

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-1064.01 Nicole Myers x4326

HOUSE BILL 19-1299

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A BILL FOR AN ACT

101 **CONCERNING FLEXIBILITY IN THE CONTRIBUTION RATES TO A LOCAL**
102 **GOVERNMENT RETIREMENT PLAN OR SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Any county, municipality, or other political subdivision (local government) or group of local governments is currently authorized to establish and maintain a plan or system (plan) of retirement benefits for its elected or appointed officers and its employees.

Current law requires participants in a plan to contribute a percentage of their salaries toward the cost of the plan and specifies that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 26, 2019

HOUSE
3rd Reading Unamended
April 18, 2019

HOUSE
2nd Reading Unamended
April 17, 2019

the contribution rate cannot be less than that made by the local government. The bill changes the minimum contribution rate of participants in the plan to 3% of the participant's basic salary or wage. In addition, the bill specifies that the contribution rate of the local government and the contribution rate of the participant do not have to be the same as long as the contribution rate for each is at least 3% of the participant's salary or wage.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-54-104, **amend**
3 (1) and (2) as follows:

4 **24-54-104. Funds for plan or system - additional contribution.**

5 (1) Except as otherwise provided in this section, any plan or system
6 adopted pursuant to ~~the provisions of this article~~ ARTICLE 54 shall require
7 participants to contribute a percentage of their salaries toward the cost
8 thereof, such rate of contribution to be not less than ~~that made by the~~
9 ~~county, municipality, political subdivision, or other participating entity~~
10 THREE PERCENT OF THE PARTICIPANT'S BASIC SALARY OR WAGE.
11 Participation in the public employees' retirement association shall be as
12 provided by article 51 of this ~~title~~ TITLE 24.

13 (2) The governing body of each county, municipality, political
14 subdivision, or other participating entity shall establish the percentage of
15 the governing body's contribution to any plan or system, adopted pursuant
16 to this ~~article~~ ARTICLE 54, made on behalf of the ~~employee~~ PARTICIPANT
17 of the county, municipality, political subdivision, or other participating
18 entity. The amount of the contribution made on behalf of each ~~employee~~
19 PARTICIPANT shall not be less than three percent of the ~~employee's~~
20 PARTICIPANT'S basic salary or wage. THE PERCENTAGE OF THE
21 CONTRIBUTION MADE BY A COUNTY, MUNICIPALITY, POLITICAL
22 SUBDIVISION, OR OTHER PARTICIPATING ENTITY TO ANY PLAN OR SYSTEM

1 AND THE PERCENTAGE OF THE CONTRIBUTION MADE BY THE PARTICIPANT
2 TO A PLAN OR SYSTEM NEED NOT BE THE SAME AS LONG AS THE
3 PERCENTAGE OF THE CONTRIBUTION MADE BY EITHER IS NOT LESS THAN
4 THREE PERCENT OF THE PARTICIPANT'S BASIC SALARY OR WAGE.

5 **SECTION 2. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2020 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.