

NOTE: The governor signed this measure on 4/1/2016.

An Act

HOUSE BILL 16-1038

BY REPRESENTATIVE(S) Melton and Salazar, Lontine, Ginal, Court, Duran, Esgar, Fields, Kagan, Rosenthal, Roupe, Williams, Winter; also SENATOR(S) Jones, Aguilar, Baumgardner, Crowder, Donovan, Garcia, Guzman, Heath, Johnston, Kefalas, Kerr, Merrifield, Newell, Scott, Todd.

CONCERNING OPTIONAL AFFILIATION WITH THE FIRE AND POLICE PENSION ASSOCIATION BY A COUNTY SHERIFF DEPARTMENT THAT DOES NOT PARTICIPATE IN SOCIAL SECURITY.

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

SECTION 1. In Colorado Revised Statutes, **add** 31-31-708 as follows:

31-31-708. Optional affiliation by county sheriff. ANY COUNTY THAT DOES NOT COVER, UNDER THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED, SALARIED EMPLOYEES WHOSE DUTIES ARE DIRECTLY INVOLVED WITH THE PROVISION OF LAW ENFORCEMENT OR FIRE PROTECTION AS CERTIFIED BY THE COUNTY MAY ELECT COVERAGE UNDER THE STATEWIDE DEFINED BENEFIT PLAN ESTABLISHED IN PART 4 OF THIS ARTICLE AND THE STATEWIDE DEATH AND DISABILITY PLAN ESTABLISHED IN PART 8 OF THIS ARTICLE BY FILING A RESOLUTION OF AFFILIATION WITH THE BOARD.

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

ELECTION OF COVERAGE UNDER THE PLAN IS IRREVOCABLE.

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 10, 2016, if adjournment sine die is on May 11, 2016); 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO