SENATE BILL 11-214

BY SENATOR(S) Hodge, Steadman, Lambert; also REPRESENTATIVE(S) Becker, Gerou, Ferrandino.

AN ACT

CONCERNING DECOMMISSIONING FORT LYON CORRECTIONAL FACILITY.

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

SECTION 1. Repeal. 3-1-133, Colorado Revised Statutes, is repealed as follows:

3-1-133. Acceptance of jurisdiction over Fort Lyon. The state of Colorado hereby accepts the retrocession of jurisdiction from the United States of America over the real property comprising Fort Lyon Veterans Hospital, as provided in Public Law 89-626, approved October 4, 1966.

SECTION 2. 17-1-104.3 (1) (b), Colorado Revised Statutes, is amended to read:

17-1-104.3. Correctional facilities - locations - security level. (1) (b) The correctional facilities operated by the department, the location of such facilities, and the designated security level of such facilities shall be as follows:

<table>
<thead>
<tr>
<th>Correctional facility</th>
<th>Location</th>
<th>Security level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado state penitentiary</td>
<td>Fremont county</td>
<td>Level V</td>
</tr>
<tr>
<td>Centennial correctional facility</td>
<td>Fremont county</td>
<td>Level V</td>
</tr>
<tr>
<td>Limon correctional facility</td>
<td>Lincoln county</td>
<td>Level IV</td>
</tr>
<tr>
<td>Arkansas Valley correctional facility</td>
<td>Crowley county</td>
<td>Level III</td>
</tr>
</tbody>
</table>

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.
SECTION 3. Repeal. 17-20-128, Colorado Revised Statutes, is repealed as follows:

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 4. **Act subject to petition - effective date.** This act shall take effect March 1, 2012; 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 the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor, whichever is later.

Approved: May 5, 2011