

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0395.01 Jessica Herrera x4218

HOUSE BILL 24-1044

HOUSE SPONSORSHIP

Hamrick and Taggart, Kipp, Snyder, Wilson

SENATE SPONSORSHIP

Hansen,

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION'S
102 LIMITATIONS ON EMPLOYMENT AFTER RETIREMENT FOR PUBLIC
103 SCHOOL EMPLOYERS.

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/>.)

With limited exceptions, current law limits the number of service retirees that a state college or university or an employer in the school or Denver public schools division of the public employees' retirement association (PERA) can hire without a reduction in the service retirees' benefits to 10 service retirees when an employer determines there is a

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

critical shortage of qualified candidates. The bill allows an employer to hire such service retirees when the employer determines there is a need.

In addition, the bill authorizes an employer in the school or Denver public schools division with a student enrollment above 10,000 to hire, without a reduction in service retirees' benefits, an additional service retiree for each 1,000 students enrolled above 10,000. An employer with 10,000 students or less will continue to be allowed to hire 10 service retirees. The bill requires an employer in the school or Denver public schools division to provide PERA with a list of all employed service retirees by September 1 of an applicable calendar year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-51-1101, **amend**
3 (1.8)(a) and (1.8)(b); and **add** (1.8)(b.5) as follows:

4 **24-51-1101. Employment after service retirement - report -**
5 **definitions - repeal.** (1.8) (a) A service retiree who is hired by a state
6 college or university or by an employer in the school or Denver public
7 schools division of the association pursuant to subsection (1.8)(b) OR
8 SUBSECTION (1.8)(b.5) of this section and who is not subject to ~~subsection~~
9 ~~(1.9) or (5)~~ SUBSECTION (1.3), (1.9), OR (5) of this section may receive
10 salary without reduction in benefits if employment of more than four
11 hours per day does not exceed one hundred forty days in the calendar
12 year, if employment of four hours or less per day does not exceed nine
13 hundred sixteen hours in the calendar year, or if employment consisting
14 of a combination of daily and hourly employment does not exceed one
15 hundred forty days per calendar year, and if the service retiree has not
16 worked for any employer, as defined in section 24-51-101 (20), during the
17 month of the effective date of retirement. A service retiree described in
18 this subsection (1.8)(a) who works for any employer, as defined in section
19 24-51-101 (20), during the month of the effective date of retirement shall
20 be subject to a reduction in benefits as provided in section 24-51-1102

1 (2).

2 (b) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.8)(b.5) OF
3 THIS SECTION, a state college or university or an employer in the school
4 or Denver public schools division may hire up to ten service retirees who
5 are not subject to subsection (1.3), (1.9), or (5) of this section in areas
6 where the employer determines that there is a ~~critical shortage of qualified~~
7 ~~candidates~~ NEED and that the service retiree has unique experience, skill,
8 or qualifications that would benefit the employer. The employer shall
9 notify the association upon hiring a service retiree pursuant to this
10 subsection (1.8). A STATE COLLEGE OR UNIVERSITY SHALL PROVIDE a list
11 TO THE ASSOCIATION of any and all service retirees ~~employed by the~~
12 ~~employer shall be provided to the association~~ THAT IT EMPLOYS PURSUANT
13 TO THIS SUBSECTION (1.8)(b) at the start of each calendar year and shall
14 ~~be updated~~ UPDATE THE LIST prior to any additional hirings during the
15 same calendar year. AN EMPLOYER IN THE SCHOOL OR DENVER PUBLIC
16 SCHOOLS DIVISION SHALL PROVIDE A LIST TO THE ASSOCIATION OF ANY
17 AND ALL SERVICE RETIREES THAT IT EMPLOYS PURSUANT TO THIS
18 SUBSECTION (1.8)(b) AND PURSUANT TO SUBSECTION (1.8)(b.5) OF THIS
19 SECTION NO LATER THAN SEPTEMBER 1 OF THE APPLICABLE CALENDAR
20 YEAR AND SHALL UPDATE THE LIST PRIOR TO ANY ADDITIONAL HIRINGS
21 DURING THE SAME CALENDAR YEAR.

22 (b.5) IN ADDITION TO THE TEN SERVICE RETIREES, AN EMPLOYER
23 IN THE SCHOOL OR DENVER PUBLIC SCHOOLS DIVISION MAY HIRE
24 PURSUANT TO SUBSECTION (1.8)(b) OF THIS SECTION, AN EMPLOYER IN THE
25 SCHOOL OR DENVER PUBLIC SCHOOLS DIVISION THAT HAS A STUDENT
26 ENROLLMENT GREATER THAN TEN THOUSAND AS OF THE "PUPIL
27 ENROLLMENT COUNT DAY", AS DEFINED IN SECTION 22-54-103 (10.5), OF

1 THE PREVIOUS YEAR MAY HIRE ONE ADDITIONAL SERVICE RETIREE FOR
2 EACH ONE THOUSAND ENROLLED STUDENTS ABOVE TEN THOUSAND.

3 **SECTION 2. Effective date.** This act takes effect July 1, 2024.

4 **SECTION 3. Safety clause.** The general assembly finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, or safety or for appropriations for
7 the support and maintenance of the departments of the state and state
8 institutions.