

CHAPTER 129

GOVERNMENT - MUNICIPAL

HOUSE BILL 99-1063

BY REPRESENTATIVES Dean, Coleman, George, Hefley, Kaufman, Mace, McKay, Morrison, Ragsdale, Sinclair, Spradley, and Taylor;
also SENATORS Tebedo, Feeley, Congrove, Epps, Hernandez, Linkhart, Martinez, Musgrave, Nichol, Pascoe, Phillips, Reeves, Rupert, and Weddig.

AN ACT

CONCERNING TERMINATION UPON REMARRIAGE OF BENEFITS PAID UNDER THE STATEWIDE DEATH AND DISABILITY PLAN TO A SURVIVING SPOUSE OF A FIRE AND POLICE PENSION ASSOCIATION MEMBER WHO DIES WHILE IN ACTIVE SERVICE.

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

SECTION 1. 31-31-809, Colorado Revised Statutes, is amended to read:

31-31-809. Termination of benefits. EXCEPT AS OTHERWISE PROVIDED IN SECTION 31-31-807 (2), any benefit provided in accordance with this part 8 to a surviving spouse or dependent child shall terminate upon the death or remarriage of the surviving spouse and upon the death, marriage, or termination of dependency of any dependent child.

SECTION 2. 31-31-807, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

31-31-807. Death of member - survivor benefits. (2) ANY BENEFIT PROVIDED IN ACCORDANCE WITH THIS SECTION TO THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A MEMBER WHO DIES WHILE IN ACTIVE SERVICE SHALL TERMINATE UPON THE DEATH OF THE SURVIVING SPOUSE OR UPON THE DEATH, MARRIAGE, OR TERMINATION OF DEPENDENCY OF SUCH DEPENDENT CHILD, AS DEFINED IN SECTION 31-31-801 (2), AS APPLICABLE.

SECTION 3. Effective date - applicability. (1) This act shall take effect January 1, 2000, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a

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

referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to all surviving spouses of members of the fire and police pension association who are presently receiving benefits provided by the statewide death and disability plan on the effective date of this act or who first become eligible to receive benefits provided by the statewide death and disability plan on or after the effective date of this act.

Approved: April 22, 1999