After consideration on the merits, the Committee recommends the following:

SB18-200 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1. Amend reengrossed bill, page 7, line 13, strike "and (42)(b);" and substitute "(42)(b), and (46);".

2. Page 8, line 3, strike "SEVEN" and substitute "FIVE".

3. Page 9, line 27, strike "EIGHT" and substitute "SIX".

4. Page 10, strike lines 19 through 26 and substitute "CALCULATION. THIS SUBSECTION (25)(b)(VI)".

5. Page 11, line 23, after "(a)" insert "(I)" and strike "means" and substitute "means, FOR MEMBERS WHO WERE MEMBERS, INACTIVE MEMBERS, OR RETIREES OF THE ASSOCIATION ON DECEMBER 31, 2019,"

6. Page 12, line 4, strike "AMOUNTS DEDUCTED FROM".

7. Page 12, strike lines 5 through 7 and substitute "performance or merit".

8. Page 12, line 12, strike "(b) "Salary"" and substitute "(b) (II) FOR MEMBERS WHO WERE MEMBERS, INACTIVE MEMBERS, OR RETIREES OF THE ASSOCIATION ON DECEMBER 31, 2019, "salary"".

9. Page 12, line 17, strike "premiums" and substitute "premiums;".
Page 12, strike line 18 and substitute "dependent care assistance; reimbursement for".

Page 12, after line 25 insert:

"(b) (I) "SALARY" MEANS, FOR MEMBERS WHO WERE NOT MEMBERS, INACTIVE MEMBERS, OR RETIREES OF THE ASSOCIATION ON JUNE 30, 2019, COMPENSATION FOR SERVICES RENDERED TO AN EMPLOYER AND INCLUDES: REGULAR SALARY OR PAY; ANY PAY FOR ADMINISTRATIVE, SABBATICAL, ANNUAL, SICK, VACATION, OR PERSONAL LEAVE AND COMPENSATION FOR UNUSED LEAVE CONVERTED TO CASH PAYMENTS; PAY FOR COMPENSATORY TIME OR HOLIDAYS; PAYMENTS BY AN EMPLOYER FROM GRANTS; AMOUNTS DEDUCTED FROM PAY PURSUANT TO TAX-SHELTERED SAVINGS OR RETIREMENT PROGRAMS; AMOUNTS DEDUCTED FROM PAY FOR A HEALTH SAVINGS ACCOUNT AS DEFINED IN 26 U.S.C. SEC. 223, AS AMENDED, OR ANY OTHER TYPE OF RETIREMENT HEALTH SAVINGS ACCOUNT PROGRAM; AMOUNTS DEDUCTED FROM PAY PURSUANT TO A CAFETERIA PLAN AS DEFINED IN 26 U.S.C. SEC. 125, AS AMENDED; A QUALIFIED TRANSPORTATION FRINGE BENEFIT PLAN AS DEFINED IN 26 U.S.C. SEC. 132, AS AMENDED; PERFORMANCE OR MERIT INJURIES PAID BY THE EMPLOYER PRIOR TO TERMINATION OF MEMBERSHIP; AND RETROACTIVE SALARY PAYMENTS PURSUANT TO COURT ORDERS, ARBITRATION AWARDS, OR LITIGATION AND GRIEVANCE SETTLEMENTS.

(II) FOR MEMBERS WHO WERE NOT MEMBERS, INACTIVE MEMBERS, OR RETIREES OF THE ASSOCIATION ON JUNE 30, 2019, "SALARY" DOES NOT INCLUDE: COMMISSIONS; COMPENSATION FOR UNUSED SICK, ANNUAL, VACATION, ADMINISTRATIVE, OR OTHER ACCUMULATED PAID LEAVE CONTRIBUTED TO A HEALTH SAVINGS ACCOUNT AS DEFINED IN 26 U.S.C. SEC. 223, AS AMENDED, OR A RETIREMENT HEALTH SAVINGS PROGRAM; HOUSING ALLOWANCES; UNIFORM ALLOWANCES; AUTOMOBILE USAGE; INSURANCE PREMIUMS PAID BY EMPLOYERS; REIMBURSEMENT FOR EXPENSES INCURRED; TUITION OR ANY OTHER FRINGE BENEFITS, REGARDLESS OF FEDERAL TAXATION; BONUSES FOR SERVICES NOT ACTUALLY RENDERED, INCLUDING, BUT NOT LIMITED TO, EARLY RETIREMENT INDELCEMENTS, CHRISTMAS BONUSES, CASH AWARDS, HONORARIUMS AND SEVERANCE PAY, DAMAGES, EXCEPT FOR RETROACTIVE SALARY PAYMENTS PAID PURSUANT TO COURT ORDERS OR ARBITRATION AWARDS OR LITIGATION AND GRIEVANCE SETTLEMENTS, OR PAYMENTS BEYOND THE DATE OF A MEMBER'S DEATH.
"State trooper" means an employee of the Colorado state patrol, Colorado bureau of investigation, or successors to these agencies, who is vested with the powers of peace officers as provided for in section 24-33.5-409. In addition, for members who were not members, inactive members, or retirees on December 31, 2019, "state trooper" includes a county sheriff, undersheriff, deputy sheriff, noncertified deputy sheriff, or detention officer hired by a local government division employer on or after January 1, 2020, and a corrections officer classified as I through IV hired by a state division employer on or after January 1, 2020.

