



# Fiscal Note

## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

### HB 26-1146: ALLOW APPROVED FACILITY SCHOOLS PARTICIPATE IN PERA

**Prime Sponsors:**

Rep. Phillips; Hamrick  
Sen. Kolker; Kipp

**Fiscal Analyst:**

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**Published for:** House Education**Drafting number:** LLS 26-0211**Version:** Initial Fiscal Note**Date:** February 13, 2026

**Fiscal note status:** The fiscal note reflects the introduced bill.

#### Summary Information

**Overview.** The bill allows facility schools to affiliate with the Public Employees' Retirement Association's Local Government Division.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- School District
- Statutory Public Entity

**Appropriations.** No appropriation is required.

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## **Summary of Legislation**

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The bill allows facility schools to affiliate with the Public Employees' Retirement Association (PERA) Local Government Division.

## **Background**

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Facility schools are public schools that are administered by private or nonprofit entities to provide educational services to students with physical, behavioral, mental health, or special education needs. There are currently 35 approved facility schools, with just under 1,000 full- and part-time staff overall as of December 2025. To affiliate with PERA's Local Government Division, a governing board must pass a resolution at a public meeting and then submit an application to the PERA board.

## **School District**

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Conditional upon a facility school opting to affiliate with PERA, the school will have an increase in expenditures and workload to enroll employees, remit contributions, and ensure PERA has essential information necessary to calculate and process retirement benefits. Local Government Division employers contribute 15.8 percent of the member's salary, while members contribute 11.0 percent.

## **Statutory Public Entity**

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Given the small number of facility schools that may affiliate with PERA, the bill is not expected to have a significant impact on the Local Government Division Trust Fund. Generally, it is assumed that increased contributions from affiliated facility schools will offset future liabilities owed to retired employees. PERA staff will have a slight increase in workload to implement and administer the bill's provisions.

## **Effective Date**

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## **State and Local Government Contacts**

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Counties	Municipalities
Education	Public Employees' Retirement Association