

Title 26 - Military Affairs and Emergency Management

26-251. Acquisition of lands by United States for military purposes

The consent of the state may be given pursuant to section 37-620.02 in accordance with the seventeenth clause, eighth section, of the first article of the Constitution of the United States to the acquisition by the United States by purchase, lease, condemnation or otherwise of any land in the state required for the erection of forts, magazines, arsenals, dockyards and other needful buildings, or for any other military installations of the government of the United States.

26-252. Exclusive jurisdiction of United States over lands acquired for military purposes; termination of jurisdiction

Exclusive jurisdiction over any land in the state acquired for any of the purposes set forth in section 26-251, and over any public domain in the state reserved or used for military purposes is ceded to the United States, but such jurisdiction shall continue no longer than the United States owns or leases the land or continues to reserve or use such public domain for military purposes.

26-253. Power of state to serve process upon land ceded United States for military purposes

The state retains concurrent jurisdiction with the United States for serving process, civil or criminal, issuing under the authority of the state, or any courts, or judicial officers thereof, upon any person amenable thereto within the limits of any land over which exclusive jurisdiction has been ceded by the state to the United States for military purposes in like manner as if no cession had taken place.

Title 37 — Public Lands

37-620. Vesting of concurrent criminal jurisdiction in the United States over certain lands and areas

A. Concurrent criminal jurisdiction over any lands in the state heretofore reserved from public domain or acquired by the United States as identified in subsection D, and any additions made to such lands, is hereby vested in the United States upon completion of the conditions set forth in subsection B, except that the jurisdiction of the state over such lands shall continue.

B. Concurrent criminal jurisdiction shall vest as to the lands in each area identified in subsection D when the United States submits to the governor of the state a formal written request for concurrent criminal jurisdiction accompanied by a satisfactory legal description and plat of such area, and upon approval by the governor granting concurrent jurisdiction such legal description and plat shall be filed by the governor with the county recorder of each county in which the land is situated. The state may withdraw jurisdiction over any land or area three years after written notification by the governor to the secretary of the interior.

C. The concurrent criminal jurisdiction hereby vested shall continue only as long as the United States continues to own or control the lands within such areas. In the case of any lands included within the boundaries of the areas set forth in subsection D which are not owned or controlled by the United States, the jurisdiction shall not change by operation of this section.

D. The lands subject to this section are all those lands which are owned or controlled by the United States and which are now or hereafter included within the exterior boundaries of:

1. The national park service lands consisting of:

- (a) Canyon de Chelly national monument.
- (b) Casa Grande Ruins national monument.
- (c) Chiricahua national monument.
- (d) Coronado national memorial.
- (e) Fort Bowie national historic site.
- (f) Glen Canyon national recreation area.
- (g) Grand Canyon national park.
- (h) Hohokam Pima national monument.
- (i) Hubbell Trading Post national historic site.
- (j) Lake Mead national recreation area.
- (k) Montezuma Castle national monument.
- (l) Navajo national monument.
- (m) Organ Pipe Cactus national monument.
- (n) Petrified Forest national park.
- (o) Pipe Spring national monument.
- (p) Saguaro national monument.
- (q) Sunset Crater national monument.
- (r) Tonto national monument.
- (s) Tumacacori national monument.
- (t) Tuzigoot national monument.
- (u) Walnut Canyon national monument.
- (v) Wupatki national monument.

2. Those lands administered by the bureau of reclamation or its successor agency of the department of the interior, consisting of:

- (a) Davis dam.
- (b) Glen Canyon dam.
- (c) Hoover dam.
- (d) Imperial dam.
- (e) Laguna dam.
- (f) Parker dam.

37-620.01. Concurrent jurisdiction over veterans administration properties; acceptance

A. If the administrator of the veterans administration of the United States desires, on behalf of the United States, to relinquish to this state any legislative jurisdiction over lands or interests in lands under the administrator's supervision or control in order to establish concurrent jurisdiction between the United States and this state pursuant to title 38, section 1004(g) or 5007, United States code, the administrator may file with the governor a written notice to that effect. The notice shall state the nature and extent of such jurisdiction to be relinquished to the state by specifying the subjects upon which the state may legislate and the lands or interests in lands affected.

B. This state may accept such jurisdiction upon the governor's signing a joint resolution adopted by the legislature. The joint resolution shall state the nature and extent of the jurisdiction to be accepted by this state by specifying the subjects upon which the state may legislate and the lands or interests in lands affected.

37-620.02. State consent to acquisition of land by the United States for exclusive jurisdiction

Pursuant to article I, section 8, clause 17 of the Constitution of the United States, the consent of this state may be given to the acquisition of any other privately owned real property within this state by the United States only upon the governor's signing a joint resolution adopted by the legislature to that effect. The joint resolution shall recite the legal description of the land and the purposes to which the state consents that the property may be used.