be developed~~ OFFICE SHALL DEVELOP THE
8 GUIDELINES with input from tribal, state, regional, and local response AND
9 RECOVERY agencies and private sector agencies and organizations.

10 **SECTION 9.** In Colorado Revised Statutes, 24-33.5-705.4,
11 **amend** (1)(a) introductory portion, (1)(b), (2)(b), (2)(g), (2)(k), (3)(a),
12 (4)(b)(I), (4)(b)(II), and (4)(c) as follows:

13 **24-33.5-705.4. All-hazards resource mobilization system -**
14 **creation - plan - duties - reimbursement for expenses incurred by**
15 **mobilized entities - eligibility - resource mobilization fund - creation**
16 **- definitions - legislative declaration.** (1) (a) The general assembly
17 hereby finds, determines, and declares that the statewide all-hazards
18 resource mobilization system, which provides for efficient mobilizing,
19 tracking, allocating, and demobilizing OF emergency AND DISASTER
20 resources and ensures that a requesting unit of government receives
21 proper equipment and qualified personnel, is necessary to provide
22 resources to any emergency incident beyond local capabilities and thus
23 necessary to protect life, property, the environment, and cultural and
24 economic resources. The general assembly further finds and declares that
25 the need to ensure that the state is adequately prepared and able to address
26 large-scale emergencies and disasters requires a mechanism to reimburse
27 state agencies, tribal governments, and local jurisdictions that respond to

1 requests for help from other jurisdictions in times of need. It is therefore
2 necessary to:

3 (b) In accordance with section 24-33.5-713, it is the intent of the
4 legislature to encourage political subdivisions to enter into mutual aid and
5 other interjurisdictional agreements. Such agreements produce enhanced
6 emergency response AND RECOVERY and are thus essential to protecting
7 the public peace, safety, health, and welfare, including the lives and
8 property, of the people of the state of Colorado.

9 (2) As used in this section, unless the context otherwise requires:

10 (b) "Emergency manager" means the director or coordinator of the
11 local or interjurisdictional ~~disaster~~ EMERGENCY MANAGEMENT agency, as
12 described in section 24-33.5-707 (4), or other person, identified pursuant
13 to section 24-33.5-707 (6), responsible for local or interjurisdictional
14 disaster preparedness, ~~and~~ PREVENTION, MITIGATION, response, AND
15 RECOVERY.

16 (g) "Mobilization" means the process of providing, upon request
17 and subject to availability, ~~emergency~~ resources beyond those available
18 through existing interjurisdictional or mutual aid agreements in response
19 to a request from a jurisdiction in which an emergency or disaster
20 situation or local emergency incident that has exceeded or will exceed the
21 capabilities of available local resources. The term includes the nonhost
22 jurisdiction's authorization and approval for redistribution of resources
23 either to direct emergency incident assignments or to assignment in
24 communities where resources are needed to provide coverage when those
25 communities' resources have been mobilized to assist other jurisdictions.

26 (k) "Nonhost jurisdiction" means a jurisdiction providing disaster
27 or emergency ~~response~~ resources to a host jurisdiction.

1 (3) **Powers and duties.** (a) The director shall develop and
2 maintain a statewide all-hazards resource mobilization plan that sets forth
3 procedures for mobilization, allocation, deployment, coordination,
4 tracking, cost accounting, and demobilization of resources during
5 disasters and other large-scale emergencies and local incidents that
6 require more resources than those available under any existing
7 interjurisdictional or mutual aid agreement. In developing the
8 mobilization plan, the director shall consult with and solicit
9 recommendations from the homeland security and all-hazards senior
10 advisory committee created in section 24-33.5-1614 and other appropriate
11 representatives of state, tribal, and local governmental and private sector
12 emergency management organizations. The director shall ensure that the
13 mobilization plan is consistent with, and incorporated into, the Colorado
14 state ~~emergency operations plan~~ COMPREHENSIVE EMERGENCY
15 MANAGEMENT PROGRAM DESCRIBED IN SECTION 24-33.5-705 (2).

