

## CHAPTER 122

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**GOVERNMENT - STATE**

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SENATE BILL 95-035

BY SENATORS Wham, Bishop, Johnson, Perlmutter, R. Powers, and Tebedo;  
also REPRESENTATIVES George, DeGette, Knox, Paschall, Reeser, and Swenson.

**AN ACT**

**CONCERNING PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION BENEFITS OF RETIREES FROM THE JUDICIAL DIVISION WHO RETURN TO TEMPORARY JUDICIAL EMPLOYMENT, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 24-51-1105 (1) (b), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended, and the said 24-51-1105 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**24-51-1105. Retirees from the judicial division.** (1) (b) Notwithstanding the provisions of section 24-51-1101, upon written agreement with the chief justice of the Colorado supreme court prior to retirement, a member of the judicial division may perform, during retirement, assigned judicial duties without pay for not ~~more~~ LESS than sixty OR MORE THAN NINETY days each year and shall receive a benefit increase equal to NOT LESS THAN twenty percent OR MORE THAN THIRTY PERCENT of the current monthly salary of judges serving in the same position as that held by the retiree at the time of retirement. Such agreement shall be for a period of not more than three years. A retiree may enter into subsequent agreements; however, the aggregate of these agreements shall not exceed twelve years. ~~The twenty percent benefit increase provided for in this subsection (1) shall be made only once for each such retiree.~~

(2.5) A RETIREE FROM THE JUDICIAL DIVISION, WHO HAS ENTERED INTO AN AGREEMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION, MAY TAKE A LEAVE OF ABSENCE FROM TEMPORARY JUDICIAL DUTIES TO BE PERFORMED UNDER SUCH AGREEMENT, WITH A CESSATION OF THE INCREASE SPECIFIED IN SUBSECTION (1) OF THIS SECTION. WITHIN THIRTY DAYS PRIOR TO EACH ANNIVERSARY DATE OF RETIREMENT, AND UPON WRITTEN REQUEST TO AND APPROVAL BY THE CHIEF JUSTICE,

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

A RETIREE, WHO HAS TAKEN A LEAVE OF ABSENCE, MAY REENTER INTO SUCH AGREEMENT TO PERFORM ASSIGNED TEMPORARY JUDICIAL DUTIES. UPON REENTERING INTO SUCH AGREEMENT, THE RETIREMENT BENEFIT SHALL INCLUDE THE BENEFIT INCREASE SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the judicial department, for the fiscal year beginning July 1, 1995, the sum of twelve thousand eight hundred twenty-five dollars (\$12,825), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 3. Future appropriations.** It appears that this act will require appropriations from the general fund for subsequent fiscal years, and the amount required to be appropriated to the department of the treasury for the fiscal year beginning July 1, 1996, is estimated to be one hundred ten thousand eight hundred dollars (\$110,800).

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 16, 1995