

## CHAPTER 20

---

**GOVERNMENT - MUNICIPAL**

---

**HOUSE BILL 00-1017**

BY REPRESENTATIVES Mace, Kester, Webster, Chavez, Coleman, Gagliardi, Miller, Ragsdale, Tapia, Vigil, and Zimmerman;  
also SENATORS Tebedo, Andrews, and Hernandez.

**AN ACT**

CONCERNING THE IRREVOCABILITY OF AN ELECTION BY A MEMBER OF THE FIRE AND POLICE PENSION ASSOCIATION TO RECEIVE A DISABILITY BENEFIT OPTION IN LIEU OF A NORMAL ANNUAL DISABILITY BENEFIT.

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

**SECTION 1.** 31-31-803 (9), Colorado Revised Statutes, is amended to read:

**31-31-803. Retirement for disability.** (9) After an election has been made of any of the options provided in PARAGRAPH (b) OF SUBSECTION (1) OR paragraph (a) of subsection (8) of this section, the election shall be irrevocable upon the member cashing the first disability benefit check or sixty days from the date of issuance of the check, whichever occurs first. The member's beneficiary designation shall also be irrevocable at such time unless the member's marital status changes as a result of dissolution of marriage, death of a beneficiary, marriage, or remarriage or in the event of the death of a beneficiary. In such case, the member may designate a new beneficiary; except that, in cases of dissolution of marriage, this subsection (9) shall only apply to any final dissolution of marriage decree of a member entered on or after July 1, 1990.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 10, 2000

---

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