

Legislative Update

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MARCH 15, 2024



Agenda

- **Overview of 2024 Legislative Session**
- **Legislation Concerning PERA**
- **Other Updates**

2024 Legislative Session

The Second Regular Session of the Seventy-fourth General Assembly convened on January 10, 2024.



Active Bills

House Bill 24-1044: Additional PERA Service Retirees for Schools

- Each employer in the School Division and the Denver Public Schools (DPS) Division, as well as each state college or university, may designate up to 10 retirees who are permitted to work up to 140 days or 916 hours per calendar year without a reduction in their benefits.
- This bill would increase the number of retirees that can be designated under the 140-day provision by allowing school districts with over 10,000 students to designate an additional retiree for each thousand students in excess of 10,000. Based on the student enrollment information for the 2022-2023 school year, the bill would affect 19 districts that could allocate the 444 additional slots.
- The bill was amended to place a cap on the maximum number of years a retiree may be designated under the 140-day provision of six total years, as well as a change to expand and consolidate PERA's current statutorily required reporting on all working after retirement provisions.

Status: Senate Finance Committee Refer Amended to Senate Committee of the Whole (3/12/24)

Active Bills

Senate Bill 24-099: PERA Employment After Retirement for Rural Schools

- Adds superintendents and principals to the list of service retirees (along with teachers, school bus drivers, food services cooks, school nurses and paraprofessionals) that may be hired by a rural school district and employed without a reduction in retirement benefits and clarifies the exemption for a rural school district also includes a small rural school district which has a funded pupil count for the prior budget year of less than 1,000 pupils.
- The bill was amended to extend the BOCES critical shortage provisions through 2030 and clarified that the two-year moratorium for those who have not met full-service retirement applies to all critical shortage positions, as well as requires future statutorily required reports from PERA be delivered to both the finance and education committees.

Status: Introduced in House – Assigned to Education (2/16/24)

Active Bills

House Bill 24-1159: Contracted Private Employee Exclusion from PERA

- The bill imposes a moratorium until June 30, 2025, during which PERA is prohibited from including in its membership an employee of a third-party private entity that contracts with a public entity to perform services.

Status: Introduced in House – Assigned to Education (1/31/24)

Active Bills

Senate Bill 24-013: District Attorneys' Salaries

- Among other provisions not related to PERA, this bill would allow the boards of county commissioners of the counties with a judicial district, in consultation with the District Attorney, to make a one-time irrevocable election to require an Assistant District Attorney to become a PERA member. If an Assistant District Attorney becomes a PERA member, the State would pay 50 percent of the PERA employer contribution and the counties within that judicial district would pay 50 percent.

Status: Senate Judiciary Committee Refer Unamended to Appropriations (2/5/24)

Active Bills

Senate Bill 24-044: PERA Retiree Refundable Income Tax Credit

- For tax years 2024 and 2025 only, this bill creates a \$700 refundable state income tax credit for qualifying PERA retirees, which as defined in the bill, is:
 - 65 years old or older at the close of the income tax year for which the credit is claimed; and
 - has an annual gross income of no more than \$38,000 if filing as a single filer or \$76,000 if filing as a joint filer

Status: Introduced in House – Assigned to Finance (3/13/24)

Active Bills

Senate Bill 24-169: State Firefighter PERA Job Classification

- Modifies the definition of “state trooper” to include a duly sworn employee of the division of fire prevention and control in the department of public safety.
- It applies the state trooper contribution rate and benefits to eligible employees, which includes employees whose duties include structural or wildfire management, wildfire response, live-fire training, or wildfire leadership, as determined by the executive director of the department, and their employers effective July 1, 2025.

Status: Introduced in Senate – Assigned to Business, Labor & Technology (2/26/24)

Postponed Indefinitely Bills

House Bill 24-1169: Repeal Divest from Companies with Israel Prohibitions Law

- In 2016, the general assembly enacted HB16-1284, which requires PERA to periodically identify all companies that have economic prohibitions against Israel and to divest all direct holdings of those companies from its assets and prohibits PERA from acquiring new direct holdings in any of those companies. The bill repeals the statutory provisions enacted in HB16-1284.

Status: Postponed Indefinitely by House Finance Committee (2/26/24)

Other Updates

- Potential Legislative Issues
- Stakeholder Outreach



Questions?
