

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 26-1027

BY REPRESENTATIVE(S) Story and Stewart K., Bacon, Boesenecker, Garcia, Goldstein, Hamrick, Lindsay, Lukens, McCormick, Nguyen, Phillips, Smith, McCluskie;
also SENATOR(S) Kolker, Cutter, Exum, Kipp, Marchman, Wallace.

CONCERNING BOARDS OF COOPERATIVE SERVICES, AND, IN CONNECTION THEREWITH, PERMITTING A RETIREE TO WORK AS AN EXECUTIVE DIRECTOR OF A BOARD OF COOPERATIVE SERVICES WITHOUT LOSING RETIREMENT BENEFITS AND CLARIFYING BOARD OF COOPERATIVE SERVICES ELIGIBILITY FOR POSTSECONDARY AND WORKFORCE READINESS FUNDING.

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

SECTION 1. In Colorado Revised Statutes, 24-51-1101, **amend** (1.9)(a)(I), (1.9)(a)(II)(B), (1.9)(a)(II)(C), and (1.9)(h); and **add** (1.9)(k) as follows:

24-51-1101. Employment after service retirement - report - definitions - repeal.

(1.9) (a) (I) Subject to subsection (1.9)(h) of this section, a service

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

retiree who is a superintendent; a principal; a teacher; a school bus driver; a school food services cook; a school nurse; ~~or~~ a paraprofessional, as defined in section 22-60.3-201; OR A BOCES EXECUTIVE DIRECTOR, and is hired pursuant to subsection (1.9)(b) of this section by an employer in the school division of the association that satisfies the criteria specified in subsection (1.9)(a)(II) of this section may receive salary without reduction in benefits for any length of employment in a calendar year if the service retiree has not worked for an employer, as defined in section 24-51-101 (20), during the month of the effective date of retirement. A service retiree described in this subsection (1.9)(a) who works for an employer, as defined in section 24-51-101 (20), during the month of the effective date of retirement is subject to a reduction in benefits as provided in section 24-51-1102 (2).

(II) The provisions of this subsection (1.9) apply only if:

(B) The school district, board of cooperative services, or charter school hires the service retiree for the purpose of providing classroom instruction or school bus transportation to students enrolled by the district, enrolled by one or more of the districts served by the board of cooperative services, or enrolled by the charter school, or for the purpose of being a superintendent; a principal; a school food services cook; a school nurse; ~~or~~ a paraprofessional, as defined in section 22-60.3-201; OR A BOCES EXECUTIVE DIRECTOR; and

(C) The school district, board of cooperative services, or charter school determines that there is a critical shortage of qualified superintendents; principals; teachers; school bus drivers; school food services cooks; school nurses; ~~or~~ paraprofessionals, as defined in section 22-60.3-201; OR BOCES EXECUTIVE DIRECTORS, as applicable, and that the service retiree has specific experience, skills, or qualifications that would benefit the district, board of cooperative services, or charter school.

(h) A teacher, school bus driver, school food services cook, school nurse, superintendent, principal, ~~or~~ qualified paraprofessional, OR BOCES EXECUTIVE DIRECTOR who retires before ~~he or she has~~ THEY HAVE met the age and service credit requirements for full service retirement benefits pursuant to section 24-51-602 shall not be employed after retirement pursuant to this subsection (1.9) by the employer in the school division that was the teacher's, school bus driver's, school food services cook's, school

nurse's, superintendent's, principal's, or qualified paraprofessional's, OR BOCES EXECUTIVE DIRECTOR'S last employer until two years after the teacher's, school bus driver's, school food services cook's, school nurse's, superintendent's, principal's, or qualified paraprofessional's, OR BOCES EXECUTIVE DIRECTOR'S date of retirement.

(k) AS USED IN THIS SUBSECTION (1.9), UNLESS THE CONTEXT OTHERWISE REQUIRES, "BOCES EXECUTIVE DIRECTOR" MEANS AN INDIVIDUAL WHO HAS EXECUTIVE AUTHORITY FOR THE ADMINISTRATION OF A BOARD OF COOPERATIVE SERVICES.

SECTION 2. In Colorado Revised Statutes, 22-54-203, **add** (3)(c) as follows:

22-54-203. Start-up funding - rules - repeal.

(3)(c) A LOCAL EDUCATION PROVIDER MAY ELECT TO HAVE SOME OR ALL OF ITS DISTRIBUTION MADE DIRECTLY TO A BOARD OF COOPERATIVE SERVICES.

SECTION 3. In Colorado Revised Statutes, 22-54-205, **add** (3)(c) as follows:

22-54-205. Sustain funding - rules - repeal.

(3)(c) A LOCAL EDUCATION PROVIDER MAY ELECT TO HAVE SOME OR ALL OF ITS DISTRIBUTION MADE DIRECTLY TO A BOARD OF COOPERATIVE SERVICES.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate

preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO