

CHAPTER 315

MILITARY AND VETERANS

HOUSE BILL 09-1325

BY REPRESENTATIVE(S) Todd, Apuan, Gardner B., Kerr A., Nikkel, Ryden, Stephens, Vigil, Waller;
also SENATOR(S) Bacon.

AN ACT**CONCERNING THE GOVERNOR'S AUTHORITY TO ACTIVATE THE NATIONAL GUARD.**

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

SECTION 1. 28-3-104, Colorado Revised Statutes, is amended to read:

28-3-104. Commander in chief - staff. The governor shall be the commander in chief of the military forces except so much thereof as may be in the actual service of the United States and may employ the same for the defense or relief of the state, the enforcement of its laws, the protection of life and property therein, AND the implementation of the Emergency Management Assistance Compact; FOR SERVICE IN A NATIONAL SPECIAL SECURITY EVENT OR IN SITUATIONS INVOLVING IMMINENT DANGER OF EMERGENCY OR DISASTER; and for the training of the military forces for all appropriate state missions. He or she shall make and publish regulations not inconsistent with law and enforce the provisions of this article. He or she may appoint a staff, consisting of an adjutant general as chief of staff and such other officers as he or she deems necessary if all such officers are federally recognized officers in their respective ranks in the National Guard of the state.

SECTION 2. 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 21, 2009

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