

## CHAPTER 28

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**GOVERNMENT - MUNICIPAL**

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**HOUSE BILL 00-1006**

BY REPRESENTATIVES Plant, Kester, Coleman, Gagliardi, Mace, Miller, Ragsdale, Tapia, Taylor, Williams S., and Zimmerman;  
also SENATOR Reeves.

**AN ACT**

CONCERNING THE ELIMINATION OF CERTAIN TRANSFERS TO THE DISABILITY AND DEATH BENEFITS ACCOUNT OF THE FIRE AND POLICE MEMBERS' BENEFIT FUND.

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

**SECTION 1.** 31-31-405 (4), Colorado Revised Statutes, is amended to read:

**31-31-405. Separate retirement account - creation - allocation.** (4) Any amount allocated to a member's separate retirement account shall be subject to reduction prior to the time a member has terminated service in the event that additional amounts must be transferred to the actuarial account ~~or the disability and death benefits account~~ as set forth in section 31-31-301 (3) (b) and (3) (c). Reductions in a member's separate retirement account pursuant to this subsection (4) shall be made on a pro rata basis in the proportion that the balance in a member's separate retirement account bears to the total balance of all members' separate retirement accounts.

**SECTION 2. Repeal.** 31-31-301 (3) (d), Colorado Revised Statutes, is repealed as follows:

**31-31-301. Fund - creation.** (3) (d) ~~In each year after 1993, if the board determines that, based upon the annual actuarial study, moneys in the disability and death benefits account are inadequate to fund the benefit liabilities of that account with respect to those members covered by the the statewide defined benefit plan, then such amount as may be necessary to fund the benefit liabilities for these members shall be transferred from the stabilization reserve account to the disability and death benefits account.~~

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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.*

**SECTION 3. 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