

## CHAPTER 52

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**LABOR AND INDUSTRY**

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**HOUSE BILL 24-1139**

BY REPRESENTATIVE(S) Lieder and Armagost, Amabile, Bird, Boesenecker, Brown, Clifford, Duran, Froelich, Garcia, Herod, Jodeh, Joseph, Kipp, Lindsay, Lindstedt, Lukens, Lynch, Mabrey, Marshall, Ortiz, Parenti, Ricks, Rutinel, Snyder, Story, Titone, Valdez A., Weissman, Young, McCluskie, Hamrick, Taggart;  
also SENATOR(S) Will and Exum, Buckner, Coleman, Cutter, Danielson, Ginal, Gonzales, Jaquez Lewis, Marchman, Michaelson Jenet, Mullica, Priola, Roberts, Sullivan.

**AN ACT****CONCERNING THE PAYMENT OF DEATH BENEFITS AFTER REMARRIAGE TO A SURVIVING SPOUSE OF A STATE EMPLOYEE WHO WORKED IN A JOB WITH A HIGH-RISK CLASSIFICATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 8-42-120 as follows:

**8-42-120. Termination of right to benefits - definition.** (1) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, death benefits shall be paid to a dependent widow or widower for life or until remarriage, and, if there are no dependent children, as defined in section 8-41-501 (1)(b) and (1)(c), at the time of remarriage, a two-year lump-sum benefit without discount, less any lump sums previously paid, shall be paid to such widow or widower.

(b)(I) DEATH BENEFITS SHALL BE PAID TO A DEPENDENT WIDOW OR WIDOWER FOR LIFE IF:

(A) THE DEPENDENT WIDOW OR WIDOWER RECEIVES A DEATH BENEFIT PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION; AND

(B) THE DECEASED WAS A STATE EMPLOYEE WHO WORKED IN A JOB WITH A HIGH-RISK CLASSIFICATION.

(II) AS USED IN THIS SUBSECTION (1)(b), UNLESS THE CONTEXT OTHERWISE REQUIRES, "JOB WITH A HIGH-RISK CLASSIFICATION" MEANS:

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(A) AN EMPLOYEE OF THE COLORADO STATE PATROL WHO IS VESTED WITH THE POWERS OF A PEACE OFFICER AS PROVIDED IN SECTION 24-33.5-212 OR IS A PORT OF ENTRY OFFICER AS DESCRIBED IN SECTION 16-2.5-115;

(B) AN EMPLOYEE OF THE COLORADO BUREAU OF INVESTIGATION WHO IS VESTED WITH THE POWERS OF A PEACE OFFICER AS PROVIDED IN SECTION 24-33.5-409;

(C) AN EMPLOYEE OF THE DEPARTMENT OF CORRECTIONS WHO IS CLASSIFIED IN THE CORRECTIONS OFFICER I THROUGH CORRECTIONS OFFICER IV CLASS TITLES;

(D) AN EMPLOYEE OF THE DEPARTMENT OF CORRECTIONS WHO IS A COMMUNITY PAROLE OFFICER AS DESCRIBED IN SECTION 16-2.5-136;

(E) AN EMPLOYEE OF THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY WHO IS CLASSIFIED AS A FIREFIGHTER, INVESTIGATOR, OR FIRE MARSHAL;

(F) AN EMPLOYEE OF THE DIVISION OF PARKS AND WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES WHO IS A WILDLIFE OFFICER AS DEFINED IN SECTION 16-2.5-116 (1) OR A PARKS AND RECREATION OFFICER AS DEFINED IN SECTION 16-2.5-117 (1);

(G) AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION WHO IS RESPONSIBLE FOR HIGHWAY SAFETY AND MAINTENANCE;

(H) AN EMPLOYEE OF THE DEPARTMENT OF REVENUE WHO IS VESTED WITH THE POWERS OF A PEACE OFFICER AS PROVIDED IN SECTIONS 16-2.5-121 TO 16-2.5-126; OR

(I) AN EMPLOYEE OF A STATE INSTITUTION OF HIGHER EDUCATION WHO IS VESTED WITH THE POWERS OF A PEACE OFFICER AS PROVIDED IN SECTION 16-2.5-148.

(2) Death benefits shall terminate upon the happening of any of the following contingencies and shall thereupon survive to the remaining dependents, if any: Upon the death of any dependent; when a child or brother or sister of the deceased reaches the age of eighteen years, except as otherwise provided in sections 8-41-501 (1)(b) and (1)(c) and 8-41-502; and upon the expiration of six years from the date of the death of the injured employee in the case of partial dependents.

**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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 4, 2024