

CHAPTER 155

**CORRECTIONS**

**HOUSE BILL 01-1074**

BY REPRESENTATIVE(S) Kester, Alexander, Boyd, Coleman, Crane, Garcia, Hoppe, Lawrence, Lee, Mace, Schultheis, Spradley, Stafford, Stengel, Tapia, and Young;  
also SENATOR(S) Hillman, Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer (Durango), Epps, Evans, Gordon, Hagedorn, Hernandez, Lamborn, Matsunaka, May, Musgrave, Nichol, Perlmutter, Taylor, Teck, and Thiebaut.

**AN ACT**

CONCERNING ACCEPTANCE BY THE STATE OF THE FORT LYON PROPERTY CONVEYED BY THE FEDERAL GOVERNMENT.

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

**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares that:

(a) The United States department of veterans affairs has expressed an intent to transfer ownership of the Fort Lyon veterans hospital to the state of Colorado;

(b) Congress has authorized the federal secretary of veterans affairs to convey, without consideration, all Fort Lyon real property and improvements to the state of Colorado so that the state may utilize the property for purposes of a correctional facility; and

(c) The improvements may be easily converted to correctional facilities that provide specialized health care services at a reasonable cost.

(2) The general assembly further finds and declares that it is in the interest of the state of Colorado and its citizens for the state to receive the Fort Lyon property as it is conveyed by the federal government, inclusive of all water rights historically associated with Fort Lyon.

**SECTION 2.** Part 1 of article 20 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**17-20-128. State authorized to receive Fort Lyon property.** (1) THE STATE IS HEREBY AUTHORIZED TO RECEIVE, BY AND THROUGH THE DEPARTMENT OF CORRECTIONS AND ITS EXECUTIVE DIRECTOR, ALL RIGHTS, TITLE, AND INTEREST IN AND TO THE REAL PROPERTY COMPRISING THE FORT LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER THAT MAY BE CONVEYED BY THE FEDERAL SECRETARY OF VETERANS AFFAIRS.

(2) THE EXECUTIVE DIRECTOR, AS A CONDITION OF RECEIVING THE CONVEYANCE DESCRIBED IN SUBSECTION (1) OF THIS SECTION, IF ANY, SHALL PROVIDE APPROPRIATE PUBLIC ACCESS TO KIT CARSON CHAPEL AND THE CEMETERY PURSUANT TO FEDERAL LAW.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 3, 2001