

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 15-0068.01 Nicole Myers x4326

SENATE BILL 15-026

SENATE SPONSORSHIP

Balmer, Ulibarri

HOUSE SPONSORSHIP

Ginal, Court, Melton

Senate Committees  
Finance

House Committees  
Finance

A BILL FOR AN ACT

101 CONCERNING THE CONTRIBUTION RATE FOR PARTICIPANTS BEGINNING  
102 MEMBERSHIP IN THE FIRE AND POLICE PENSION ASSOCIATION'S  
103 STATEWIDE DEFINED BENEFIT PLAN.

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/bills summaries>.)*

**Police Officers' and Firefighters' Pension Reform Commission.**

The bill specifies the contribution rate for an active employee of a municipality, fire protection district, fire authority, or fire improvement district who is directly involved with the provision of police or fire protection and who becomes a participant in the statewide defined benefit

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  
February 24, 2015

SENATE  
3rd Reading Unamended  
February 3, 2015

SENATE  
2nd Reading Unamended  
February 2, 2015

plan administered by the fire and police pension association (FPPA) as the result of a merger, consolidation, or exclusion or dissolution proceeding among one or more employer. The contribution rate for such employee is the continuing uniform rate of contribution established by the FPPA board as directed by statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 31-31-401, **amend**  
3 (3) as follows:

4 **31-31-401. Applicability of plan.** (3) Where an employer results  
5 from a merger, a consolidation, or an exclusion or dissolution proceeding  
6 between or among one or more employers, including a new governmental  
7 entity created by intergovernmental agreement between or among one or  
8 more employers, all members transferred to or employed by such  
9 resulting employer shall, for the purposes of this article and article 30.5  
10 of this title, have those rights and obligations they had prior to the merger,  
11 consolidation, exclusion, dissolution, or intergovernmental agreement. In  
12 the event of a transfer of members, provision shall be made in such  
13 agreement or proceeding for allocation and transfer of plan assets, and,  
14 in the event of the transfer of members of a defined benefit plan,  
15 provision shall be made in such agreement or proceeding for discharging  
16 plan liabilities and funding in order to maintain or enhance the actuarial  
17 soundness of the remaining and resulting plans. If the resulting employer  
18 had no members prior to the merger, consolidation, exclusion, or  
19 dissolution, it may continue as its plan any plan of a transferring  
20 employer, authorized by this article, for its members hired after the  
21 effective date of the agreement or proceeding or the resulting employer  
22 shall belong to the statewide defined benefit plan. The board may  
23 authorize the resulting employer to consolidate preexisting retirement

1 plans and any retirement plan attributable solely to the resulting employer  
2 into one or more plans if the plans to be consolidated are identical, the  
3 benefits are equal for all members covered under the retirement  
4 provisions of the plans, and no member suffers a reduction of benefits or  
5 an increase in member contributions due to such plan consolidation. ANY  
6 MEMBER EMPLOYED BY A PREDECESSOR DEPARTMENT WHO PARTICIPATED  
7 IN A MONEY PURCHASE PLAN PRIOR TO THE MERGER, CONSOLIDATION,  
8 EXCLUSION, OR DISSOLUTION AND WHO PARTICIPATES IN THE STATEWIDE  
9 DEFINED BENEFIT PLAN AFTER THE MERGER, CONSOLIDATION, EXCLUSION,  
10 OR DISSOLUTION SHALL PAY THE CONTINUING UNIFORM RATE OF  
11 CONTRIBUTION ESTABLISHED BY THE BOARD PURSUANT TO SECTION  
12 31-31-1103 (2).

13 **SECTION 2. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly  
16 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,  
17 if a referendum petition is filed pursuant to section 1 (3) of article V of  
18 the state constitution against this act or an item, section, or part of this act  
19 within such period, then the act, item, section, or part will not take effect  
20 unless approved by the people at the general election to be held in  
21 November 2016 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.