

CHAPTER 247

GOVERNMENT - LOCAL

SENATE BILL 24-089

BY SENATOR(S) Rodriguez, Bridges, Buckner, Coleman, Cutter, Exum, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kirkmeyer, Kolker, Marchman, Michaelson Jenet, Mullica, Priola, Roberts, Sullivan, Winter F., Fenberg; also REPRESENTATIVE(S) Daugherty and Weinberg, Armagost, Bird, Boesenecker, Brown, Cattin, Clifford, deGruy Kennedy, Duran, Evans, Froelich, Hamrick, Herod, Jodeh, Kipp, Lieder, Lindstedt, Lynch, Marshall, McLachlan, Ortiz, Parenti, Ricks, Rutinel, Snyder, Titone, Velasco, Vigil, Willford, Woodrow, Young, McCluskie.

AN ACT**CONCERNING THE COLORADO FIREFIGHTER HEART, CANCER, AND BEHAVIORAL HEALTH BENEFITS TRUST.**

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

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

29-5-302. Required benefits - conditions of receiving benefits. (1) (a) EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, an employer shall ~~maintain accident insurance, self-insure, or participate in a self-insurance pool or a multiple employer health trust~~ in order to provide the benefits specified in this section for its firefighters. In addition, an employer may provide equivalent benefits for volunteer firefighters.

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

(11) (a) There is hereby created in the state treasury the firefighter benefits cash fund. The fund consists of ~~moneys~~ MONEY appropriated from the general fund by the general assembly. The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual appropriation by the general assembly to the department of local affairs for the

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

(b) The department of local affairs shall reimburse employers for the direct costs of ~~maintaining accident insurance, self-insurance, or participation in a self-insurance pool or multiple employer health trust as required by this part 3.~~

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

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

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

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

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

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 24, 2024