

CHAPTER 46

GOVERNMENT - STATE

SENATE BILL 21-004

BY SENATOR(S) Garcia and Simpson, Hisey, Priola, Rankin;
also REPRESENTATIVE(S) Esgar and Luck, Duran, Gray, Michaelson Jenet, Mullica, Pico, Sandridge, Titone, Valdez A.,
Valdez D., Williams.

AN ACT**CONCERNING CONCURRENT LEGISLATIVE JURISDICTION OVER REAL PROPERTY CONSTITUTING THE
UNITED STATES ARMY PUEBLO CHEMICAL DEPOT.**

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

SECTION 1. In Colorado Revised Statutes, **add** 3-3-105 as follows:

3-3-105. Pueblo chemical depot - concurrent jurisdiction - legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) THE PUEBLO DEPOT ACTIVITY DEVELOPMENT AUTHORITY, CREATED IN 1994 BY THE GENERAL ASSEMBLY, FOCUSED ON THE REDEVELOPMENT OF THE UNITED STATES ARMY PUEBLO CHEMICAL DEPOT TO SUPPORT JOB CREATION AND ECONOMIC GROWTH;

(b) THE UNITED STATES DEPARTMENT OF DEFENSE FORMALLY RECOGNIZED THE PUEBLO DEPOT ACTIVITY DEVELOPMENT AUTHORITY AS THE LOCAL DEVELOPMENT AUTHORITY IN 1995;

(c) IN 2013, OVER FIFTEEN THOUSAND ACRES OF LAND OF THE UNITED STATES ARMY PUEBLO CHEMICAL DEPOT WAS DEEMED SURPLUS FEDERAL PROPERTY AND THE PUEBLO DEPOT ACTIVITY DEVELOPMENT AUTHORITY OFFICIALLY CHANGED THEIR NAME TO PUEBLOPLEX;

(d) IN ORDER TO FULLY UTILIZE THE SURPLUS LAND, THE GENERAL ASSEMBLY MUST ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION WITH THE FEDERAL GOVERNMENT BY THE GOVERNOR FORMALLY ACCEPTING THIS JURISDICTION FROM THE SECRETARY OF THE ARMY; AND

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.

(e) THE CONCURRENT LEGISLATIVE JURISDICTION SEEKS TO AVOID JURISDICTIONAL CONFUSION AND ENSURE EMERGENCY AND POLICE SERVICES ARE OFFERED AND AVAILABLE FOR THE REDEVELOPMENT OF PUEBLOPLEX.

(2) (a) THE STATE OF COLORADO HEREBY ACCEPTS THE RELINQUISHMENT OF EXCLUSIVE LEGISLATIVE JURISDICTION FROM THE UNITED STATES OVER THE REAL PROPERTY COMPRISING THE UNITED STATES ARMY PUEBLO CHEMICAL DEPOT. THE STATE OF COLORADO SHALL HAVE CONCURRENT LEGISLATIVE JURISDICTION WITH THE UNITED STATES OVER THE PROPERTY INDICATED IN THIS SUBSECTION (2)(a) FOR AS LONG AS THE UNITED STATES OWNS THE PROPERTY.

(b) THE CONCURRENT LEGISLATIVE JURISDICTION CREATED BY THIS SECTION OVER THE PROPERTY INDICATED IN SUBSECTION (2)(a) OF THIS SECTION SHALL TAKE EFFECT UPON ACCEPTANCE BY THE GOVERNOR OF A NOTICE FILED BY THE SECRETARY OF THE ARMY PURSUANT TO 10 U.S.C. SEC. 2683 RELINQUISHING EXCLUSIVE LEGISLATIVE JURISDICTION AND RETAINING CONCURRENT LEGISLATIVE JURISDICTION OVER THE PROPERTY. THE GOVERNOR SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING, BY E-MAIL SENT TO REVISOROFSTATUTES.GA@STATE.CO.US, OF THE DATE OF ACCEPTANCE OF THE NOTICE.

(c) THE STATE SHALL NOT INCUR OR ASSUME ANY LIABILITY AS A RESULT OF ACCEPTING CONCURRENT LEGISLATIVE JURISDICTION PURSUANT TO THIS SUBSECTION (2).

(3) UPON REQUEST BY THE UNITED STATES THROUGH ITS APPROPRIATE OFFICIALS, THE GOVERNOR IS AUTHORIZED TO EXECUTE THE APPROPRIATE DOCUMENTS TO ACCOMPLISH THE CESSION GRANTED BY SUBSECTION (2) OF THIS SECTION.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 20, 2021