

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-0233.02 Pierce Lively x2059

SENATE BILL 21-004

SENATE SPONSORSHIP

Garcia and Simpson,

HOUSE SPONSORSHIP

Esgar,

Senate Committees
Local Government

House Committees

A BILL FOR AN ACT

101 **CONCERNING CONCURRENT LEGISLATIVE JURISDICTION OVER REAL**
102 **PROPERTY CONSTITUTING THE UNITED STATES ARMY PUEBLO**
103 **CHEMICAL DEPOT.**

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://leg.colorado.gov>.)

The bill creates concurrent legislative jurisdiction between the state of Colorado and the United States over specified real property constituting the United States Army Pueblo chemical depot.

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

SENATE
Amended 2nd Reading
February 26, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 3-3-105** as
3 follows:

4 **3-3-105. Pueblo chemical depot - concurrent jurisdiction -**
5 **legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND**
6 **DECLARES THAT:**

7 **(a) THE PUEBLO DEPOT ACTIVITY DEVELOPMENT AUTHORITY,**
8 **CREATED IN 1994 BY THE GENERAL ASSEMBLY, FOCUSED ON THE**
9 **REDEVELOPMENT OF THE UNITED STATES ARMY PUEBLO CHEMICAL DEPOT**
10 **TO SUPPORT JOB CREATION AND ECONOMIC GROWTH;**

11 **(b) THE UNITED STATES DEPARTMENT OF DEFENSE FORMALLY**
12 **RECOGNIZED THE PUEBLO DEPOT ACTIVITY DEVELOPMENT AUTHORITY AS**
13 **THE LOCAL DEVELOPMENT AUTHORITY IN 1995;**

14 **(c) IN 2013, OVER FIFTEEN THOUSAND ACRES OF LAND OF THE**
15 **UNITED STATES ARMY PUEBLO CHEMICAL DEPOT WAS DEEMED SURPLUS**
16 **FEDERAL PROPERTY AND THE PUEBLO DEPOT ACTIVITY DEVELOPMENT**
17 **AUTHORITY OFFICIALLY CHANGED THEIR NAME TO PUEBLOPLEX;**

18 **(d) IN ORDER TO FULLY UTILIZE THE SURPLUS LAND, THE GENERAL**
19 **ASSEMBLY MUST ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION**
20 **WITH THE FEDERAL GOVERNMENT BY THE GOVERNOR FORMALLY**
21 **ACCEPTING THIS JURISDICTION FROM THE SECRETARY OF THE ARMY; AND**

22 **(e) THE CONCURRENT LEGISLATIVE JURISDICTION SEEKS TO AVOID**
23 **JURISDICTIONAL CONFUSION AND ENSURE EMERGENCY AND POLICE**
24 **SERVICES ARE OFFERED AND AVAILABLE FOR THE REDEVELOPMENT OF**
25 **PUEBLOPLEX.**

26 **(2) (a) THE STATE OF COLORADO HEREBY ACCEPTS THE**
27 **RELINQUISHMENT OF EXCLUSIVE LEGISLATIVE JURISDICTION FROM THE**

1 UNITED STATES OVER THE REAL PROPERTY COMPRISING THE UNITED
2 STATES ARMY PUEBLO CHEMICAL DEPOT. THE STATE OF COLORADO
3 SHALL HAVE CONCURRENT LEGISLATIVE JURISDICTION WITH THE UNITED
4 STATES OVER THE PROPERTY INDICATED IN THIS SUBSECTION (2)(a) FOR
5 AS LONG AS THE UNITED STATES OWNS THE PROPERTY.

6 (b) THE CONCURRENT LEGISLATIVE JURISDICTION CREATED BY
7 THIS SECTION OVER THE PROPERTY INDICATED IN SUBSECTION (2)(a) OF
8 THIS SECTION SHALL TAKE EFFECT UPON ACCEPTANCE BY THE GOVERNOR
9 OF A NOTICE FILED BY THE SECRETARY OF THE ARMY PURSUANT TO 10
10 U.S.C. SEC. 2683 RELINQUISHING EXCLUSIVE LEGISLATIVE JURISDICTION
11 AND RETAINING CONCURRENT LEGISLATIVE JURISDICTION OVER THE
12 PROPERTY. THE GOVERNOR SHALL NOTIFY THE REVISOR OF STATUTES IN
13 WRITING, BY E-MAIL SENT TO REVISOROFSTATUTES.GA@STATE.CO.US, OF
14 THE DATE OF ACCEPTANCE OF THE NOTICE.

15 (c) THE STATE SHALL NOT INCUR OR ASSUME ANY LIABILITY AS A
16 RESULT OF ACCEPTING CONCURRENT LEGISLATIVE JURISDICTION
17 PURSUANT TO THIS SUBSECTION (2).

18 (3) UPON REQUEST BY THE UNITED STATES THROUGH ITS
19 APPROPRIATE OFFICIALS, THE GOVERNOR IS AUTHORIZED TO EXECUTE THE
20 APPROPRIATE DOCUMENTS TO ACCOMPLISH THE CESSION GRANTED BY
21 SUBSECTION (2) OF THIS SECTION.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2022 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.