

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

REVISED

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

LLS NO. 23-1022.01 Nicole Myers x4326

HOUSE BILL 23-1305

HOUSE SPONSORSHIP

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SENATE SPONSORSHIP

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House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE PROGRAM TO PROVIDE THE CONTINUATION OF**
102 **HEALTH BENEFITS FOR DEPENDENTS OF CERTAIN LOCAL**
103 **GOVERNMENT PUBLIC SAFETY EMPLOYEES WHO DIE IN A**
104 **WORK-RELATED DEATH, AND, IN CONNECTION THEREWITH,**
105 **MAKING AN APPROPRIATION.**

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/>.)

Joint Budget Committee. In 2018, the general assembly created the police officers' and firefighters' continuation of benefits board (board)

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

SENATE
2nd Reading Unamended
April 28, 2023

HOUSE
3rd Reading Unamended
April 26, 2023

HOUSE
Amended 2nd Reading
April 25, 2023

in the department of the treasury. The board is responsible for facilitating the continuation of medical and dental benefits for one year for the dependents of any person who dies in a work-related death if the person was an employee of a local government that offers police or fire protection service (employers). Currently, an employer may make voluntary contributions to the police officers' and firefighters' continuation of benefits fund (fund) on behalf of each person it employs whose duties are directly involved with the provision of police or fire protection. An employer must contribute to the fund to be eligible to have the continuation of benefits for the dependants of an employee who died in a work-related death paid for from the fund.

The bill eliminates the requirement that an employer must contribute to the fund to be eligible to have the continuation of benefits for dependents of an employee who died in a work-related death paid for from the fund and makes any employer eligible to have the continuation of benefits paid for from the fund. To provide for the costs of ongoing claims, the bill directs the state treasurer to transfer \$150,000 from the general fund to the fund on July 1, 2023, and on July 1 each year thereafter through July 1, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-36-122, **amend**
3 (1)(c), (3), (6)(a), (8) introductory portion, and (8)(e); **repeal** (8)(a) and
4 (8)(b); and **add** (6.5) as follows:

5 **24-36-122. Law enforcement officers and firefighters -**
6 **work-related death - continuation of medical benefits for dependants**
7 **- cash fund - created - definitions.** (1) As used in this section, unless the
8 context otherwise requires:

9 (c) "Employer" means any county or municipality in the state
10 offering law enforcement or fire protection service employing one or
11 more persons and any special district or county improvement district in
12 the state offering fire protection service employing one or more persons.
13 ~~and that contributes to the continuation of benefits fund pursuant to~~
14 ~~subsection (3) of this section on behalf of its employees.~~

1 (3) (a) ~~Any county or municipality in the state offering law~~
2 ~~enforcement or fire protection service employing one or more persons and~~
3 ~~any special district or county improvement district in the state offering~~
4 ~~fire protection service employing one or more persons may enter into an~~
5 ~~agreement with the board to make quarterly contributions to the fund~~
6 ~~created in subsection (6) of this section on behalf of each person it~~
7 ~~employs whose duties are directly involved with the provision of law~~
8 ~~enforcement or fire protection. Only counties, municipalities, special~~
9 ~~districts, or county improvement districts that make contributions to the~~
10 ~~fund pursuant to this subsection (3) and pursuant to its agreement with the~~
11 ~~board are employers for purposes of this section, and only employers are~~
12 ~~eligible to have~~ EMPLOYER MAY REQUEST THAT THE BOARD PAY THE
13 COSTS OF the continuation of benefits for the dependents of an employee
14 who died in a work-related death paid from the fund.

15 (b) ~~The board shall determine the amount of the contribution~~
16 ~~required by each employer and shall determine the method by which each~~
17 ~~employer shall pay the quarterly contribution to the fund.~~

18 (c) Nothing in this section shall be construed to prohibit a county,
19 municipality, special district, or county improvement district ~~that chooses~~
20 ~~not to make contributions to the fund~~ from independently paying for the
21 continuation of benefits for the dependents of any person it employs and
22 who dies in a work-related death.

23 (6) (a) The law enforcement officers' and firefighters' continuation
24 of benefits fund is hereby created in the state treasury. The fund consists
25 of ~~contributions to the fund paid by employers pursuant to subsection (3)~~
26 ~~of this section~~ MONEY CREDITED TO THE FUND PURSUANT TO SUBSECTION
27 (6.5) OF THIS SECTION and any other money that the general assembly may

1 appropriate or transfer to the fund.

2 (6.5) ON JULY 1, 2023, AND ON JULY 1 EACH YEAR THEREAFTER
3 THROUGH JULY 1, 2025, THE STATE TREASURER SHALL TRANSFER ONE
4 HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND TO THE
5 FUND.

6 (8) The board may develop RULES, policies, or procedures to
7 implement this section. Such RULES, policies, or procedures may include:

8 (a) ~~The time and manner by which a county, municipality, special
9 district, or county improvement district may enter into an agreement with
10 the board to make contributions to the fund;~~

11 (b) ~~The method by which an employer makes contributions to the
12 fund;~~

13 (e) RULES, policies, or procedures to address any other issue
14 deemed necessary and appropriate by the board.

15 **SECTION 2. Appropriation.** For the 2023-24 state fiscal year,
16 \$150,000 is appropriated to the department of the treasury for use by the
17 special purpose division. This appropriation is from the law enforcement
18 officers' and firefighters' continuation of benefits fund created in section
19 24-36-122 (6)(a), C.R.S. To implement this act, the division may use this
20 appropriation for the law enforcement officers' and firefighters'
21 continuation of health benefits program.

22 **SECTION 3. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety.