

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0379.01 Nicole Myers x4326

SENATE BILL 20-057

SENATE SPONSORSHIP

Lee, Fenberg, Ginal

HOUSE SPONSORSHIP

Snyder and Cutter, McCluskie, Will

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE INCLUSION OF FIREFIGHTERS EMPLOYED BY THE**
102 **DEPARTMENT OF PUBLIC SAFETY IN THE DIVISION OF FIRE**
103 **PREVENTION AND CONTROL IN CERTAIN EMPLOYEE BENEFITS,**
104 **AND, IN CONNECTION THEREWITH, 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/>.)

Wildfire Matters Review Committee. Currently, certain employers of firefighters are required to maintain insurance to provide benefits to a firefighter if he or she has a heart and circulatory

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

malfunction in connection with a stressful or strenuous activity related to an emergency response activity. In addition, certain employers of firefighters may make contributions into a multiple employer health trust established to provide benefits to volunteer firefighters diagnosed with certain covered cancers.

Beginning July 1, 2020, the bill adds the division of fire prevention and control in the department of public safety (division) to the definition of "employer" for the purpose of providing benefits for a heart and circulatory malfunction and to the definition of "employer" for the purpose of providing benefits for certain covered cancers.

In addition, beginning July 1, 2020, the bill expands the definition of "state trooper" for purposes of the public employees' retirement association to include all current and future employees of the division that are classified as a firefighter I through firefighter VII class titles.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-5-301, **amend** (1)
3 as follows:

4 **29-5-301. Definitions.** As used in this part 3, unless the context
5 otherwise requires:

6 (1) "Employer" means a municipality, special district, fire
7 authority, or county improvement district that employs one or more
8 firefighters. BEGINNING JULY 1, 2020, "EMPLOYER" ALSO MEANS THE
9 DIVISION OF FIRE PREVENTION AND CONTROL CREATED IN SECTION
10 24-33.5-1201. "Employer" does not include a power authority created
11 pursuant to section 29-1-204 or a municipally owned utility.

12 **SECTION 2.** In Colorado Revised Statutes, 29-5-402, **amend** (3)
13 as follows:

14 **29-5-402. Definitions.** As used in this part 4, unless the context
15 otherwise requires:

16 (3) "Employer" means a municipality, special district, fire
17 authority, or county improvement district that employs one or more

1 firefighters, part-time firefighters, or volunteer firefighters. BEGINNING
2 JULY 1, 2020, "EMPLOYER" ALSO MEANS THE DIVISION OF FIRE
3 PREVENTION AND CONTROL CREATED IN SECTION 24-33.5-1201.
4 "Employer" does not include a power authority created pursuant to
5 section 29-1-204 or a municipally owned utility.

6 **SECTION 3.** In Colorado Revised Statutes, 24-51-101, **amend**
7 (46) as follows:

8 **24-51-101. Definitions.** As used in this article 51, unless the
9 context otherwise requires and except as otherwise defined in part 17 of
10 this article 51:

11 (46) "State trooper" means an employee of the Colorado state
12 patrol, Colorado bureau of investigation, or successors to these agencies,
13 who is vested with the powers of peace officers as provided for in section
14 24-33.5-409. In addition, for members who were not members, inactive
15 members, or retirees on December 31, 2019, "state trooper" includes a
16 county sheriff, undersheriff, deputy sheriff, noncertified deputy sheriff,
17 or detention officer hired by a local government division employer on or
18 after January 1, 2020, and a corrections officer classified as I through IV
19 hired by a state division employer on or after January 1, 2020. BEGINNING
20 JULY 1, 2020, "STATE TROOPER" ALSO INCLUDES AN EMPLOYEE OF THE
21 DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF
22 PUBLIC SAFETY WHO IS CLASSIFIED IN THE FIREFIGHTER I THROUGH
23 FIREFIGHTER VII CLASS TITLES.

24 **SECTION 4. Appropriation.** (1) For the 2020-21 state fiscal
25 year, \$977 is appropriated to the department of health care policy and
26 financing for use by the executive director's office. This appropriation is
27 from the general fund. To implement this act, the department may use this

1 appropriation for transfer to department of public health and environment
2 for facility survey and certification, which amount is subject to the "(M)"
3 notation as defined in the annual general appropriation act for the same
4 fiscal year.

5 (2) For the 2020-21 state fiscal year, the general assembly
6 anticipates that the department of health care and policy financing will
7 receive \$977 in federal funds to implement this act. The appropriation in
8 subsection (1) of this section is based on the assumption that the
9 department will receive this amount of federal funds to be used for
10 transfer to department of public health and environment for facility
11 survey and certification.

12 (3) For the 2020-21 state fiscal year, \$1,954 is appropriated to the
13 department of public health and environment for use by the health
14 facilities and emergency medical services division. This appropriation is
15 from reappropriated funds received from the department of health care
16 policy and financing under subsections (1) and (2) of this section. To
17 implement this act, the department may use this appropriation for transfer
18 to department of public safety.

19 (4) For the 2020-21 state fiscal year, the general assembly
20 anticipates that the department of public health and environment will
21 receive \$2,197 in federal funds for use by the health facilities and
22 emergency medical services division, which amount is included for
23 informational purposes only. The appropriation in subsection (3) of this
24 section is based on the assumption that the department will receive this
25 amount of federal funds to be used for transfer to department of public
26 safety.

27 (5) For the 2020-21 state fiscal year, \$4,151 is appropriated to the

1 department of public safety for use by the division of fire prevention and
2 control. This appropriation is from reappropriated funds received from
3 the department of public health and environment under subsections (3)
4 and (4) of this section. To implement this act, the division may use this
5 appropriation for personal services and wildland fire management
6 services.

7 (6) For the 2020-21 state fiscal year, \$22,598 is appropriated to
8 the department of public safety for use by the division of fire prevention
9 and control. This appropriation is from various cash funds, including: the
10 Firefighter, First Responder, Hazardous Materials Responder, and
11 Prescribed Fire Training and Certification Fund created in Section
12 24-33.5-1207 (1), C.R.S.; the Fire Suppression Cash Fund created in
13 Section 24-33.5-1207.6 (1), C.R.S.; the Fireworks Licensing Cash Fund
14 created in Section 24-33.5-2004 (6)(b), C.R.S.; the Fire Service Education
15 and Training Fund created in Section 24-33.5-1207.5 (1), C.R.S.; the
16 Health Facility Construction and Inspection Cash Fund created in Section
17 24-33.5-1207.8, C.R.S.; the Public School Construction and Inspection
18 Cash Fund created in Section 24-33.5-1207.7, C.R.S.; the Wildland-urban
19 Interface Training Fund created in Section 24-33.5-1212 (5)(a)(I), C.R.S.;
20 and from various other sources of cash funds including gifts and grants.
21 To implement this act, the division may use this appropriation for
22 personal services and wildland fire management services.

23 **SECTION 5. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety.