

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0646.01 Jacob Baus x2173

SENATE BILL 24-074

SENATE SPONSORSHIP

Gardner,

HOUSE SPONSORSHIP

Weissman,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING CONCURRENT JURISDICTION OVER UNITED STATES**
102 **MILITARY PROPERTY.**

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 permits, subject to conditions, concurrent legislative jurisdiction between the state of Colorado and the United States over specified United States military installation property.

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

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

1 **SECTION 1.** In Colorado Revised Statutes, **add 3-3-106** as
2 follows:

3 **3-3-106. United States military installations - concurrent**
4 **jurisdiction - legislative declaration.** (1) THE GENERAL ASSEMBLY
5 DECLARES THAT THE PURPOSE OF THE CONCURRENT LEGISLATIVE
6 JURISDICTION ESTABLISHED BY THIS SECTION IS TO AVOID CONFUSION AND
7 ENSURE THAT LAW ENFORCEMENT SERVICES ARE AVAILABLE ON UNITED
8 STATES MILITARY INSTALLATION PROPERTY LOCATED IN COLORADO.

9 (2) (a) THE STATE OF COLORADO HEREBY ACCEPTS THE
10 RELINQUISHMENT OF EXCLUSIVE LEGISLATIVE JURISDICTION FROM THE
11 UNITED STATES PURSUANT TO THIS SECTION. THE STATE OF COLORADO
12 HAS CONCURRENT LEGISLATIVE JURISDICTION WITH THE UNITED STATES
13 OVER THE UNITED STATES MILITARY INSTALLATION PROPERTY INDICATED
14 PURSUANT TO THIS SECTION FOR AS LONG AS THE UNITED STATES
15 CONTROLS THE PROPERTY.

16 (b) THE CONCURRENT LEGISLATIVE JURISDICTION OVER THE
17 UNITED STATES MILITARY INSTALLATION PROPERTY PURSUANT TO THIS
18 SECTION IS EFFECTIVE UPON THE GOVERNOR'S WRITTEN ACCEPTANCE OF
19 A REQUEST FILED BY THE PRINCIPAL OFFICER, OR AN AUTHORIZED
20 REPRESENTATIVE OF THE UNITED STATES WHO HAS SUPERVISION OR
21 CONTROL OVER THE PROPERTY PURSUANT TO 10 U.S.C. SEC. 2683, OF THE
22 PROPERTY WHERE CONCURRENT LEGISLATIVE JURISDICTION IS SOUGHT,
23 RELINQUISHING EXCLUSIVE LEGISLATIVE JURISDICTION AND RETAINING
24 CONCURRENT LEGISLATIVE JURISDICTION OVER THE PROPERTY.

25 (c) THE GOVERNOR SHALL NOT ACCEPT A REQUEST FILED
26 PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION UNLESS THE REQUEST:

27 (I) STATES THE NAME, POSITION, AND LEGAL AUTHORITY OF THE

1 PERSON REQUESTING THE CESSION;

2 (II) UNAMBIGUOUSLY STATES THE MATTER FOR WHICH
3 CONCURRENT LEGISLATIVE JURISDICTION IS REQUESTED;

4 (III) DESCRIBES BY METES AND BOUNDS THE UNITED STATES
5 MILITARY INSTALLATION PROPERTY SUBJECT TO THE CONCURRENT
6 LEGISLATIVE JURISDICTION REQUEST; AND

7 (IV) INDICATES WHETHER THE REQUEST INCLUDES FUTURE
8 CONTIGUOUS EXPANSIONS OF LAND ACQUIRED FOR MILITARY PURPOSES.

9 (d) IF THE GOVERNOR ACCEPTS A REQUEST PURSUANT TO THIS
10 SECTION, THE GOVERNOR'S WRITTEN ACCEPTANCE MUST STATE THE
11 ELEMENTS OF THE REQUEST THAT ARE ACCEPTED.

12 (e) IF THE GOVERNOR ACCEPTS A REQUEST PURSUANT TO THIS
13 SECTION, THE GOVERNOR SHALL SUBMIT THE FOLLOWING DOCUMENTS TO
14 THE APPROPRIATE RECORDING OFFICES IN THE STATE FOR INDEXING AND
15 SUBMIT COPIES OF THE FOLLOWING DOCUMENTS TO THE PERSON WHO
16 REQUESTED CONCURRENT LEGISLATIVE JURISDICTION:

17 (I) THE UNITED STATES' REQUEST FOR CONCURRENT LEGISLATIVE
18 JURISDICTION;

19 (II) THE GOVERNOR'S WRITTEN ACCEPTANCE OF CONCURRENT
20 LEGISLATIVE JURISDICTION; AND

21 (III) A DESCRIPTION BY METES AND BOUNDS OF THE UNITED
22 STATES MILITARY INSTALLATION PROPERTY SUBJECT TO THE CONCURRENT
23 LEGISLATIVE JURISDICTION.

24 (3) UPON REQUEST BY THE UNITED STATES THROUGH AN
25 AUTHORIZED REPRESENTATIVE, THE GOVERNOR IS AUTHORIZED TO
26 EXECUTE APPROPRIATE DOCUMENTS TO ACCOMPLISH THE CESSION
27 GRANTED BY THIS SECTION.

1 (4) THE STATE MUST NOT INCUR OR ASSUME ANY LIABILITY AS A
2 RESULT OF ACCEPTING CONCURRENT LEGISLATIVE JURISDICTION
3 PURSUANT TO THIS SECTION.

4 (5) UPON THE ESTABLISHMENT OF CONCURRENT LEGISLATIVE
5 JURISDICTION PURSUANT TO THIS SECTION, A STATE AGENCY, LOCAL
6 GOVERNMENT, OR DISTRICT MAY ENTER INTO A RECIPROCAL AGREEMENT
7 WITH A UNITED STATES AGENCY TO DESIGNATE DUTIES RELATED TO THE
8 CONCURRENT LEGISLATIVE JURISDICTION BETWEEN THE PARTIES.

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10 **SECTION 2. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.