

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 16-0257.02 Jane Ritter x4342

**HOUSE BILL 16-1397**

**HOUSE SPONSORSHIP**

**Ryden and Windholz**, Duran, Hullinghorst, Kagan, Melton, Pettersen, Salazar, Tyler, Williams

**SENATE SPONSORSHIP**

**Hodge and Crowder**,

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**House Committees**

State, Veterans, & Military Affairs

**Senate Committees**

State, Veterans, & Military Affairs

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**A BILL FOR AN ACT**

101 **CONCERNING THE COMPLETION OF THE FITZSIMONS STATE VETERANS**  
102 **COMMUNITY LIVING CENTER TO PROVIDE A CONTINUUM OF**  
103 **RESIDENTIAL CARE OPTIONS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

The bill directs the department of human services (department) to continue to plan, design, and develop the Fitzsimons state veterans community living center in Aurora for its completion (Fitzsimons project). The department must work in compliance with the 1999 memorandum of agreement between the Fitzsimons Redevelopment

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 28, 2016

SENATE  
2nd Reading Unamended  
April 27, 2016

HOUSE  
3rd Reading Unamended  
April 14, 2016

HOUSE  
Amended 2nd Reading  
April 13, 2016

Authority, the city of Aurora, and the department, as well as collaborate and seek input, as appropriate, from those same groups, the state board of veterans affairs, the department of local affairs, and a statewide coalition of veterans organizations. If the department deems it is in the best interest of veterans and the state, and if it is consistent with the plan for the completion of the Fitzsimons project, the department may lease, with express provisions, portions of the property to another state or local governmental entity for development or operation to provide services to veterans who are homeless, veterans with disabilities, older or low income veterans, or qualifying family members of veterans.

The department will be the lead agency in the Fitzsimons project. The goal of the Fitzsimons project is to provide a continuum of residential care options, including domiciliary and assisted living, permanent supportive housing, transitional housing, and any other residential or supportive services as may be needed or beneficial exclusively for older veterans, veterans with disabilities, homeless veterans, and qualifying family members of veterans.

The department shall include updates on the Fitzsimons project in its annual report and shall provide a copy of such updates to the capital development committee, the joint budget committee, and the state, veterans, and military affairs committees of the house of representatives and the senate, or any successor committees. The department shall also prepare and submit written progress reports to the state, veterans, and military affairs committees of the house of representatives and the senate, or any successor committees, on or before December 31, 2016, and on or before June 30, 2017.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** 26-12-201.5 as follows:

4 **26-12-201.5. Veterans state community living center at former**  
5 **Fitzsimons - legislative intent - continuum of residential care services**  
6 **and care for veterans and veterans' families - definitions.** (1) SUBJECT  
7 TO AVAILABLE APPROPRIATIONS, THIS SECTION AUTHORIZES AND  
8 ESTABLISHES A STATE VETERANS COMMUNITY LIVING CENTER ON THE SITE  
9 OF THE FORMER FITZSIMONS ARMY MEDICAL CENTER. IT IS THE INTENT OF  
10 THE GENERAL ASSEMBLY THAT THE PROPERTY ON THE SITE OF THE FORMER

1 FITZSIMONS ARMY MEDICAL CENTER IS FOR THE EXCLUSIVE USE OF  
2 VETERANS AND QUALIFYING FAMILY MEMBERS OF VETERANS. IT IS THE  
3 FURTHER INTENT OF THE GENERAL ASSEMBLY THAT ANY CONSTRUCTION  
4 ON THE PROPERTY ON THE SITE OF THE FORMER FITZSIMONS ARMY  
5 MEDICAL CENTER AFTER JANUARY 1, 2016, MUST BE COMPLETED  
6 CONSISTENT WITH THE ORIGINAL INTENT IN THE LANGUAGE OF THE 1999  
7 MEMORANDUM OF AGREEMENT BETWEEN THE FITZSIMONS  
8 REDEVELOPMENT AUTHORITY, THE CITY OF AURORA, AND THE STATE  
9 DEPARTMENT.

10 (2) THE COMPLETION OF THE FITZSIMONS PROJECT PURSUANT TO  
11 THIS SECTION, AFTER JANUARY 1, 2016, IS NOT SUBJECT TO THE AVERAGE  
12 OCCUPANCY REQUIREMENTS OF SECTION 26-12-111 (4) FOR NEW  
13 CONSTRUCTION.

