

CHAPTER 189

GOVERNMENT - MUNICIPAL

HOUSE BILL 97-1111

BY REPRESENTATIVES Reeser, K. Alexander, Epps, Mace, Miller, Nichol, Schwarz, and S. Williams;
also SENATORS Tebedo, Bishop, Chlouber, Hernandez, Martinez, and Phillips.

AN ACT

CONCERNING POSTRETIREMENT PENSION BENEFIT INCREASES FOR VOLUNTEER FIREFIGHTERS.

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

SECTION 1. 31-30-1122, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

31-30-1122. Retirement pension. (3) WHENEVER THE BOARD INCREASES THE RETIREMENT PENSION BENEFIT PAYABLE PURSUANT TO SUBSECTION (1) OF THIS SECTION, SUCH INCREASE MAY ALSO BE APPLIED TO THE PENSION BENEFIT OF ANY RETIRED VOLUNTEER FIREFIGHTER RECEIVING THE PENSION BENEFIT SPECIFIED IN SUBSECTION (1) OF THIS SECTION AT THE TIME OF SUCH INCREASE. THE APPLICABLE PRO RATA SHARE OF ANY SUCH INCREASE, BASED UPON THE NUMBER OF YEARS OF SERVICE, MAY ALSO BE APPLIED TO THE PENSION BENEFIT OF ANY RETIRED VOLUNTEER FIREFIGHTER RECEIVING THE PENSION BENEFIT SPECIFIED IN SUBSECTION (2) OF THIS SECTION AT THE TIME OF SUCH INCREASE. WHENEVER THE BOARD ELECTS TO APPLY ANY RETIREMENT PENSION INCREASE PERMITTED UNDER THIS SUBSECTION (3), THE BOARD SHALL APPLY SUCH INCREASE TO THE RETIREMENT PENSION OF ALL RETIRED VOLUNTEER FIREFIGHTERS IN A FIRE DEPARTMENT WHO ARE ELIGIBLE FOR SUCH INCREASE UNDER THIS SUBSECTION (3). ANY ACTUARIAL REVIEW REQUIRED UNDER SUBSECTION (1) OF THIS SECTION SHALL INCLUDE THE COST OF ANY RETIREMENT PENSION INCREASE PERMITTED UNDER THIS SUBSECTION (3).

SECTION 2. 31-30-1112 (2) (a), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended, and the said 31-30-1112 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

31-30-1112. State contributions - intent. (2) (a) Except as otherwise provided in paragraphs (b), ~~and~~ (c), AND (c.5) of this subsection (2), state contributions to any

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

municipality or district must equal ninety percent of all amounts levied, appropriated, and contributed by the municipality or district under section 31-30-1110, but the state contribution shall not exceed one-half mill on the current valuation for assessment of the municipality or district assuming one hundred percent collection.

(c.5) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (2), A MUNICIPALITY OR DISTRICT THAT WAS LEVYING AN AMOUNT EQUAL TO OR LESS THAN ONE-HALF MILL BEFORE JULY 1, 1997, AND THAT SUBSEQUENTLY INCREASES ITS MILL LEVY, APPROPRIATION, OR CONTRIBUTION TO PAY VOLUNTEER FIREFIGHTER POSTRETIREMENT PENSION INCREASES PURSUANT TO SECTION 31-30-1122 (3) SHALL RECEIVE STATE CONTRIBUTIONS UNDER PARAGRAPH (a) OF THIS SUBSECTION (2) BASED UPON THE MILL LEVY, APPROPRIATION, OR CONTRIBUTION THAT WOULD BE REQUIRED TO BE LEVIED TO PAY A PENSION OF THREE HUNDRED DOLLARS PER MONTH, AS DETERMINED BY THE MUNICIPALITY OR DISTRICT.

SECTION 3. 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 22, 1997