

CHAPTER 102

**GOVERNMENT - COUNTY**

HOUSE BILL 07-1195

BY REPRESENTATIVE(S) Gagliardi, Jahn, and Labuda;  
also SENATOR(S) Boyd, Bacon, Kester, and Taylor.

**AN ACT**

**CONCERNING THE AUTHORITY OF THE GOVERNING BODY OF A LOCAL GOVERNMENT THAT PARTICIPATES IN A LOCAL GOVERNMENT RETIREMENT SYSTEM TO DETERMINE THE CONTRIBUTION RATES FOR THE SYSTEM IN WHICH IT PARTICIPATES.**

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

**SECTION 1.** Article 54 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-54-101.5. Retirement plans or systems - exemption.** A RETIREMENT PLAN OR SYSTEM ESTABLISHED PURSUANT TO A PROVISION OF LAW OTHER THAN THIS ARTICLE MAY ELECT NOT TO BE COVERED UNDER THIS ARTICLE.

**SECTION 2.** 24-54-104 (1) and (2), Colorado Revised Statutes, are amended to read:

**24-54-104. Funds for plan or system - additional contribution.** (1) Except as otherwise provided in this section, any plan or system adopted pursuant to the provisions of this article shall require participants to contribute a percentage of their salaries toward the cost thereof, such rate of contribution to be not less than that made by the county, municipality, political subdivision, or other participating entity. ~~and the employee contributions pursuant to any such plan shall be not more than eight percent of the employee's basic salary or wage.~~ Participation in the public employees' retirement association shall be as provided by article 51 of this title.

(2) ~~At such time as~~ The GOVERNING BODY OF EACH county, municipality, political subdivision, or other participating entity ~~and the employee each contributes eight percent of the basic salary or wage of the employee, the county, municipality, political subdivision, or other participating entity may elect to make an additional~~

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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.*

~~contribution out of federal revenue-sharing funds not otherwise appropriated of not more than two percent of said basic salary or wage, but such additional contribution shall be contingent upon an additional contribution by the employee of an equal amount.~~ SHALL ESTABLISH THE PERCENTAGE OF THE GOVERNING BODY'S CONTRIBUTION TO ANY PLAN OR SYSTEM, ADOPTED PURSUANT TO THIS ARTICLE, MADE ON BEHALF OF THE EMPLOYEE OF THE COUNTY, MUNICIPALITY, POLITICAL SUBDIVISION, OR OTHER PARTICIPATING ENTITY. THE AMOUNT OF THE CONTRIBUTION MADE ON BEHALF OF EACH EMPLOYEE SHALL NOT BE LESS THAN THREE PERCENT OF THE EMPLOYEE'S BASIC SALARY OR WAGE.

**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, (August 8, 2007, if adjournment sine die is on May 9, 2007); 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: April 9, 2007