

**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. 20-1280.01 Nicole Myers x4326

HOUSE BILL 20-1394

HOUSE SPONSORSHIP

McCluskie and Ransom, Esgar

SENATE SPONSORSHIP

Moreno and Rankin, Zenzinger

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A MODIFICATION TO THE CONTRIBUTION RATES TO THE**
102 **PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION FOR THE**
103 **JUDICIAL DIVISION OF THE ASSOCIATION FOR CERTAIN FISCAL**
104 **YEARS, AND, IN CONNECTION THEREWITH, REDUCING AN**
105 **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/>.)

Joint Budget Committee. The employer and member contribution rates for the public employees' retirement association (PERA) are

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.

specified in statute. For the 2020-21 and 2021-22 state fiscal years only, the bill decreases the employer contribution rate for employers in the judicial division of PERA by 5% and increases the member contribution rate for employees in the judicial division of PERA by 5%. The contribution rates will be changed as follows:

! For the 2020-21 state fiscal year, the employer contribution rate is decreased from 13.91% to 8.91% of salary and the member contribution rate is increased from 9.5% to 14.5% of salary.

! For the 2021-22 state fiscal year, the employer contribution rate is decreased from 13.91% to 8.91% of salary and the member contribution rate is increased from 10% to 15% of salary.

The bill specifies that the change in contributions does not apply to the employer or member contributions for judges employed by the Denver county court. The bill does not impact the employer or member contribution rates for any of the other divisions of PERA. The bill reduces an appropriation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-51-401, **amend**
3 (1.7)(a)(III) and (1.7)(a)(IV); and **add** (1.7)(g) as follows:

4 **24-51-401. Employer and member contributions.**

5 (1.7) (a) (III) Effective July 1, 2020, EXCEPT AS PROVIDED IN SUBSECTION
6 (1.7)(g) OF THIS SECTION AND subject to section 24-51-413, the employer
7 and member contribution rates shall be based upon the rates for the
8 appropriate division as set forth in the following table multiplied by the
9 salary, as defined in section 24-51-101 (42), paid to members and retirees
10 for the payroll period:

11 **TABLE C**
12 **CONTRIBUTION RATES**

| 13 Division | Membership | Employer Rate | Member Rate |
|--------------------|-------------------|----------------------|--------------------|
| 14 State | All Members | 10.4% | 9.5% |
| 15 | Except | | |

| | | | | |
|---|------------|----------------|--------|-------|
| 1 | | State Troopers | 13.1% | 11.5% |
| 2 | School | All Members | 10.4% | 9.5% |
| 3 | Local | | | |
| 4 | Government | All Members | 10.0% | 8.0% |
| 5 | Judicial | All Members | 13.91% | 9.5% |
| 6 | DPS | All Members | 10.4% | 9.5% |

7 (IV) Effective July 1, 2021, EXCEPT AS PROVIDED IN SUBSECTION
8 (1.7)(g) OF THIS SECTION AND subject to section 24-51-413, the employer
9 and member contribution rates shall be based upon the rates for the
10 appropriate division as set forth in the following table multiplied by the
11 salary, as defined in section 24-51-101 (42), paid to members and retirees
12 for the payroll period:

13 **TABLE D**
14 **CONTRIBUTION RATES**

| 15 | Division | Membership | Employer Rate | Member Rate |
|----|-----------------|-------------------|----------------------|--------------------|
| 16 | State | All Members | 10.4% | 10.0% |
| 17 | | Except | | |
| 18 | | State Troopers | 13.1% | 12.0% |
| 19 | School | All Members | 10.4% | 10.0% |
| 20 | Local | | | |
| 21 | Government | All Members | 10.0% | 8.0% |
| 22 | Judicial | All Members | 13.91% | 10.0% |
| 23 | DPS | All Members | 10.4% | 10.0% |

24 (g) (I) (A) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
25 (1.7)(g)(II) OF THIS SECTION AND SUBJECT TO SECTION 24-51-413, FOR THE
26 2020-21 STATE FISCAL YEAR, THE AMOUNT OF EMPLOYER AND MEMBER
27 CONTRIBUTIONS FOR EMPLOYERS AND MEMBERS IN THE JUDICIAL DIVISION

1 OF THE ASSOCIATION SHALL BE BASED UPON THE RATES AS SET FORTH IN
2 THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN
3 SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE
4 PAYROLL PERIOD:

5 **TABLE C.5**
6 **CONTRIBUTION RATES**

| 7 DIVISION | MEMBERSHIP | EMPLOYER RATE | MEMBER RATE |
|-------------------|-------------------|----------------------|--------------------|
| 8 JUDICIAL | ALL MEMBERS | 8.91% | 14.5% |

9 (B) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.7)(g)(II)
10 OF THIS SECTION AND SUBJECT TO SECTION 24-51-413, FOR THE 2021-22
11 STATE FISCAL YEAR, THE AMOUNT OF EMPLOYER AND MEMBER
12 CONTRIBUTIONS FOR EMPLOYERS AND MEMBERS IN THE JUDICIAL DIVISION
13 OF THE ASSOCIATION SHALL BE BASED UPON THE RATES AS SET FORTH IN
14 THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN
15 SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE
16 PAYROLL PERIOD:

17 **TABLE D.5**
18 **CONTRIBUTION RATES**

| 19 DIVISION | MEMBERSHIP | EMPLOYER RATE | MEMBER RATE |
|--------------------|-------------------|----------------------|--------------------|
| 20 JUDICIAL | ALL MEMBERS | 8.91% | 15% |

21 (II) SUBSECTION (1.7)(g)(I) OF THIS SECTION DOES NOT APPLY TO
22 THE EMPLOYER OR MEMBER CONTRIBUTION FOR JUDGES EMPLOYED BY THE
23 DENVER COUNTY COURT. FOR THE 2020-21 AND 2021-22 STATE FISCAL
24 YEARS, THE EMPLOYER AND MEMBER CONTRIBUTION RATES FOR JUDGES
25 EMPLOYED BY THE DENVER COUNTY COURT SHALL BE CALCULATED
26 PURSUANT TO SUBSECTIONS (1.7)(a)(III) AND (1.7)(a)(IV) OF THIS
27 SECTION, AS APPLICABLE, AND SUBJECT TO SECTION 24-51-413.

1 **SECTION 2. Appropriation - adjustments to 2020 long bill.**

2 (1) To implement this act, appropriations made in the annual general
3 appropriation act for the 2020-21 state fiscal year to the judicial
4 department are adjusted as follows:

5 (a) The general fund appropriation to appellate court programs is
6 decreased by \$265,030; and

7 (b) The general fund appropriation to trial court programs is
8 decreased by \$2,431,835.

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