SECTION 3. In Colorado Revised Statutes, add 24-51-221 as follows:

24-51-221. Information provided to employer - salary definition. An employer may request information from the association to determine whether to use "salary" as defined in section 24-51-101 (42)(a) or as defined in section 24-51-101 (42)(b), when the employer hires an employee who is a current member or retiree of the association. The association shall provide such information to the employer upon request.

Renumber succeeding sections accordingly.

Page 18, line 10, strike "(I)".

Page 19, strike lines 3 through 27.

Strike page 20.

Page 21, strike lines 1 through 14.

Page 22, lines 6 and 7, strike "24-51-413 and 24-51-414" and substitute "24-51-413, 24-51-414, and 24-51-415".

Page 22, line 14, after "24-51-411," insert "AND THE AMOUNT THE ASSOCIATION RECEIVES PURSUANT TO SECTION 24-51-415,".

Page 22, line 26, strike "JANUARY 1, 2020, AND EVERY YEAR" and substitute "JULY 1, 2019, AND EACH JULY 1".

Page 22, line 27, strike "MEMBER CONTRIBUTION RATES" and substitute "EMPLOYER CONTRIBUTION RATES, MEMBER CONTRIBUTION RATES,".
"(b) THE EMPLOYER CONTRIBUTION RATE WILL BE INCREASED BY
UP TO ONE-HALF OF ONE PERCENT, BUT AT NO TIME WILL THE EMPLOYER
CONTRIBUTION RATE BE INCREASED TO EXCEED THE EMPLOYER
CONTRIBUTION RATES UNDER SECTION 24-51-401 (1.7)(a), PLUS TWO
PERCENT; AND"

Reletter succeeding paragraph accordingly.

Page 23, line 16, strike "(1.7)(a)(V)," and substitute "(1.7)(a),".

Page 23, line 20, strike "BETWEEN THE ANNUAL INCREASES" and substitute
"AMONG THE ANNUAL INCREASES, THE EMPLOYER CONTRIBUTIONS,".

Page 24, lines 2 and 3, strike "(3)(a) AND (3)(b)" and substitute "(3)(a),
(3)(b), AND (3)(c)".

Page 24, line 4, strike "EITHER OF THE TWO" and substitute "ANY ONE OF
THE THREE".

Page 24, line 8, strike "COMPONENT" and substitute "TWO COMPONENTS".

Page 24, line 24, strike "AND".

Page 24, strike line 25 and substitute:

"(b) THE EMPLOYER CONTRIBUTION RATE WILL BE REDUCED BY UP
TO ONE-HALF OF ONE PERCENT, BUT AT NO TIME WILL THE EMPLOYER
CONTRIBUTION RATE BE LESS THAN THE EMPLOYER CONTRIBUTION RATES
UNDER SECTION 24-51-401 (1.7)(a); AND"

Reletter succeeding paragraph accordingly.

Page 25, line 2, strike "(1.7)(a)(I)" and substitute "(1.7)(a)".

Page 25, line 5, strike "BETWEEN THE ANNUAL INCREASES" and substitute
"AMONG THE ANNUAL INCREASES, THE EMPLOYER CONTRIBUTIONS,".
"24-51-415. Direct distribution. (1) On July 1, 2018, the state treasurer shall issue a warrant to the association in an amount equal to two hundred twenty-five million dollars. Such amount shall be paid to the association from the general fund. On July 1, 2019, the state treasurer shall issue a warrant to the association in an amount equal to two hundred fifty-five million six hundred six thousand dollars. Such amount shall be paid to the association from the general fund or from any other fund. On July 1, 2020, and on July 1 each year thereafter until there are no unfunded actuarial accrued liabilities of any division of the association that receives the distribution pursuant to this subsection (1), the state treasurer shall issue a warrant to the association in an amount equal to three percent of the association’s most current audited payroll; except that the association’s most current audited payroll shall not include payroll for the local government division of the association. Such amount shall be paid to the association from the general fund or from any other fund.

(2) The distribution pursuant to subsection (1) of this section shall end when there are no unfunded actuarial accrued liabilities of any division of the association that receives such distribution. By September 1, 2019, and by September 1 of each year thereafter, until the distribution pursuant to subsection (1) of this section is no longer required, the board shall determine whether the sum of the employer and member contributions pursuant to section 24-51-401 (1.7)(a), the contributions pursuant to section 24-51-411, and the distribution pursuant to subsection (1) of this section, is greater than the

(3) The Association shall allocate the direct distribution to the trust funds of each division of the Association as it would an employer contribution, in a manner that is proportionate to the annual payroll of each division as reported to the Association; except that the Association shall not allocate any portion of the direct distribution amount to the local government division of the Association.