16 (4) **Mobilization.** (b) Upon and for the duration of mobilization:

17 (I) The executive director OR THE EXECUTIVE DIRECTOR'S
18 DESIGNEE shall serve as a resource mobilization ~~liaison~~ AGENCY
19 ADMINISTRATOR to the local unified coordination group, incident
20 commander, or the host jurisdiction's ~~disaster~~ EMERGENCY MANAGEMENT
21 agency ~~under unified command~~ to support the mobilization effort
22 consistent with the LOCAL JURISDICTIONAL incident command system and
23 mobilization plan and procedures;

24 (II) The resources, including those of the host jurisdiction and
25 those of nonhost jurisdictions that responded earlier under an existing
26 interjurisdictional or mutual aid or other agreement, may remain
27 mobilized, based on capability to do so and pursuant to agreement

1 between the executive director, the incident commander, EMERGENCY
2 MANAGER, and the host jurisdiction or nonhost jurisdiction that provided
3 the resources;

4 (c) The executive director, in consultation with the local incident
5 commander OR EMERGENCY MANAGER, AS APPROPRIATE, shall determine
6 when mobilization is no longer required and, at that time, shall declare the
7 end to the mobilization.

8 **SECTION 10.** In Colorado Revised Statutes, 24-33.5-705.5,
9 **amend** (1)(c), (3)(c), and (4)(a) as follows:

10 **24-33.5-705.5. Auxiliary emergency communications unit -**
11 **powers and duties of unit and office of emergency management**
12 **regarding auxiliary communications - definitions.** (1) As used in this
13 section:

14 (c) "Office" means the office of emergency management created
15 in ~~section 24-33.5-705 (1)(a)~~ SECTION 24-33.5-705 (1).

16 (3) The unit has the following powers and duties:

17 (c) Ensure that auxiliary emergency communicators are authorized
18 volunteers entitled to the protections and benefits of part 8 of this ~~article~~
19 ARTICLE 33.5 when assisting with the installation, maintenance, or
20 demolition of communication facilities of any county sheriff, local
21 government, local emergency planning committee, LOCAL EMERGENCY
22 MANAGEMENT AGENCY, or state agency, whether or not such activities
23 occur during a disaster; except that ~~the provisions of sections 24-33.5-825~~
24 and 24-33.5-826 do not apply to a training exercise, drill, or class without
25 the express prior consent and approval of the volunteer's employer.

26 (4) In connection with the powers and duties of the unit as
27 specified in this section, the director of the office may:

1 (a) Develop and issue a credential that is recognized throughout
2 the state for the purpose of granting access to government facilities,
3 EMERGENCY OPERATIONS CENTERS, incident command posts, and disaster
4 scenes;

5 **SECTION 11.** In Colorado Revised Statutes, 24-33.5-706,
6 **amend** (4) and (5); and **repeal** (3) as follows:

7 **24-33.5-706. Disaster emergency fund - established - financing**
8 **- legislative intent - repeal.** (3) ~~The council shall review in detail each~~
9 ~~expenditure of disaster emergency moneys.~~

10 (4) (a) It is the legislative intent that first recourse be to ~~funds~~
11 MONEY regularly appropriated to state and local agencies. If the governor
12 finds that the demands placed upon ~~these funds~~ THIS MONEY in coping
13 with a particular disaster are unreasonably great, the governor may ~~with~~
14 ~~the concurrence of the council,~~ make ~~funds~~ MONEY available from the
15 disaster emergency fund.

16 (b) If ~~moneys~~ MONEY available from the disaster emergency fund
17 ~~are~~ IS insufficient, the governor ~~with the concurrence of the council,~~ may
18 transfer to the fund and expend ~~moneys~~ MONEY appropriated for other
19 purposes.

20 (5) The director of the division of homeland security and
21 emergency management is authorized to establish, pursuant to article 4 of
22 this ~~title~~ TITLE 24, the rules ~~and regulations which will~~ THAT govern the
23 reimbursement of funds to state agencies and political subdivisions and
24 to promulgate such ~~regulations~~ RULES.

25 **SECTION 12.** In Colorado Revised Statutes, **amend** 24-33.5-707
26 as follows:

27 **24-33.5-707. Local and interjurisdictional emergency**

1 **management agencies and services.** (1) Each political subdivision is
2 within the jurisdiction of and served by the office of emergency
3 management and by a local or interjurisdictional EMERGENCY
4 MANAGEMENT agency responsible for THE COORDINATION OF disaster
5 preparedness, ~~and coordination of response~~ PREVENTION, MITIGATION,
6 RESPONSE, AND RECOVERY.

7 (2) Each county shall maintain ~~a disaster~~ AN EMERGENCY
8 MANAGEMENT agency or participate in a local or interjurisdictional
9 ~~disaster~~ EMERGENCY MANAGEMENT agency ~~which~~ THAT, except as
10 otherwise provided under this part 7, has jurisdiction over and serves the
11 entire county.

