

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 23-1305

BY REPRESENTATIVE(S) Bird and Bockenfeld, Sirota, Amabile, Boesenecker, Bradley, English, Epps, Frizell, Froelich, Garcia, Hamrick, Jodeh, Kipp, Lieder, Lindsay, Mabrey, Michaelson Jenet, Ricks, Snyder, Story, Titone, Valdez, Velasco, Weinberg, Weissman, Willford, McCluskie; also SENATOR(S) Zenzinger and Kirkmeyer, Bridges, Buckner, Coleman, Cutter, Exum, Ginal, Gonzales, Hinrichsen, Kolker, Marchman, Moreno, Mullica, Pelton B., Priola, Roberts, Will, Winter F.

CONCERNING THE PROGRAM TO PROVIDE THE CONTINUATION OF HEALTH BENEFITS FOR DEPENDENTS OF CERTAIN LOCAL GOVERNMENT PUBLIC SAFETY EMPLOYEES WHO DIE IN A WORK-RELATED DEATH, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 24-36-122, **amend** (1)(c), (3), (6)(a), (8) introductory portion, and (8)(e); **repeal** (8)(a) and (8)(b); and **add** (6.5) as follows:

**24-36-122. Law enforcement officers and firefighters - work-related death - continuation of medical benefits for dependants - cash fund - created - definitions.** (1) As used in this section, unless the

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*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.*

context otherwise requires:

(c) "Employer" means any county or municipality in the state offering law enforcement or fire protection service employing one or more persons and any special district or county improvement district in the state offering fire protection service employing one or more persons. ~~and that contributes to the continuation of benefits fund pursuant to subsection (3) of this section on behalf of its employees.~~

~~(3) (a) Any county or municipality in the state offering law enforcement or fire protection service employing one or more persons and any special district or county improvement district in the state offering fire protection service employing one or more persons may enter into an agreement with the board to make quarterly contributions to the fund created in subsection (6) of this section on behalf of each person it employs whose duties are directly involved with the provision of law enforcement or fire protection. Only counties, municipalities, special districts, or county improvement districts that make contributions to the fund pursuant to this subsection (3) and pursuant to its agreement with the board are employers for purposes of this section, and only employers are eligible to have EMPLOYER MAY REQUEST THAT THE BOARD PAY THE COSTS OF the continuation of benefits for the dependents of an employee who died in a work-related death paid from the fund.~~

~~(b) The board shall determine the amount of the contribution required by each employer and shall determine the method by which each employer shall pay the quarterly contribution to the fund.~~

(c) Nothing in this section shall be construed to prohibit a county, municipality, special district, or county improvement district ~~that chooses not to make contributions to the fund~~ from independently paying for the continuation of benefits for the dependents of any person it employs and who dies in a work-related death.

(6) (a) The law enforcement officers' and firefighters' continuation of benefits fund is hereby created in the state treasury. The fund consists of ~~contributions to the fund paid by employers pursuant to subsection (3) of this section~~ MONEY CREDITED TO THE FUND PURSUANT TO SUBSECTION (6.5) OF THIS SECTION and any other money that the general assembly may appropriate or transfer to the fund.

(6.5) ON JULY 1, 2023, AND ON JULY 1 EACH YEAR THEREAFTER THROUGH JULY 1, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND TO THE FUND.

(8) The board may develop RULES, policies, or procedures to implement this section. Such RULES, policies, or procedures may include:

~~(a) The time and manner by which a county, municipality, special district, or county improvement district may enter into an agreement with the board to make contributions to the fund;~~

~~(b) The method by which an employer makes contributions to the fund;~~

(e) RULES, policies, or procedures to address any other issue deemed necessary and appropriate by the board.

**SECTION 2. Appropriation.** For the 2023-24 state fiscal year, \$150,000 is appropriated to the department of the treasury for use by the special purpose division. This appropriation is from the law enforcement officers' and firefighters' continuation of benefits fund created in section 24-36-122 (6)(a), C.R.S. To implement this act, the division may use this appropriation for the law enforcement officers' and firefighters' continuation of health benefits program.

**SECTION 3. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO