

CHAPTER 24

GOVERNMENT - MUNICIPAL

HOUSE BILL 14-1111

BY REPRESENTATIVE(S) Foote, Dore, Fields, Ginal, Hamner, Hullinghorst, Kagan, Labuda, Mitsch Bush, Pabon, Primavera, Rosenthal, Salazar, Schafer, Singer, Williams, Young;
also SENATOR(S) Jones, Guzman, Heath, Johnston, Kerr, Newell, Nicholson, Schwartz, Tochtrop, Todd, Zenzinger.

AN ACT

CONCERNING THE AUTHORITY FOR A MUNICIPAL VOLUNTEER FIREFIGHTER DEPARTMENT RETIREE TO SERVE ON A MUNICIPAL VOLUNTEER FIREFIGHTER PENSION BOARD.

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

SECTION 1. In Colorado Revised Statutes, 31-30-1104, **amend** (1) (d); and **repeal** (3) as follows:

31-30-1104. Board - municipality. (1) In a municipality, the board must consist of the following members:

(d) (I) PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH (d), AS AMENDED, three fire department members ~~of the entire membership of all classes of fire departments~~ serving the municipality who are elected by the fire department members of those fire departments for three-year terms. ~~except that, at the initial election, one member shall be elected for three years, one member for two years, and one member for one year. In all subsequent elections, these members shall be elected for three years.~~

(II) BEGINNING AT THE NEXT ELECTION TO ELECT A BOARD MEMBER PURSUANT TO THIS PARAGRAPH (d) AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (d), AS AMENDED, THREE INDIVIDUALS ELECTED FROM ONE OR MORE OF THE FOLLOWING GROUPS TO THE EXTENT SUCH GROUPS EXIST AT THE TIME OF ELECTION: FIRE DEPARTMENT MEMBERS, RETIRED FIRE DEPARTMENT MEMBERS, OR RETIRED FIRE DEPARTMENT MEMBERS RETURNED TO ACTIVE SERVICE PURSUANT TO SECTION 31-30-1132. THE THREE INDIVIDUALS SHALL BE ELECTED BY THE FIRE DEPARTMENT MEMBERS, RETIRED FIRE DEPARTMENT MEMBERS, AND RETIRED FIRE DEPARTMENT MEMBERS RETURNED TO ACTIVE SERVICE OF THOSE FIRE DEPARTMENTS AND SHALL SERVE FOR THREE YEAR TERMS AS SUCH TERMS EXIST ON THE EFFECTIVE DATE OF

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

THIS PARAGRAPH (d), AS AMENDED. NOTHING IN THIS SUBPARAGRAPH (II) SHALL BE CONSTRUED TO EFFECT THE TERM OF ANY PERSON SERVING ON THE BOARD OF A MUNICIPAL VOLUNTEER FIREFIGHTER PENSION BOARD PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (II).

~~(3) Notwithstanding the provisions of subsections (1) and (2) of this section, the governing body of the municipality may continue with the board composition that was in effect on June 4, 1995.~~

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 7, 2014