



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0646	Date:	February 7, 2024
Prime Sponsors:	Sen. Gardner Rep. Weissman	Bill Status:	Senate Judiciary
		Fiscal Analyst:	Clayton Mayfield 303-866-5851 clayton.mayfield@coleg.gov

Bill Topic:	JURISDICTION OVER UNITED STATES MILITARY PROPERTY
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Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill establishes a process for concurrent legislative jurisdiction between Colorado and the federal government on military installations in the state. Starting in FY 2024-25, the bill may minimally increase state and local revenue and workload on an ongoing basis.

Appropriation Summary:	No appropriation is required.
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Fiscal Note Status:	The fiscal note reflects the introduced bill.
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Summary of Legislation

The bill establishes a process for concurrent legislative jurisdiction between Colorado and the federal government on military installation properties in the state. Subject to a request by the federal government, concurrent legislative jurisdiction is effective if the Governor receives a request that clearly establishes the scope of shared jurisdiction, and the Governor can only accept if certain requirements are met. In the absence of a such a request, concurrent legislative jurisdiction is effective when a federal law at issue has elements substantially similar to a state law and the United States District Attorney or District Court Judge presiding over military installations waives exclusive jurisdiction. State agencies or local governments can enter into a reciprocal agreement with federal entities concerning concurrent jurisdiction in this instance.

Background

According to a Department of Defense [website](#), there are seven military installations in Colorado that could potentially be under concurrent legislative jurisdiction as provided by the bill.

State Revenue

To the extent the bill results in any additional prosecutions under state law for crimes on military installations, the bill minimally increases state revenue from criminal fines and fees, which are subject to TABOR.

State Expenditures

Criminal justice system. Similar to the state revenue impact, the bill may minimally increase state expenditures for the state criminal justice system to the extent there are any additional prosecutions and convictions for crimes on military installations. No change in appropriations is required.

Jurisdictional agreements. Workload in the Office of the Governor and the Department of Law will minimally increase to formalize concurrent jurisdiction agreements. This workload increase is absorbable within existing resources, and no change in appropriations is required.

Local Government

Similar to the state, to the extent jurisdictional agreements are entered into, workload and expenditures by local government criminal justice agencies may minimally increase.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

District Attorneys
Law

Governor
Military Affairs

Judicial

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).