

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 13-0954.01 Ed DeCecco x4216

SENATE BILL 13-234

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

HOUSE SPONSORSHIP

Gerou, Duran, Levy

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE STATE'S AUTHORITY TO PREPAY ITS OBLIGATION**
102 **FOR THE UNFUNDED ACCRUED LIABILITY OF OLD HIRE PENSION**
103 **PLANS THAT ARE AFFILIATED WITH THE FIRE AND POLICE**
104 **PENSION ASSOCIATION, AND, IN CONNECTION THEREWITH,**
105 **MAKING AN APPROPRIATION.**

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://www.leg.state.co.us/billsummaries>.)

Joint Budget Committee. For the fiscal year 2013-14, the bill

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
March 28, 2013

SENATE
2nd Reading Unamended
March 27, 2013

increases the state's contribution to assist in amortizing the unfunded accrued liability of old hire pension plans affiliated with the fire and police pension association by \$20 million. In addition, the general assembly may appropriate moneys in the annual general appropriation bill or in supplemental appropriation bills to the old hire plan members' benefit trust fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 31-30.5-307, **amend**
3 (2), (3), and (5) (b) as follows:

4 **31-30.5-307. State contribution.** (2) (a) On September 30, 1995,
5 and on September 30 of each year thereafter through 2002 and on April
6 30, 2006, and on April 30 of each year thereafter through 2019, the state
7 treasurer shall transfer from the proceeds of the tax imposed by section
8 10-3-209, C.R.S., to the old hire plan members' benefit trust fund created
9 by section 31-31-701 (6), an amount equal to twenty-six million six
10 hundred thousand dollars minus the amount transferred under section
11 31-30-1112 (2) (g) (I); except that, on April 30, 2012, the total amount
12 transferred pursuant to this subsection (2) shall be five million three
13 hundred twenty-one thousand seventy-nine dollars, and on April 30, 2013,
14 the total amount of such transfer shall be ten million dollars. Such annual
15 transfer to the fund under this subsection (2) shall cease when the
16 requirements of paragraph (c) of subsection (1) of this section have been
17 met, and the final annual transfer may be in an amount less than the
18 amount prescribed by this subsection (2) as determined from the total
19 amount of unfunded accrued liability of employers. Moneys in said fund
20 shall not revert to the general fund but shall be continuously available for
21 the purposes provided in this part 3 and part 11 of article 30 of this title.

22 (b) ON APRIL 30, 2014, THE STATE TREASURER SHALL TRANSFER

1 TWENTY MILLION DOLLARS FROM THE PROCEEDS OF THE TAX IMPOSED BY
2 SECTION 10-3-209, C.R.S., TO THE OLD HIRE PLAN MEMBERS' BENEFIT
3 TRUST FUND CREATED IN SECTION 31-31-701 (6). THIS TRANSFER IS IN
4 ADDITION TO THE TRANSFERS REQUIRED PURSUANT TO PARAGRAPH (a) OF
5 THIS SUBSECTION (2).

6 (3) EXCEPT FOR MONEYS THAT THE GENERAL ASSEMBLY
7 APPROPRIATES PURSUANT TO PARAGRAPH (b) OF SUBSECTION (5) OF THIS
8 SECTION, moneys transferred pursuant to this section shall be included for
9 informational purposes in the ANNUAL general appropriation bill or in
10 supplemental appropriation bills for the purpose of complying with the
11 limitation on state fiscal year spending imposed by section 20 of article
12 X of the state constitution and section 24-77-103, C.R.S.

13 (5) (b) Notwithstanding any other provision of law, the state shall
14 transfer to the old hire plan members' benefit trust fund any amount of
15 unfunded liability accrued as a result of the suspension of the state
16 contribution to the fund pursuant to paragraph (a) of this subsection (5)
17 or the reduction of the state contribution made in 2012 and 2013 pursuant
18 to subsection (2) of this section as determined in the actuarial study filed
19 with the fire and police pension association pursuant to section
20 31-30.5-306 (1) (b) (II). Such transfers may occur at any time until April
21 30, 2019. THE GENERAL ASSEMBLY MAY APPROPRIATE MONEYS IN THE
22 ANNUAL GENERAL APPROPRIATION BILL OR IN SUPPLEMENTAL
23 APPROPRIATION BILLS TO THE OLD HIRE PLAN MEMBERS' BENEFIT TRUST
24 FUND.

25 **SECTION 2. Appropriation.** In addition to any other
26 appropriation, there is hereby appropriated, out of any moneys in the
27 general fund exempt account created in section 24-77-103.6 (2), Colorado

1 Revised Statutes, not otherwise appropriated, to the department of the
2 treasury, for the fiscal year beginning July 1, 2013, the sum of
3 \$20,000,000, or so much thereof as may be necessary, for allocation to the
4 old hire plan members' benefit trust fund created in section 31-31-701 (6),
5 Colorado Revised Statutes, for transfers related to the implementation of
6 this act.

7 **SECTION 3. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2014 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.