12 (3) The governor shall determine which municipal corporations
13 need ~~disaster~~ EMERGENCY MANAGEMENT agencies of their own and
14 require that they be established and maintained. The governor shall make
15 such determination on the basis of the municipality's disaster vulnerability
16 and capability of response AND RECOVERY related to population size and
17 concentration. The ~~disaster~~ EMERGENCY MANAGEMENT agency of a
18 county shall cooperate with the ~~disaster~~ EMERGENCY MANAGEMENT
19 agencies of municipalities situated within its borders but shall not have
20 jurisdiction within a municipality having its own ~~disaster~~ EMERGENCY
21 MANAGEMENT agency. The office of emergency management shall
22 publish and keep current a list of municipalities required to have ~~disaster~~
23 EMERGENCY MANAGEMENT agencies under this subsection (3).

24 (4) The minimum composition of ~~a disaster~~ AN EMERGENCY
25 MANAGEMENT agency is a director or coordinator appointed and governed
26 by the chief executive officer or governing body of the appointing
27 jurisdiction. The director or coordinator is responsible for the planning,

1 ~~and~~ coordination, AND EXECUTION of the local ~~disaster~~ PRE- AND
2 POST-DISASTER services.

3 (5) Any provision of this part 7 or other law to the contrary
4 notwithstanding, the governor may require a political subdivision to
5 establish and maintain a ~~disaster~~ AN EMERGENCY MANAGEMENT agency
6 jointly with one or more contiguous political subdivisions if the governor
7 finds that the establishment and maintenance of an agency or participation
8 therein is made necessary by circumstances or conditions that make it
9 unusually difficult to provide disaster prevention, preparedness,
10 MITIGATION, response, or recovery services under other provisions of this
11 part 7.

12 (6) ~~Each political subdivision that does not have a disaster agency
13 and has not made arrangements to secure or participate in the services of
14 an agency shall have an elected official designated as liaison officer to
15 facilitate the cooperation and protection of that subdivision in the work
16 of disaster prevention, preparedness, response, and recovery.~~

17 (7) The mayor, chairman of the board of county commissioners,
18 or other principal executive officer of each political subdivision in the
19 state shall notify the office of emergency management of the manner in
20 which the political subdivision is providing or securing disaster ~~planning~~
21 ~~and emergency~~ PREPAREDNESS, PREVENTION, MITIGATION, RESPONSE, AND
22 RECOVERY services, identify the person who heads the agency OR
23 AGENCIES from which the services are obtained, and furnish additional
24 information relating thereto as the office of emergency management
25 requires.

26 (8) Each local and interjurisdictional ~~disaster~~ EMERGENCY
27 MANAGEMENT agency shall prepare and keep current a ~~local~~ LOCALLY

1 DEFINED or interjurisdictional ~~disaster~~ emergency MANAGEMENT plan for
2 its area, INCLUDING PROVISIONS FOR THE PREPARATION, PREVENTION,
3 MITIGATION, RESPONSE, AND RECOVERY FROM EMERGENCIES AND
4 DISASTERS. EXISTING LOCALLY ADOPTED RECOVERY PLANS, PLANS
5 APPROVED BY THE OFFICE OF EMERGENCY MANAGEMENT OR THE FEDERAL
6 EMERGENCY MANAGEMENT AGENCY, AND OTHER RELEVANT EMERGENCY
7 PLANS MAY BE INCORPORATED BY REFERENCE, BUT ONLY IF THOSE PLANS
8 ARE SPECIFICALLY IDENTIFIED AND PUBLICLY AVAILABLE.

9 (9) The local or interjurisdictional ~~disaster~~ EMERGENCY
10 MANAGEMENT agency, as the case may be, shall prepare and distribute to
11 all appropriate officials in written form a clear and complete statement of
12 the emergency responsibilities of all local agencies and officials and of
13 the disaster chain of command.

14 (10) The sheriff of each county shall:

15 (a) Be the official responsible for coordination of all search and
16 rescue operations within the sheriff's jurisdiction;

17 (b) Make use of the search and rescue capability and resources
18 available within the county and request assistance from the office of
19 emergency management only when and if the sheriff determines such
20 additional assistance is required.

