

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 22-0513.02 Jessica Herrera x4218

HOUSE BILL 22-1057

HOUSE SPONSORSHIP

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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.*

HOUSE
3rd Reading Unamended
February 16, 2022

HOUSE
Amended 2nd Reading
February 15, 2022

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 (1.8)(b); 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, AS DEFINED IN**
21 **SECTION 22-63-103 (11)**, MAY RECEIVE SALARY WITHOUT REDUCTION IN
22 BENEFITS IF:

23 (I) **THE SCHOOL DISTRICT OR CHARTER SCHOOL** HIRES THE SERVICE
24 RETIREE FOR THE PURPOSE OF PROVIDING SUBSTITUTE TEACHER
25 CLASSROOM INSTRUCTION; AND

26 (II) **THE SCHOOL DISTRICT OR CHARTER SCHOOL** HIRING THE

1 SERVICE RETIREE DETERMINES THAT THERE IS A CRITICAL SHORTAGE OF
2 QUALIFIED SUBSTITUTE TEACHERS AND THAT THE SERVICE RETIREE HAS
3 SPECIFIC EXPERIENCE, SKILLS, OR QUALIFICATIONS THAT WOULD BENEFIT
4 THE DISTRICT.

5 (b) AS USED IN THIS SUBSECTION (1.3), "SUBSTITUTE TEACHER"
6 HAS THE SAME MEANING AS SET FORTH IN SECTION 22-63-103 (10); EXCEPT
7 THAT THERE SHALL BE NO RESTRICTION IN THE LENGTH OF A CONTINUOUS
8 ASSIGNMENT.

9 (c) A SERVICE RETIREE WHO IS HIRED IN ACCORDANCE WITH
10 SUBSECTION (1.3)(a) OF THIS SECTION DOES NOT COUNT AGAINST THE
11 ADDITIONAL TEN SERVICE RETIREEES THAT A STATE COLLEGE OR
12 UNIVERSITY OR AN EMPLOYER IN THE SCHOOL OR DENVER PUBLIC
13 SCHOOLS DIVISION MAY HIRE AS AUTHORIZED BY SUBSECTION (1.8)(b) OF
14 THIS SECTION.

15 (d) THIS SUBSECTION (1.3) IS REPEALED, EFFECTIVE JULY 1, 2025.

16 (1.8) (b) A state college or university or an employer in the school
17 or Denver public schools division may hire up to ten service retirees who
18 are not subject to subsection (1.3), (1.9), or (5) of this section in areas
19 where the employer determines that there is a critical shortage of qualified
20 candidates and that the service retiree has unique experience, skill, or
21 qualifications that would benefit the employer. The employer shall notify
22 the association upon hiring a service retiree pursuant to this subsection
23 (1.8). A list of any and all service retirees employed by the employer shall
24 be provided to the association at the start of each calendar year and shall
25 be updated prior to any additional hirings during the same calendar year.

26 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.