(4) Money distributed to the Association pursuant to subsection (1) of this section shall be included for informational purposes in the annual general appropriation bill or in supplemental appropriation bills for the purpose of complying with the limitation on state fiscal year spending imposed by section 20 of article X of the state constitution and section 24-77-103."

Renumber succeeding sections accordingly.

Page 30, line 17, strike "65" and substitute "60".

Page 43, strike lines 1 through 4 and substitute "WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS,".

Page 43, line 5, strike "SIXTY-FIVE;" and substitute "SIXTY;".

Page 43, strike line 8 and substitute "WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602, OR RETIRED WITH A".

Page 46, strike lines 4 through 27.

Strike page 47.
"SECTION 22. In Colorado Revised Statutes, add with amended and relocated provisions article 51.5 to title 24 as follows:

ARTICLE 51.1

Pension Review Commission

24-51.1-101. [Formerly 31-31-1001.] Pension review commission. (1) (a) There is hereby created the police officers' and firefighters' pension reform REVIEW commission to be comprised of five senators appointed by the president of the senate and ten representatives appointed by the speaker of the house of representatives. The party representation shall be in proportion generally to the relative number of members of the two major political parties in each chamber. The chair shall be designated by the speaker of the house of representatives in odd-numbered years and by the president of the senate in even-numbered years. The vice-chair shall be appointed by the speaker of the house of representatives in even-numbered years and by the president of the senate in odd-numbered years. Members of the commission shall receive the same per diem allowance authorized for other members of the general assembly serving on interim study committees and actual expenses for participation in meetings of the commission. Staff services for the commission shall be furnished by the state auditor's office, the legislative council, and the office of legislative legal services. The state auditor, with the approval of the commission, may contract for services deemed necessary for the implementation of this part 10 ARTICLE 51.1.

(b) The terms of the members appointed by the speaker of the house of representatives and the president of the senate and who are serving on March 22, 2007, shall be extended to and expire on or shall terminate on the convening date of the first regular session of the sixty-seventh general assembly. As soon as practicable after such
convening date, the speaker and the president shall appoint or reappoint members in the same manner as provided in paragraph (a) of this subsection (1) OF THIS SECTION. Thereafter, the terms of members appointed or reappointed by the speaker and the president shall expire on the convening date of the first regular session of each general assembly, and all subsequent appointments and reappointments by the speaker and the president shall be made as soon as practicable after such convening date. The person making the original appointment or reappointment shall fill any vacancy by appointment for the remainder of an unexpired term. Members appointed or reappointed by the speaker and the president shall serve at the pleasure of the appointing authority and shall continue in office until the member's successor is appointed.

(2) The commission shall study and develop proposed legislation relating to funding of police officers' and firefighters' pensions in this state and benefit designs of such pension plans. IN ADDITION, THE COMMISSION SHALL STUDY AND DEVELOP PROPOSED LEGISLATION RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION. The commission study shall include a review of, and the proposed legislation may include, among other subjects, the following, AS APPLICABLE:

   (a) Normal retirement age; and compulsory retirement;
   (b) Payment of benefits prior to normal retirement age;
   (c) Service requirements for eligibility;
   (d) Rate of accrual of benefits;
   (e) Disability benefits;
   (f) Survivors' benefits;
   (g) Vesting of benefits;
   (h) Employee AND EMPLOYER contributions;
   (i) Postretirement increases;
   (j) Creation of an administrative board;
   (k) Creation of a consolidated statewide system;
   (l) Distribution of state funds;
   (m) (l) Coordination of benefits with other programs;
   (n) (m) The volunteer firefighter pension system;
   (o) (n) The provisions of this article and article 30.5 of this title ARTICLES 30, 30.5 AND 31 OF TITLE 31;
   (p) (o) THE PROVISIONS OF ARTICLE 51 OF THIS TITLE 24; and
   (p) The necessity of continuing the direct to the public employees' retirement association pursuant to section 24-51-415.

(3) Repealed.

(3) AFTER THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION SUBMITS ITS ANNUAL ACTUARIAL VALUATION TO THE LEGISLATIVE AUDIT
COMMITTEE AND THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY PURSUANT TO SECTION 24-51-204 (7), THE COMMISSION MAY, WITH ADVICE OF THE BOARD OF DIRECTORS OF THE PUBLIC EMPLOYEES’ RETIREMENT ASSOCIATION, PROPOSE LEGISLATION TO ADDRESS ANY ISSUES THAT ARISE FROM SUCH ACTUARIAL VALUATION OR OTHER INFORMATION PROVIDED TO THE GENERAL ASSEMBLY.

SECTION 23. In Colorado Revised Statutes, 31-30.5-302, amend (1) as follows:

31-30.5-302. Definitions. As used in this part 3, unless the context otherwise requires:

(1) "Commission" means the police officers’ and firefighters’ pension reform review commission established pursuant to section 31-31-1001.


SECTION 25. In Colorado Revised Statutes, repeal 31-31-1002."

Renumber succeeding sections accordingly.

*** *** *** ***