21 (11) When authorized by the governor and executive director and
22 approved by the director of the office of emergency management,
23 expenses incurred in meeting contingencies and emergencies arising from
24 search and rescue operations may be reimbursed from the disaster
25 emergency fund.

26 (12) Any person providing information to a local or
27 interjurisdictional ~~disaster~~ EMERGENCY MANAGEMENT agency may

1 request, in writing, that such information be disseminated only to persons
2 connected with or involved in the preparation, update, or implementation
3 of any ~~disaster~~ emergency MANAGEMENT plan, and said information shall
4 thereafter not be released to any person without the expressed written
5 consent of the person providing the information.

6 **SECTION 13.** In Colorado Revised Statutes, 24-33.5-708,
7 **amend** (1) and (2)(b); **repeal** (4); and **add** (2.5) as follows:

8 **24-33.5-708. Establishment of interjurisdictional emergency**
9 **management service area.** (1) If the governor finds that two or more
10 adjoining counties would be better served by an interjurisdictional
11 arrangement than by maintaining separate ~~disaster~~ EMERGENCY
12 MANAGEMENT agencies and services, the governor may delineate by
13 executive order an interjurisdictional area adequate to plan for, prevent,
14 or respond to ~~disaster~~ AND RECOVER FROM DISASTERS in that area and
15 direct steps to be taken as necessary, including the creation of an
16 interjurisdictional relationship, a joint ~~disaster~~ emergency MANAGEMENT
17 plan, mutual aid, or an area organization for emergency planning and
18 services.

19 (2) A finding of the governor pursuant to subsection (1) of this
20 section shall be based on one or more factors related to the difficulty of
21 maintaining an efficient and effective disaster prevention, preparedness,
22 response, and recovery system on a separate basis, such as:

23 (b) Limitations on public financial resources severe enough to
24 make maintenance of a separate ~~disaster~~ EMERGENCY MANAGEMENT
25 agency and services unreasonably burdensome;

26 (2.5) NOTHING IN THIS SECTION LIMITS A COUNTY'S AUTHORITY TO
27 ENTER INTO AN INTERJURISDICTIONAL ARRANGEMENT WITH ONE OR MORE

1 ADJOINING COUNTIES WITHOUT ACTION BY THE GOVERNOR.

2 (4) ~~If the other jurisdictions with which the governor proposes to~~
3 ~~cooperate pursuant to subsection (3) of this section have not enacted the~~
4 ~~interstate civil defense and disaster compact, the governor may negotiate~~
5 ~~special agreements with such jurisdictions. Any agreement, if sufficient~~
6 ~~authority for the making thereof does not otherwise exist, becomes~~
7 ~~effective only after its text has been communicated to the general~~
8 ~~assembly and if neither house of the general assembly has disapproved it~~
9 ~~before adjournment sine die of the next ensuing session competent to~~
10 ~~consider it or within thirty days of its submission, whichever is longer.~~

11 **SECTION 14.** In Colorado Revised Statutes, 24-33.5-709,
12 **amend** (3) as follows:

13 **24-33.5-709. Local disaster emergencies.** (3) No
14 interjurisdictional ~~disaster~~ EMERGENCY MANAGEMENT agency or official
15 thereof may declare a local disaster emergency unless expressly
16 authorized by the agreement pursuant to which the agency functions. An
17 interjurisdictional ~~disaster~~ EMERGENCY MANAGEMENT agency shall
18 provide aid and services in accordance with the agreement pursuant to
19 which it functions.

20 **SECTION 15.** In Colorado Revised Statutes, 24-33.5-710,
21 **amend** (1), (2), and (3) as follows:

22 **24-33.5-710. Disaster prevention, mitigation, and recovery.**

23 (1) In addition to disaster prevention AND MITIGATION measures as
24 included in the state, local, and interjurisdictional ~~disaster~~ emergency
25 MANAGEMENT plans, the governor shall consider steps that could be taken
26 on a continuing basis to prevent or reduce the harmful consequences of
27 AND EFFECTIVELY RECOVER FROM disasters. At the governor's direction,

1 and pursuant to any other authority and competence they have, state
2 agencies, including those charged with responsibilities in connection with
3 floodplain management, stream encroachment and flow regulation,
4 weather modification, fire prevention and control, HAZARD MITIGATION,
5 air quality, public works, land use and land-use planning, and
6 construction standards, shall make studies of matters related to disaster
7 prevention. The governor and the executive director, from time to time,
8 shall make recommendations to the general assembly, local governments,
9 and such other appropriate public and private entities as may facilitate
10 measures for prevention or reduction of the harmful consequences of
11 disasters.

