

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0513.02 Jessica Herrera x4218

HOUSE BILL 22-1057

HOUSE SPONSORSHIP

Bradfield and McLachlan,

SENATE SPONSORSHIP

Woodward,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION
102 EMPLOYMENT AFTER RETIREMENT LIMITATIONS.

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>.)

Under current law, the public employees' retirement association (PERA) limits the number of days that retired teachers can work as substitute teachers. The bill temporarily waives these limits for qualified service retirees in any school district while there are critical substitute teacher shortages.

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.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that in the wake of the COVID-19 pandemic,
4 it has become increasingly apparent that there is a critical shortage of
5 qualified substitute teachers in all counties of the state.

6 (2) Therefore, the general assembly declares that during a critical
7 shortage of qualified substitute teachers it is necessary to waive the
8 employment after service retirement limits imposed on teacher service
9 retirees to allow qualified retired teachers to serve as substitute teachers.

10 **SECTION 2.** In Colorado Revised Statutes, 24-51-1101, **amend**
11 (1) introductory portion; and **add** (1.3) as follows:

12 **24-51-1101. Employment after service retirement - report -**
13 **definitions - repeal.** (1) Except as otherwise provided in subsections
14 **(1.3)**, (1.8), (1.9), and (5) of this section or part 17 of this article 51, a
15 service retiree from any division may be employed by an employer,
16 whether or not in a position subject to membership, and receive a salary
17 without reduction in benefits if the service retiree has not worked for any
18 employer, as defined in section 24-51-101 (20), during the month of the
19 effective date of retirement, and if:

20 (1.3) (a) A SERVICE RETIREE WHO IS A TEACHER MAY RECEIVE
21 SALARY WITHOUT REDUCTION IN BENEFITS IF:

22 (I) THE SCHOOL DISTRICT HIRES THE SERVICE RETIREE FOR THE
23 PURPOSE OF PROVIDING SUBSTITUTE TEACHER CLASSROOM INSTRUCTION;

24 AND

25 (II) THE SCHOOL DISTRICT HIRING THE SERVICE RETIREE
26 DETERMINES THAT THERE IS A CRITICAL SHORTAGE OF QUALIFIED

1 SUBSTITUTE TEACHERS AND THAT THE SERVICE RETIREE HAS SPECIFIC
2 EXPERIENCE, SKILLS, OR QUALIFICATIONS THAT WOULD BENEFIT THE
3 DISTRICT.

4 (b) THIS SUBSECTION (1.3) IS REPEALED, EFFECTIVE JULY 1, 2025.

5 **SECTION 3. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety.