



## Fiscal Note

### Legislative Council Staff

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## HB 26-1334: MODIFY STDS OF WILDFIRE RESILIENCY CODE BOARD

**Prime Sponsors:**

Rep. Flannell; Paschal

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**Fiscal note status:** The fiscal note reflects the introduced bill.

### Summary Information

**Overview.** The bill accelerates the schedule to review the statewide model code for wildfire resilience, requires a process allowing any person to petition the code board for modifications, and extends the date by which local governments must update local codes to match the statewide code.

**Types of impacts.** The bill is projected to affect the following areas in FY 2026-27 and FY 2027-28 only:

- State Expenditure
- Local Government

**Appropriations.** For FY 2026, the bill requires an appropriation of \$68,198 to the Department of Public Safety.

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$81,685	\$58,130
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.7 FTE	0.8 FTE

Fund sources for these impacts are shown in the tables below.

**Table 1A**  
**State Expenditures**

<b>Fund Source</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$68,198	\$42,657
Cash Funds	\$0	\$0
Federal Funds	\$0	\$0
Centrally Appropriated	\$13,488	\$15,473
<b>Total Expenditures</b>	<b>\$81,685</b>	<b>\$58,130</b>
<b>Total FTE</b>	<b>0.7 FTE</b>	<b>0.8 FTE</b>

## Summary of Legislation

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Under current law, the Wildfire Resiliency Code Board (board) in the Division of Fire Prevention and Control in the Department of Public Safety (CDPS) is required to adopt an initial set of statewide standards to reduce the wildfire risk to people and property by July 1, 2025, and reviewed every three years.

This bill requires that the board review the codes and standards no later than July 1, 2026, and review the codes and standards as often as the board deems necessary thereafter, but no less frequently than once every three years.

Under current law, local governments located in a wildland urban interface (WUI) must adopt codes meeting or exceeding the minimum standards no later than April 1, 2026. This bill extends the deadline until April 1, 2027. Under current law, the board must establish a process allowing a local government to petition for modifications to the code. This bill requires that the board establish a process allowing a person impacted by the code to petition the board for modifications.

Finally, the bill requires that the CDPS report specified aspects of the board's activities during the department's annual SMART Act hearing beginning with the 2027 legislative session.

## Background

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The Wildfire Resiliency Code Board was created through [Senate Bill 23-166](#).

## Assumptions

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The bill requires that the Wildfire Resiliency Code Board conduct the review of 2025 codes no later than July 1, 2026, which does not give the department time to conduct the review.

This fiscal note assumes that the code review must be conducted sometime during FY 2026-27; see Technical Note.

## State Expenditures

The bill increases state expenditures in the Division of Fire Prevention and Control in the CDPS by about \$82,000 and 0.7 FTE in FY 2026-27, and by about \$58,000 and 0.8 FTE in FY 2027-28. Personal services costs in FY 2026-27 are prorated for the bills effective date. These costs, paid from the General Fund, are displayed in Table 2 and described below.

**Table 2**  
**State Expenditures**  
**Department of Public Safety**

<b>Cost Component</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$35,882	\$41,633
Operating Expenses	\$896	\$1,024
Capital Outlay Costs	\$7,000	\$0
In-person Meetings	\$15,840	\$0
Public Hearing	\$8,580	\$0
Centrally Appropriated Costs	\$13,488	\$15,473
<b>Total Costs</b>	<b>\$81,685</b>	<b>\$58,130</b>
<b>Total FTE</b>	<b>0.7 FTE</b>	<b>0.8 FTE</b>

## FY 2026-27 Code Review

The bill accelerates the schedule by which the Wildfire Resiliency Code Board must review the model codes adopted July 1, 2025. Under current law, a regularly scheduled review takes place on July 1, 2028; this bill requires that the board review the codes by July 1, 2026, but this estimate assumes the work will be conducted during FY 2026-27.

In 2025, the board had funding for 11 in-person meetings held in different regions of the state. Assuming that a review of the existing code allows the majority of meetings to occur online, travel and per-diem expenses are estimated assuming one in-person meeting, and one public hearing during FY 2026-27. These costs are significantly higher if the board meets multiple times in person in different geographic regions of the state, in which case costs increase for in-person meetings and for travel expenses.

## Expanded Petition Process

The bill requires that the CDPS establish a process allowing a person impacted by the code to petition the board for modifications. Under current law, only a local government may petition for changes. This greatly expands the universe of petitioners.

It is estimated that each petition requires approximately 2.5 hours for an administrative assistant to process petition intake and tracking, schedule meetings, and take necessary minutes. Each petition also requires approximately 4.5 hours for a program administrator to conduct petition review and evaluation, and to facilitate the petition hearing. Assuming the division receives 200 personal petitions to modify the codes, staff needed increases by 0.3 FTE Administrative Assistant II and 0.5 FTE Program Administrator. Because the code was adopted in July 2025, and must be reviewed by July 2026, the fiscal note assumes that personal petitions for modifications will occur in FY 2026-27 (for the codes adopted July 1, 2025) and in FY 2026-27 (for any revisions to the 2025 code adopted as of July 1, 2026). Personal petitions are expected to diminish following that fiscal year unless and until the board makes any additional changes.

## Centrally Appropriated Costs

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which may include employee insurance, supplemental employee retirement payments, indirect cost assessments, and other costs, are shown in Table 2 above.

## Local Government

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The bill provides an extension for local governments to revise and adopt codes until FY 2027-28, which may reduce anticipated spending in FY 2026-27 for local governments that delay updating codes.

## Technical Issue

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The bill requires that the code board complete a review of the existing codes by July 2026; however, the bill does not take effect until 90 days following adjournment, assuming no referendum petition is filed. The review date for the department should be revised to occur later than the bill's effective date, presumably after August 12, 2026.

## Departmental Difference

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The CDPS estimates that the bill requires 2.0 FTE and related costs of about \$447,000 annually to process up to 1,000 additional petitions for modifications to the code from individual persons. The department's estimate assumes this staff is required in perpetuity. The fiscal note assumes that the number of additional petitions will not exceed 200 annually, and adjusts the required staff costs accordingly to occur in FY 2026-27 and FY 2027-28 only.

The CDPS also estimates that the bill requires \$42,900 for convening in-person regional meetings and travel expense reimbursement to conduct a review of the codes by July 1, 2026. In estimating the lowest cost alternative, this fiscal note assumes that the majority of review hearings can be held remotely, without the added cost of venues, catering, per diem and travel reimbursement.

## Effective Date

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State Appropriations

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For FY 2026-27, the bill requires a General Fund appropriation of \$68,198 to the Wildfire Resiliency Code Board Cash Fund in the Department of Public Safety, and 0.7 FTE. The cash fund is continuously appropriated to the department.

## State and Local Government Contacts

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Governor's Office

Public Safety