

CHAPTER 265

GOVERNMENT - STATE

HOUSE BILL 17-1265

BY REPRESENTATIVE(S) Becker K. and Nordberg, Buckner, Hansen, Mitsch Bush, Young, Duran;
also SENATOR(S) Priola and Kerr, Court, Gardner, Guzman.

AN ACT

CONCERNING AN INCREASE IN THE TOTAL EMPLOYER CONTRIBUTION FOR EMPLOYERS IN THE
JUDICIAL DIVISION OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION.

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

SECTION 1. In Colorado Revised Statutes, 24-51-411, **amend** (4), (7), and (9); and **add** (4.5) and (7.5) as follows:

24-51-411. Amortization equalization disbursement. (4) For employers in the local government division and the judicial division, the amortization equalization disbursement shall not exceed the 2010 calendar year rates unless the rates are required to increase in accordance with ~~subsection (9)~~ SUBSECTION (4.5) OR (9) of this section.

(4.5) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2019, FOR THE EMPLOYERS IN THE JUDICIAL DIVISION, THE AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENT SHALL BE THREE AND FOUR-TENTHS PERCENT OF THE EMPLOYER'S TOTAL PAYROLL. THE AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENT FOR EMPLOYERS IN THE JUDICIAL DIVISION SHALL INCREASE BY FOUR-TENTHS OF ONE PERCENT OF TOTAL PAYROLL ON JANUARY 1, 2020, AND SHALL INCREASE BY FOUR-TENTHS OF ONE PERCENT OF TOTAL PAYROLL AT THE START OF EACH OF THE CALENDAR YEARS FOLLOWING 2020 THROUGH 2023. FOR PURPOSES OF THIS SECTION, THE EMPLOYER'S TOTAL PAYROLL SHALL BE CALCULATED BY APPLYING THE DEFINITION OF SALARY, AS DEFINED IN SECTION 24-51-101 (42), TO THE PAYROLL FOR ALL EMPLOYEES WORKING FOR THE EMPLOYER WHO ARE MEMBERS OF THE ASSOCIATION, INCLUDING ANY AMOUNTS PAID IN CONNECTION WITH THE EMPLOYMENT OF A RETIREE BY AN EMPLOYER PURSUANT TO SECTION 24-51-1101 (2).

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

(7) For employers in the local government division and the judicial division, the supplemental amortization equalization disbursement shall not exceed the 2010 calendar year rates unless the rates are required to increase in accordance with ~~subsection (9)~~ SUBSECTION (7.5) OR (9) of this section.

(7.5) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2019, FOR THE EMPLOYERS IN THE JUDICIAL DIVISION, THE SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENT SHALL BE THREE AND FOUR-TENTHS PERCENT OF THE EMPLOYER'S TOTAL PAYROLL. THE SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENT FOR EMPLOYERS IN THE JUDICIAL DIVISION SHALL INCREASE BY FOUR-TENTHS OF ONE PERCENT OF TOTAL PAYROLL ON JANUARY 1, 2020, AND SHALL INCREASE BY FOUR-TENTHS OF ONE PERCENT OF TOTAL PAYROLL AT THE START OF EACH OF THE CALENDAR YEARS FOLLOWING 2020 THROUGH 2023. FOR PURPOSES OF THIS SECTION, THE EMPLOYER'S TOTAL PAYROLL SHALL BE CALCULATED BY APPLYING THE DEFINITION OF SALARY, AS DEFINED IN SECTION 24-51-101 (42), TO THE PAYROLL FOR ALL EMPLOYEES WORKING FOR THE EMPLOYER WHO ARE MEMBERS OF THE ASSOCIATION, INCLUDING ANY AMOUNTS PAID IN CONNECTION WITH THE EMPLOYMENT OF A RETIREE BY AN EMPLOYER PURSUANT TO SECTION 24-51-1101 (2).

(9) The amortization equalization disbursement and the supplemental amortization equalization disbursement payments by employers in the local government division ~~and judicial division~~ shall continue at the rate specified in subsections (4) and (7) of this section until adjusted pursuant to this subsection (9). THE AMORTIZATION EQUALIZATION DISBURSEMENT AND THE SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENTS BY EMPLOYERS IN THE JUDICIAL DIVISION SHALL CONTINUE AT THE RATES SPECIFIED IN SUBSECTIONS (4), (4.5), (7), AND (7.5) OF THIS SECTION UNTIL ADJUSTED PURSUANT TO THIS SUBSECTION (9). When the actuarial funded ratio of the local government division or judicial division of the association, based on the actuarial value of the assets, is at or above one hundred three percent as determined in the annual actuarial study of the association, the amount of the amortization equalization disbursement and supplemental amortization equalization disbursement shall be reduced for employers in that particular division by one-half of one percent each. If the actuarial funded ratio of the division based on the actuarial value of the assets reaches ninety percent and subsequently the actuarial funded ratio of the division is below ninety percent, the amortization equalization disbursement and supplemental amortization equalization disbursement shall be increased by one-half of one percent each; except that, at no time shall the amortization equalization disbursement or the supplemental amortization equalization disbursement exceed five percent each.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 25, 2017