

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
9.27.21

**BILL 3**

LLS NO. 22-0174.01 Jason Gelender x4330

**INTERIM COMMITTEE BILL**

**Pension Review Commission**

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**BILL TOPIC:** "Compensatory Direct Distribution To PERA"  
**DEADLINES:** Finalize by: JAN 26, 2022 File by: JAN 28, 2022

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**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT THE STATE MAKE AN ADDITIONAL**  
102 **DIRECT DISTRIBUTION TO THE PUBLIC EMPLOYEES' RETIREMENT**  
103 **ASSOCIATION TO FULLY RECOMPENSE THE ASSOCIATION FOR**  
104 **THE CANCELLATION OF A PREVIOUSLY SCHEDULED JULY 1, 2020,**  
105 **DIRECT DISTRIBUTION.**

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**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/>.)*

**Pension Review Commission.** In order to fully recompense the public employees' retirement association (PERA) for the cancellation of

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

a previously scheduled July 1, 2020, direct distribution of \$225 million, the bill requires an additional direct distribution to PERA of \$303.57 million to be made on July 1, 2022. \$303.57 million is the sum of \$225 million plus an estimate of investment gains that would have accrued on that amount from July 1, 2020, through June 30, 2022, based on PERA's actual one-year total fund policy benchmark return from July 1, 2020, through June 30, 2021, plus PERA's assumed one-year rate of return of 7.25% from July 1, 2021, through June 30, 2022.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-51-414, **add** (6)  
3 as follows:

4 **24-51-414. Direct distribution.** (6) IN ORDER TO FULLY  
5 RECOMPENSE THE ASSOCIATION FOR A DISTRIBUTION IN AN AMOUNT  
6 EQUAL TO TWO HUNDRED TWENTY-FIVE MILLION DOLLARS THAT IT HAD  
7 BEEN SCHEDULED TO RECEIVE ON JULY 1, 2020, PURSUANT TO SUBSECTION  
8 (1)(a) OF THIS SECTION BUT DID NOT RECEIVE DUE TO THE ENACTMENT OF  
9 HOUSE BILL 20-1379, WHICH AMENDED SUBSECTION (1)(a) OF THIS  
10 SECTION AND ADDED SUBSECTION (1)(b) OF THIS SECTION TO ELIMINATE  
11 THE DISTRIBUTION, IN ADDITION TO THE WARRANTS ISSUED PURSUANT TO  
12 SUBSECTION (1)(a) OF THIS SECTION, ON JULY 1, 2022, THE STATE  
13 TREASURER SHALL ISSUE A WARRANT TO THE ASSOCIATION IN THE  
14 AMOUNT OF THREE HUNDRED THREE MILLION FIVE HUNDRED SEVENTY  
15 THOUSAND DOLLARS. THE WARRANT SHALL BE PAID TO THE ASSOCIATION  
16 FROM THE GENERAL FUND OR ANY OTHER FUND.

17 **SECTION 2.** In Colorado Revised Statutes, 24-51-416, **amend**  
18 (2) as follows:

19 **24-51-416. PERA payment cash fund - creation.** (2) The state  
20 treasurer shall pay from the fund any portion of the warrant required to be  
21 issued on July 1, 2022, under section 24-51-414 (1)(a) that would have

1 otherwise been paid from the general fund. The state treasurer may ALSO  
2 pay from the fund some or all of the portion of the warrant required to be  
3 issued ON JULY 1, 2022, UNDER SECTION 24-51-414 (6) THAT WOULD HAVE  
4 OTHERWISE BEEN PAID FROM THE GENERAL FUND OR SOME OR ALL OF THE  
5 PORTION OF ANY WARRANT REQUIRED TO BE ISSUED after July 1, 2022,  
6 under section 24-51-414 (1)(a) that would have otherwise been paid from  
7 the general fund.

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