12 (2) All state departments ~~in conjunction with the office of~~
13 ~~emergency management~~, shall conduct studies and adopt measures to
14 reduce the impact of, and actions contributory to, a disaster. The studies
15 shall concentrate on means of reducing or avoiding the dangers caused by
16 such occurrences or the consequences thereof. STATE DEPARTMENTS
17 SHALL PROVIDE INFORMATION ABOUT THE ACCOMPLISHMENTS AND
18 SUCCESSES OF THESE PROJECTS WHEN REQUESTED BY THE OFFICE OF
19 EMERGENCY MANAGEMENT OR THE COLORADO RESILIENCY OFFICE FOR
20 REPORTING PURPOSES.

21 (3) If the DIRECTOR OF THE office of emergency management
22 believes, on the basis of the studies or other competent evidence, that an
23 area is susceptible to a disaster of catastrophic proportions without
24 adequate warning, that existing building standards and land-use controls
25 in that area are inadequate and could add substantially to the magnitude
26 of the disaster, and that changes in zoning regulations, other land-use
27 regulations, or building requirements are essential in order to further the

1 purposes of this section, ~~it~~ THE DIRECTOR shall specify the essential
2 changes to the executive director and to the governor. If the governor,
3 upon review of the recommendations, finds after public hearing that the
4 changes are essential, the governor shall so recommend to the agencies
5 or local governments with jurisdictions over the area and subject matter.
6 If no action or insufficient action pursuant to the governor's
7 recommendations is taken within the time specified by the governor, the
8 governor shall so inform the general assembly and request legislative
9 action appropriate to mitigate the impact of disaster.

10 **SECTION 16.** In Colorado Revised Statutes, 24-33.5-711.5,
11 **amend** (1) as follows:

12 **24-33.5-711.5. Governor's expert emergency epidemic**
13 **response committee - compensation - liability.** (1) Neither the state nor
14 the members of the expert emergency epidemic response committee
15 designated or appointed pursuant to ~~section 24-33.5-704 (8)~~ SECTION
16 24-33.5-704.5 are liable for any claim based upon the committee's advice
17 to the governor or the alleged negligent exercise or performance of, or
18 failure to exercise or perform an act relating to an emergency epidemic.
19 Liability against a member of the committee may be found only for
20 wanton or willful misconduct or willful disregard of the best interests of
21 protecting and maintaining the public health. Damages awarded on the
22 basis of such liability shall not exceed one hundred thousand dollars for
23 any injury to or damage suffered by one person or three hundred thousand
24 dollars for an injury to or damage suffered by three or more persons in the
25 course of an emergency epidemic.

26 **SECTION 17.** In Colorado Revised Statutes, **add** 24-32-121 and
27 24-32-122 as follows:

1 **24-32-121. Colorado resiliency office - creation - director.**

2 SUBJECT TO AVAILABLE GRANT FUNDING, THE COLORADO RESILIENCY
3 OFFICE IS CREATED IN THE DIVISION OF LOCAL GOVERNMENT WITHIN THE
4 DEPARTMENT OF LOCAL AFFAIRS. THE HEAD OF THE OFFICE IS THE
5 DIRECTOR OF THE COLORADO RESILIENCY OFFICE. THE DIRECTOR OF THE
6 DIVISION OF LOCAL GOVERNMENT SHALL APPOINT THE DIRECTOR OF THE
7 OFFICE IN ACCORDANCE WITH SECTION 13 OF ARTICLE XII OF THE STATE
8 CONSTITUTION. THE OFFICE EXERCISES ITS POWERS, DUTIES, AND
9 FUNCTIONS UNDER THE DIVISION AND THE DEPARTMENT AS A **TYPE 2**
10 ENTITY, AS DEFINED IN SECTION 24-1-105.

11 **24-32-122. Duties and powers.** (1) (a) THE COLORADO
12 RESILIENCY OFFICE SHALL CREATE, MAINTAIN, AND KEEP CURRENT THE
13 RESILIENCY AND COMMUNITY RECOVERY PROGRAM AS DESCRIBED IN
14 SECTION 24-33.5-705.2. THE PROGRAM MUST ADDRESS, AT A MINIMUM:

15 (I) COORDINATION AMONG STATE AGENCIES AND LOCAL
16 JURISDICTIONS TO SUPPORT COMMUNITY AND ECONOMIC RECOVERY
17 EFFORTS; AND

18 (II) RISK AND VULNERABILITY REDUCTION.

