

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0666.01 Caroline Martin x5902

SENATE BILL 24-089

SENATE SPONSORSHIP

Rodriguez, Bridges, Buckner, Coleman, Cutter, Exum, Fenberg, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kirkmeyer, Kolker, Marchman, Michaelson Jenet, Mullica, Priola, Roberts, Sullivan, Winter F.

HOUSE SPONSORSHIP

Daugherty,

Senate Committees

Local Government & Housing

House Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE COLORADO FIREFIGHTER HEART, CANCER, AND**
102 **BEHAVIORAL HEALTH BENEFITS TRUST.**

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>.)

The bill removes the ability of a firefighter employer to select accident insurance, self-insurance, or a self-insurance pool as options to provide statutorily required monetary benefits to a firefighter who has experienced a heart and circulatory malfunction. As a result, a firefighter employer must participate in a multiple employer health trust in order to provide such benefits.

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

SENATE
3rd Reading Unamended
February 22, 2024

SENATE
2nd Reading Unamended
February 21, 2024

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-5-302, **amend** (1)
3 and (11) as follows:

4 **29-5-302. Required benefits - conditions of receiving benefits.**

5 (1) (a) EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, an
6 employer shall ~~maintain accident insurance, self-insure, or participate in~~
7 a ~~self-insurance pool or a~~ multiple employer health trust in order to
8 provide the benefits specified in this section for its firefighters. In
9 addition, an employer may provide equivalent benefits for volunteer
10 firefighters.

11 (b) A CITY AND COUNTY OR A MUNICIPALITY THAT, AS OF JULY
12 2022, HAS A POPULATION OF FOUR HUNDRED THOUSAND OR MORE PEOPLE,
13 AND AS OF APRIL 30, 2024, HAS ENACTED AN ORDINANCE TO PROVIDE THE
14 BENEFITS SPECIFIED IN THIS SECTION FOR ITS FIREFIGHTERS NEED NOT
15 PARTICIPATE IN A MULTIPLE EMPLOYER HEALTH TRUST AS REQUIRED BY
16 SUBSECTION (1)(a) OF THIS SECTION SO LONG AS THE ORDINANCE REMAINS
17 IN EFFECT.

18 (11)(a) There is hereby created in the state treasury the firefighter
19 benefits cash fund. The fund consists of ~~moneys~~ MONEY appropriated
20 from the general fund by the general assembly. The ~~moneys~~ MONEY in the
21 fund ~~are~~ IS subject to annual appropriation by the general assembly to the
22 department of local affairs for the purpose of reimbursing employers for
23 the direct costs of ~~maintaining accident insurance, self-insurance, or~~
24 participation in a ~~self-insurance pool or~~ multiple employer health trust as
25 required by this part 3.

26 (b) The department of local affairs shall reimburse employers for

1 the direct costs of ~~maintaining accident insurance, self-insurance, or~~
2 participation in a ~~self-insurance pool~~ or multiple employer health trust as
3 required by this part 3.

4 **SECTION 2.** In Colorado Revised Statutes, 29-13-102, **amend**
5 (7) as follows:

6 **29-13-102. Authority for units of local government to pool**
7 **insurance coverage.** (7) In addition to property coverage pursuant to
8 subsection (1) of this section and liability coverage pursuant to section
9 24-10-115.5, ~~C.R.S.~~, a self-insurance pool authorized by subsection (1)
10 of this section may provide workers' compensation coverage pursuant to
11 section 8-44-204. ~~C.R.S., and firefighter heart and circulatory~~
12 ~~malfunction benefits pursuant to section 29-5-302.~~

13 **SECTION 3.** In Colorado Revised Statutes, 24-10-115.5, **amend**
14 (9) as follows:

15 **24-10-115.5. Authority for public entities to pool insurance**
16 **coverage.** (9) In addition to liability coverage pursuant to subsection (1)
17 of this section and property coverage pursuant to section 29-13-102,
18 ~~C.R.S.~~, a self-insurance pool authorized by subsection (1) of this section
19 may provide workers' compensation coverage pursuant to section
20 8-44-204. ~~C.R.S., and firefighter heart and circulatory malfunction~~
21 ~~benefits pursuant to section 29-5-302, C.R.S.~~

22 **SECTION 4. Applicability.** This act applies to benefits provided
23 on or after the ninetieth day following the effective date of this act.

24 **SECTION 5. Safety clause.** The general assembly finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.