14 (3) THE STATE DEPARTMENT SHALL WORK TO EXPEDITIOUSLY  
15 DEVELOP THE VACANT PARCELS OF LAND TO THE NORTH AND SOUTH OF  
16 THE FITZSIMONS VETERANS COMMUNITY LIVING CENTER EXISTING AS OF  
17 JANUARY 1, 2016. THE VACANT PARCELS OF LAND MUST BE USED TO  
18 CONSTRUCT AND OPERATE FACILITIES THAT WILL PROVIDE A CONTINUUM  
19 OF RESIDENTIAL CARE OPTIONS EXCLUSIVELY FOR VETERANS OR  
20 QUALIFYING FAMILY MEMBERS OF VETERANS. THE CONTINUUM OF  
21 RESIDENTIAL CARE OPTIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,  
22 DOMICILIARY AND ASSISTED LIVING, TRANSITIONAL HOUSING, PERMANENT  
23 SUPPORTIVE HOUSING, AND ANY SUCH OTHER RESIDENTIAL AND  
24 SUPPORTIVE SERVICES AS ARE NEEDED OR BENEFICIAL.

25 (4) THE STATE DEPARTMENT SHALL SEEK INPUT, AS APPROPRIATE,  
26 FROM THE BOARD OF COMMISSIONERS OF VETERANS COMMUNITY LIVING  
27 CENTERS CREATED PURSUANT TO SECTION 26-12-402, THE STATE BOARD

1 OF VETERANS AFFAIRS, AND A STATEWIDE COALITION OF VETERANS  
2 ORGANIZATIONS.

3 (5) THE STATE DEPARTMENT SHALL ENSURE, THROUGH  
4 CONTRACTUAL OR OTHER MEANS, THAT THE PROPERTY CONTINUES IN  
5 PERPETUITY TO BE OPERATED EXCLUSIVELY FOR VETERANS AND  
6 QUALIFYING FAMILY MEMBERS OF VETERANS.

7 (6) THE STATE DEPARTMENT SHALL INCLUDE PROGRESS UPDATES  
8 ON THE FITZSIMONS PROJECT IN ITS ANNUAL REPORT AND SHALL PROVIDE  
9 QUARTERLY PROGRESS UPDATES TO THE MEMBERS OF THE STATE,  
10 VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE HOUSE OF  
11 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON  
12 OR BEFORE SEPTEMBER 30, 2016; DECEMBER 31, 2016; MARCH 31, 2017;  
13 AND JUNE 30, 2017.

14 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
15 REQUIRES:

16 (a) "QUALIFYING FAMILY MEMBER OF A VETERAN" MEANS A  
17 FAMILY MEMBER OF A VETERAN WHO QUALIFIES FOR SERVICES PURSUANT  
18 TO THE REQUIREMENTS ESTABLISHED BY THE FEDERAL VETERANS  
19 ADMINISTRATION.

20 (b) "VETERAN" MEANS A PERSON WHO SERVED IN THE ACTIVE  
21 MILITARY, NAVAL, OR AIR SERVICE OF THE UNITED STATES AND WHO WAS  
22 DISCHARGED OR RELEASED THEREFROM UNDER CONDITIONS OTHER THAN  
23 DISHONORABLE, IN ACCORDANCE WITH U.S.C. TITLE 38, AS AMENDED.

24 **SECTION 2.** In Colorado Revised Statutes, 26-12-402, **amend**  
25 (2) (a) as follows:

26 **26-12-402. Board of commissioners of veterans community**  
27 **living centers - creation - powers and duties.** (2) The functions of the

1 board of commissioners are to:

2 (a) Advise the office, ~~and the~~ veterans centers, AND VETERANS  
3 COMMUNITY LIVING CENTERS located in Homelake, Florence, Rifle,  
4 Aurora, and Walsenburg, Colorado, INCLUDING THE COMPLETION OF THE  
5 FITZSIMONS VETERANS COMMUNITY LIVING CENTER IN AURORA;

6 **SECTION 3.** In Colorado Revised Statutes, 26-12-201, **amend**

7 (2) (b) as follows:

8 **26-12-201. Veterans community living centers authorized.**

9 (2) (b) Veterans centers must be located at or near the city of Florence,  
10 at or near the city of Walsenburg, at or near the city of Rifle, AT OR NEAR  
11 THE CITY OF AURORA, and in Homelake.

12 **SECTION 4. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.