

*Colorado Legislative Council Staff Fiscal Note*  
**STATUTORY PUBLIC ENTITY  
 CONDITIONAL FISCAL IMPACT**

**Drafting Number:** LLS 10-0987  
**Prime Sponsor(s):** Rep. Miklosi

**Date:** April 27, 2010  
**Bill Status:** House Finance  
**Fiscal Analyst:** Kerry White (303-866-3469)

**TITLE:** CONCERNING THE EXEMPTION FROM THE POSTRETIREMENT EMPLOYMENT LIMIT FOR CERTAIN EMPLOYEES OF THE DENVER PUBLIC SCHOOL DISTRICT WHO ARE RETIREES OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
<b>State Revenue</b>		
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2010-2011:</b> None required.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

As a result of Senate Bill 09-282, the Denver Public Schools Retirement System (DPSRS) was merged into the Public Employees' Retirement Association (PERA) on January 1, 2010. The merger legislation exempted a person who was a PERA retiree and an active member of the DPSRS as of December 31, 2009 from the PERA's work limit rule. This rule reduces the monthly benefit paid to a person who returns to work for a PERA employer for more than 110 days or 720 hours in a calendar year.

This bill extends the work limit rule exemption to a person who was a PERA retiree and an hourly employee of a school or charter school within the Denver Public School District prior to the merger. The exemption is only available to a person who continues to work for the same pre-merger employer. The bill also specifies that current law requirements for working retiree and employer contributions, plus applicable amortization equalization disbursement (AED) and supplemental AED payments, apply to these persons.

**Public Employees' Retirement Association Impact**

This bill eliminates the ability of the PERA to reduce monthly benefits paid to certain working retirees who work more than 110 days or 720 hours in a calendar year. Under the current work limit rule, benefit reductions are based upon the actual days or hours worked in excess of the

allowable limits and may be up to 100 percent of the monthly benefit amount for the remainder of the calendar year. To the extent that certain working retirees become exempt from the work limit rule and would have otherwise had their benefits reduced, the bill creates a fiscal impact. However, this analysis assumes any impact will be minimal and creates no adverse effect for the Denver Public Schools division of the PERA.

**Departments Contacted**

Education  
Public Employees' Retirement Association

Personnel and Administration