

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0857.01 Nicole Myers x4326

SENATE BILL 13-240

SENATE SPONSORSHIP

Tochtrop,

HOUSE SPONSORSHIP

Exum,

Senate Committees

Business, Labor, & Technology

House Committees

Business, Labor, Economic, & Workforce
Development

A BILL FOR AN ACT

101 **CONCERNING VOTING REQUIREMENTS FOR APPROVAL OF**
102 **MODIFICATIONS TO THE STATEWIDE DEFINED BENEFIT PLAN**
103 **ADMINISTERED BY THE FIRE AND POLICE PENSION ASSOCIATION.**

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>.)

Currently, the board of directors of the fire and police pension association may modify the pension benefits, the age and service requirements, or the member contribution rate for members in the

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.

HOUSE
2nd Reading Unamended
April 25, 2013

SENATE
3rd Reading Unamended
April 17, 2013

SENATE
2nd Reading Unamended
April 16, 2013

statewide defined benefit plan. Current law requires that more than 65% of the active members (members) of the plan and more than 50% of the employers having active members covered by the plan (employers) approve any such modification to the statewide defined benefit plan.

The bill specifies that more than 65% of members who vote in the election proposing the modification and more than 50% of employers who vote in the election proposing the modification are required to approve such modification to the statewide defined benefit plan.

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

2 **SECTION 1.** In Colorado Revised Statutes, 31-31-408, **amend**
3 (1) (d), (1) (e), (1.5) (a) (III), and (1.5) (a) (IV) as follows:

4 **31-31-408. Modification of state plan by the board.**

5 (1) Notwithstanding any other provision of this part 4, and in addition to
6 the authority granted in part 2 of this article, the board may modify the
7 pension benefits and the age and service requirements for pension
8 benefits set forth in this part 4 with respect to the members of the
9 statewide defined benefit plan if:

10 (d) The modification is approved by sixty-five percent of the
11 active members of the plan WHO VOTE IN THE ELECTION PROPOSING THE
12 MODIFICATION;

13 (e) The modification is approved by more than fifty percent of the
14 employers having active members covered by the plan WHO VOTE IN THE
15 ELECTION PROPOSING THE MODIFICATION, each employer to be assigned
16 one vote; except that employers having both active police and fire
17 members in the plan shall be assigned two votes; and

18 (1.5) (a) Notwithstanding any other provision of this part 4, the
19 board may increase the member contribution rate above the rate
20 established pursuant to section 31-31-402 with respect to the members of
21 the statewide defined benefit plan if the increase:

1 (III) Is approved by sixty-five percent of the active members of
2 the plan WHO VOTE IN THE ELECTION PROPOSING AN INCREASE IN THE
3 MEMBER CONTRIBUTION RATE; and

4 (IV) Is approved by more than fifty percent of the employers
5 having active members covered by the plan WHO VOTE IN THE ELECTION
6 PROPOSING AN INCREASE IN THE MEMBER CONTRIBUTION RATE, each
7 employer to be assigned one vote; except that employers having both
8 active police and fire members in the plan shall be assigned two votes.

9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2014 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.