19 (b) THE COLORADO RESILIENCY OFFICE SHALL MAINTAIN AND KEEP
20 THE RESILIENCY AND COMMUNITY RECOVERY PROGRAM CURRENT AND IN
21 COMPLIANCE TO MEET THE NEEDS OF THE STATE.

22 (2) THE COLORADO RESILIENCY OFFICE SHALL CONSULT WITH THE
23 GOVERNOR'S OFFICE, THE DEPARTMENT OF PUBLIC SAFETY, THE
24 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND ALL OTHER
25 AFFECTED STATE AGENCIES IN DEVELOPING THE RESILIENCY AND
26 COMMUNITY RECOVERY PROGRAM.

27 (3) IN DEVELOPING THE PROGRAM, THE COLORADO RESILIENCY

1 OFFICE SHALL ENSURE A PARTICIPATORY PROCESS THAT INCLUDES LOCAL
2 GOVERNMENT, STATE AGENCIES, BUSINESS, LABOR, INDUSTRY,
3 AGRICULTURE, CIVIC AND VOLUNTEER ORGANIZATIONS, ACADEMIA,
4 COMMUNITY LEADERS, AND OTHER STAKEHOLDERS.

5 (4) THE DUTIES, POWERS, AND OBLIGATIONS OF THE COLORADO
6 RESILIENCY OFFICE SET FORTH IN SUBSECTIONS (1) TO (3) OF THIS SECTION
7 ARE TO BE ACCOMPLISHED SUBJECT TO AVAILABLE GRANT FUNDING OR
8 WITHIN EXISTING RESOURCES.

9 (5) THE DEPARTMENT OF LOCAL AFFAIRS AND THE COLORADO
10 RESILIENCY OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR
11 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS
12 SECTION AND SECTION 24-32-121.

13 **SECTION 18.** In Colorado Revised Statutes, 24-1-125, **amend**
14 (2)(a) as follows:

15 **24-1-125. Department of local affairs - creation.** (2) The
16 department of local affairs shall consist of the following divisions:

17 (a) (I) Division of local government, the head of which shall be
18 the director of local government. The division of local government and
19 the office of THE director thereof, created by part 1 of article 32 of this
20 ~~title~~ TITLE 24, and their powers, duties, and functions are transferred by
21 a **type 2** transfer to the department of local affairs as the division of local
22 government.

23 (II) THE DIVISION OF LOCAL GOVERNMENT INCLUDES THE
24 COLORADO RESILIENCY OFFICE, THE HEAD OF WHICH IS THE DIRECTOR OF
25 THE COLORADO RESILIENCY OFFICE. THE COLORADO RESILIENCY OFFICE
26 EXERCISES ITS POWERS, DUTIES, AND FUNCTIONS UNDER THE DIVISION AND
27 THE DEPARTMENT AS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

1 **SECTION 19.** In Colorado Revised Statutes, 2-3-1502, **amend**
2 (6) as follows:

3 **2-3-1502. Definitions.** As used in this part 15, unless the context
4 otherwise requires:

5 (6) "GEEERC" means the governor's expert emergency epidemic
6 response committee created in ~~section 24-33.5-704 (8), C.R.S.~~ SECTION
7 24-33.5-704.5.

8 **SECTION 20.** In Colorado Revised Statutes, 25-1.5-102, **amend**
9 (1)(b)(I) as follows:

10 **25-1.5-102. Epidemic and communicable diseases - powers and**
11 **duties of department.** (1) The department has, in addition to all other
12 powers and duties imposed upon it by law, the powers and duties
13 provided in this section as follows:

14 (b) (I) To investigate and monitor the spread of disease that is
15 considered part of an emergency epidemic as defined in section
16 24-33.5-703 (4) ~~C.R.S.~~, to determine the extent of environmental
17 contamination resulting from the emergency epidemic, and to rapidly
18 provide epidemiological and environmental information to the governor's
19 expert emergency epidemic response committee, created in ~~section~~
20 ~~24-33.5-704 (8), C.R.S.~~ SECTION 24-33.5-704.5.

21 **SECTION 21. Repeal of provisions being relocated in this**
22 **act.** In Colorado Revised Statutes, 24-33.5-704, **repeal** (8) and (9).

23 **SECTION 22. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2018 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.