

CHAPTER 21

**GOVERNMENT - MUNICIPAL**

**HOUSE BILL 98-1056**

BY REPRESENTATIVES Grampsas, K. Alexander, G. Berry, Dean, S. Johnson, Miller, Nichol, Saliman, Tucker, June, Lawrence, Mace, Morrison, Sullivant, and Taylor;  
also SENATORS Rizzuto, B. Alexander, Powers, Reeves, Bishop, Chlouber, Congrove, Hernandez, Martinez, Phillips, and Rupert.

**AN ACT**

CONCERNING THE SPECIFICATION OF A PERIOD OF ACTIVE SERVICE REQUIRED FOR THE PAYMENT OF AN EARLY RETIREMENT PENSION TO A VOLUNTEER FIREFIGHTER BY THE BOARD OF THE TRUSTEES OF A VOLUNTEER FIREFIGHTER PENSION FUND.

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

**SECTION 1.** 31-30-1122 (2), Colorado Revised Statutes, is amended to read:

**31-30-1122. Retirement pension.** (2) Notwithstanding subsection (1) of this section, the board may pay a retirement pension to a volunteer firefighter who has ~~ten~~ LESS THAN TWENTY years of active service if the municipality's or district's fund is actuarially sound. THE BOARD SHALL DETERMINE THE PERIOD OF ACTIVE SERVICE NECESSARY TO QUALIFY FOR THIS RETIREMENT PENSION, BUT IN NO EVENT SHALL SUCH PERIOD BE LESS THAN TEN YEARS OF ACTIVE SERVICE. The board shall not pay this retirement pension until the volunteer firefighter is fifty years of age. The amount of this retirement pension shall be determined by prorating the amount of the retirement pension under subsection (1) of this section based on the volunteer firefighter's years of service.

**SECTION 2. 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: March 23, 1998

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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.*