

Colorado Legislative Council Staff Fiscal Note

**STATE and LOCAL
FINAL FISCAL IMPACT**

(replaces fiscal note dated January 23, 2007)

Drafting Number: LLS 07-0279

Date: May 8, 2007

Prime Sponsor(s): Rep. McKinley
Sen. Kester

Bill Status: Signed into Law

Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: CONCERNING WITHDRAWAL OF THE CONSENT GIVEN BY THE STATE TO THE FEDERAL GOVERNMENT FOR THE ACQUISITION OF LAND WITHIN THE STATE FOR MILITARY TRAINING PURPOSES BY MEANS OF EMINENT DOMAIN.

Fiscal Impact Summary	FY 2007-2008	FY 2008-2009
State Revenue	\$ 0	\$ 0
State Expenditures	\$ 0	\$ 0
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: The Governor signed the bill into law on May 3, 2007. The bill applies to condemnation actions commenced on or after that date.		
Appropriation Summary for FY 2007-2008: None required.		
Local Government Impact: See the Local Government Impact section.		

Summary of Legislation

Under current law (Section 3-1-102, C.R.S.), the state of Colorado gives consent to the federal government for acquisition by purchase, condemnation, or otherwise, of any land in the state required for custom houses, courthouses, post offices, arsenals, or other buildings whatever, or for any other proper purpose of the United States government. This bill withdraws the consent for the acquisition of, or exclusive jurisdiction over, land sought by the United States Department of Defense for purposes associated with the expansion of the Pinon Canyon Maneuver Site.

State Expenditures

The bill does not preclude the acquisition of land by the federal government for military training. The bill does, however withdraw the consent for the acquisition of, or exclusive jurisdiction over, land sought by the United States Department of Defense for purposes associated with the expansion of the Pinon Canyon Maneuver Site. Any attempt by the state of Colorado to prohibit the federal government from condemning land for the purposes associated with the training of military personnel will presumably result in litigation. Demands for legal services on the part of the Attorney General's office will most likely arise after condemnation actions are initiated by the federal government. No legal costs have been estimated at this time. The bill is assessed as having a conditional fiscal impact because any impact would depend on a future action of the federal government.

Local Government Impact

The fiscal impact of the bill on local governments has not been estimated. Land acquired by the federal government would be exempt from property tax collections by the affected local governments, including counties, school districts, municipalities, and special districts.

Departments Contacted

Judicial
Local Affairs

Law
Military Affairs