

CHAPTER 320

GOVERNMENT - STATE

HOUSE BILL 15-1392

BY REPRESENTATIVE(S) Young and Tate, Moreno, Rosenthal, Ryden;
also SENATOR(S) Newell and Neville T.

AN ACT

CONCERNING CHANGES TO THE STATE'S PAYROLL SYSTEM TO ALLOW ALL STATE EMPLOYEES TO BE PAID TWICE A MONTH.

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

SECTION 1. In Colorado Revised Statutes, 24-50-104, **amend** (8) as follows:

24-50-104. Job evaluation and compensation - state employee reserve fund - created - definitions. (8) **Payroll.** (a) FOR PAY PERIODS BEGINNING BEFORE JULY 1, 2017, salaries for positions in the state personnel system paid on a monthly basis shall be paid as of the last working day of the month; except that:

(I) Salaries for the month of June shall be paid on the first working day of July;
and

(II) For state personnel employees in the department of transportation hired before August 5, 1998, as amended, salaries for the month of December shall be paid on the first working day in January, unless any such employee informs the controller of the department of transportation of the employee's desire to be paid in the same manner as other employees in the state personnel system as provided in this subsection (8), in which case, the employee shall be paid in such manner.

(a.5) FOR PAY PERIODS BEGINNING BEFORE JULY 1, 2017, for state employment positions that are not in the state personnel system and that are not otherwise covered by paragraph (a) of this subsection (8), salaries paid on a monthly basis for the month of June shall be paid on the first working day of July.

(a.6) FOR PAY PERIODS BEGINNING BEFORE JULY 1, 2017, for state employment positions that are not otherwise covered by paragraph (a) or (a.5) of this subsection

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

(8), whether or not the positions are in the state personnel system:

~~(I) Salaries paid on a biweekly basis for the pay period commencing on May 31, 2003, and ending on June 13, 2003, shall be paid on July 1, 2003;~~

~~(II) Effective July 1, 2003, for work performed through June 30, 2012, salaries paid on a biweekly basis for the fourteen-day pay period preceding the first fourteen-day pay period for which salaries paid on a biweekly basis for any work performed during the month of June are paid on or after July 1 shall be paid on the first working day of July; and~~

(III) Effective July 1, 2012, AND FOR PAY PERIODS BEGINNING BEFORE JULY 1, 2017, salaries paid on a biweekly basis shall be paid fourteen days after the last day of the fourteen-day pay period.

(b) FOR PAY PERIODS BEGINNING ON OR AFTER JULY 1, 2017, SALARIES FOR EMPLOYEES PAID THROUGH THE STATE'S PAYROLL SYSTEM SHALL BE PAID TWICE A MONTH AS FOLLOWS:

(I) FOR WORK PERFORMED FROM JULY 1, 2017, TO JULY 15, 2017, EMPLOYEES SHALL BE PAID ON JULY 31, 2017. FOR WORK PERFORMED FROM JULY 16, 2017, TO JULY 31, 2017, EMPLOYEES SHALL BE PAID ON AUGUST 15, 2017.

(II) EXCEPT AS OTHERWISE SPECIFIED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (b), FOR ALL PAY PERIODS AFTER THE PAY PERIODS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), FOR WORK PERFORMED FROM THE FIRST DAY OF THE MONTH TO THE FIFTEENTH DAY OF THE SAME MONTH, EMPLOYEES SHALL BE PAID ON THE LAST DAY OF THAT MONTH. FOR WORK PERFORMED FROM THE SIXTEENTH DAY OF THE MONTH TO THE END OF THE SAME MONTH, EMPLOYEES SHALL BE PAID ON THE FIFTEENTH DAY OF THE FOLLOWING MONTH.

(III) FOR WORK PERFORMED FROM JUNE 1, 2018, TO JUNE 15, 2018, EMPLOYEES SHALL BE PAID ON JULY 1, 2018, AND FOR WORK PERFORMED FROM JUNE 1 TO JUNE 15 EACH YEAR THEREAFTER, EMPLOYEES SHALL BE PAID ON JULY 1 OF THE APPLICABLE YEAR.

(c) (I) ANY STATE EMPLOYEE MAY APPLY TO THE DEPARTMENT OF PERSONNEL FOR A ONE-TIME LOAN TO ASSIST THE EMPLOYEE IN COVERING EXPENSES IN JULY 2017. THE AMOUNT OF THE LOAN SHALL NOT BE MORE THAN AN AMOUNT EQUAL TO THE EMPLOYEE'S NET PAY FOR A ONE-HALF MONTH PAY PERIOD.

(II) AN EMPLOYEE WHO RECEIVES A LOAN FROM THE STATE PURSUANT TO THIS PARAGRAPH (c) SHALL REPAY THE LOAN USING ONE OF THE PAYMENT OPTIONS SPECIFIED IN THIS SUBPARAGRAPH (II). AN EMPLOYEE MAY REPAY THE LOAN EARLY WITH NO PREPAYMENT PENALTY. IF AN EMPLOYEE SEPARATES FROM STATE EMPLOYMENT PRIOR TO THE FULL LOAN REPAYMENT, THE BALANCE OF THE LOAN SHALL BE DEDUCTED FROM THE EMPLOYEE'S LAST PAYCHECK. AN EMPLOYEE SHALL CHOOSE ONE OF THE FOLLOWING REPAYMENT OPTIONS:

(A) THE EMPLOYEE MAY REPAY THE LOAN OVER A THREE-YEAR PERIOD WITH ANNUAL LEAVE. THE EXACT AMOUNT OF ANNUAL LEAVE NEEDED TO REPAY THE

LOAN SHALL BE CALCULATED BY THE DEPARTMENT IN WHICH THE EMPLOYEE IS EMPLOYED PURSUANT TO GUIDELINES ISSUED BY THE OFFICE OF THE STATE CONTROLLER.

(B) THE EMPLOYEE MAY REPAY THE LOAN OVER A THREE-YEAR PERIOD WITH AN AFTER-TAX DEDUCTION IN EACH PAYCHECK EQUAL TO ONE SEVENTY-SECOND OF THE LOAN AMOUNT PLUS SIMPLE INTEREST AT THE STATE TREASURY'S INCREMENTAL BORROWING RATE.

(b) (d) Monthly salaries shall be converted to annual salary as the basis for calculating amounts due for periods other than monthly.

(e) (e) The state personnel director or the director's designee shall regulate, approve, and review all payroll deductions other than those expressly authorized by statute or state-sponsored for all state employees. The state personnel director may assess a charge to the organization that receives the benefit from such a payroll deduction to offset the cost to the state for this service.

(f) (f) No payroll deduction shall be made on behalf of a state employee without prior written authorization from the state personnel director or the director's designee. The state personnel director or the director's designee may authorize a payroll deduction only after receiving a written request for such payroll deduction from the employee, a department or agency representative, or an organization.

SECTION 2. In Colorado Revised Statutes, 24-75-201, **amend** (2) (a) (III) (A) as follows:

24-75-201. General fund - general fund surplus - custodial moneys.
(2) (a) The general fund surplus shall be determined based upon the accrual system of accounting, as enunciated by the governmental accounting standards board; except that:

(III) (A) General fund revenues shall be restricted only upon actual payment on the first AND FIFTEENTH working day of July of ~~monthly~~ salaries of state employees for the month of June from general fund revenues.

SECTION 3. 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: June 5, 2015