



Colorado
Legislative
Council
Staff

SB16-160

FINAL
FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0863
Prime Sponsor(s): Sen. Lambert
Rep. Lundeen

Date: June 6, 2016
Bill Status: Postponed Indefinitely
Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: STATE POLICE POWER JURISDICTION ON FEDERAL LANDS

Summary of Legislation

This bill clarifies that the state possesses the jurisdictional right to take action on Bureau of Land Management (BLM) or U.S. Forrest Service (USFS) lands where the federal government has not reserved exclusive jurisdiction. Action can be taken by the state on its own behalf or on the behalf of a political subdivision such as a local government when conditions adversely affect or pose a clear imminent danger to the life, public health, and safety of residents.

Background

The BLM owns 8.3 million acres of public lands, and 27 million acres of mineral estate in Colorado. The USFS is the primary land manager for the state's forest and owns 11.3 million acres of public lands. These lands are primarily in the western part of the state. Currently, the state may respond and provide assistance when there is an emergency on federal land. In these emergency situations, the agency that has jurisdiction has responsibility for the incident but agreements are in place between the state, local, and federal agencies to determine jurisdictional roles, interagency resources, and cost sharing.

Assessment

This bill is assessed as having no fiscal impact. While the state is authorized to exercise its jurisdictional right over USFS and BLM lands, the bill does not direct any state agency to take any action. The fiscal note assumes that any specific direction to take action would come from the General Assembly or the Governor and would require agreement of the federal government as well as adequate funding.

Effective Date

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs committee on April 18, 2016.

State and Local Government Contacts

Counties	Judicial	Law	Natural Resources	Public Safety
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