

CHAPTER 346

GOVERNMENT - STATE

SENATE BILL 00-212

BY SENATORS Weddig, Hernandez, and Martinez;
also REPRESENTATIVES Allen, Clapp, Hagedorn, Larson, Nuñez, Takis, and S. Williams.

AN ACT

CONCERNING THE CESSATION OF JURISDICTION BY THE STATE OVER A PORTION OF LAND LOCATED
WITHIN THE BUCKLEY AIR NATIONAL GUARD BASE.

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

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

(a) The state of Colorado has been licensee of certain property known as Buckley air national guard base and the United States air force has given notice that it intends to revoke said license effective October 1, 2000;

(b) During review of the real property status relating to the license termination it was discovered that a parcel of land within the perimeters of the base has not been included in ceded jurisdiction although title had been conveyed;

(c) The governor of the state of Colorado ceded jurisdiction by deed executed September 28, 1942, intending that all property located within the area known as Buckley field acquire exclusive federal jurisdiction;

(d) The United States air force is now the owner of the property formerly known as Buckley field now known as Buckley air national guard base; and

(e) It has been discovered that jurisdiction was not conveyed relating to approximately thirty-nine and forty-four one-hundredths acres due to acquisition subsequent to the act of congress accepting jurisdiction.

(2) The general assembly further finds and declares that it is in the best interest of the state of Colorado to convey jurisdiction over this parcel for consistency with the

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

property surrounding it and the United States air force has requested such conveyance.

SECTION 2. Article 1 of title 3, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

3-1-136. Jurisdiction for land located in Buckley air national guard base ceded. (1) THE STATE OF COLORADO CEDES JURISDICTION TO THE UNITED STATES OVER PROPERTY KNOWN AS TRACT ONE HUNDRED WITHIN THE CONFINES OF FEDERALLY-OWNED PROPERTY KNOWN AS BUCKLEY AIR NATIONAL GUARD BASE SITUATED IN SECTION NINE, TOWNSHIP FOUR SOUTH, RANGE SIXTY-SIX WEST OF THE SIXTH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, COLORADO.

(2) CESSATION OF THE STATE'S JURISDICTION OVER SUCH PROPERTY SHALL BE UNDER THE SAME TERMS AND CONDITIONS AS FOR OTHER PROPERTY WITHIN THE BUCKLEY AIR NATIONAL GUARD BASE PREVIOUSLY CONVEYED BY THE STATE, INCLUDING THE RETENTION OF THE RIGHT TO SERVE ALL CIVIL AND CRIMINAL PROCESS WITHIN THE BOUNDARIES OF SUCH PROPERTY. THE RETENTION OF SUCH RIGHT SHALL CONTINUE SO LONG AS THE UNITED STATES SHALL OWN SUCH PROPERTY.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 2000