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Amending Colorado Revised Statutes 1963, 111-2-25, as Amended, to Provide that Elected Officials of a Municipality Be Included as Members of the Public Employees' Retirement Association

Colorado General Assembly

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CHAPTER 269

PUBLIC EMPLOYEES' RETIREMENT SYSTEMS

PUBLIC EMPLOYEES

House Bill No. 1224. By Representatives R. Jackson, Johnson, Kirscht, Koster, Sonnenberg, and Sooter; also Senators Brown, Kogovsek, and V. Massart.

A N A C T

AMENDING COLORADO REVISED STATUTES 1963, 111-2-25, AS AMENDED, TO PROVIDE THAT ELECTED OFFICIALS OF A MUNICIPALITY BE INCLUDED AS MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION.

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

Section 1. 111-2-25, Colorado Revised Statutes 1963 (1969 Supp.), is amended to read:

111-2-25. City council or other governing authority of municipality.
(1) Effective July 1, 1969 1971, in addition to the present membership of the public employees' retirement association, there shall be included therein ~~all members of the city council or other governing authority~~ ALL ELECTED OFFICIALS of any municipality whose employees are covered by the public employees' retirement association, and such ~~members~~ OFFICIALS shall have all the rights and privileges and be charged with all the duties and responsibilities provided in this article. Notwithstanding any provisions in this article to the contrary, all service rendered prior to the effective date of this section as a ~~member of the city council~~ AN ELECTED OFFICIAL by any person serving on the effective date of this section, whether consecutive or non-consecutive, shall be allowed for retirement purposes under section 111-2-10, ~~as amended~~. The public employees' retirement association shall calculate the cost of granting such prior service credit to each employee, and shall bill the employing municipality for such cost. No benefits which include prior service credit shall be payable until the amount billed the municipality has been paid in full.

(2) Any person serving as a ~~member of a city council~~ AN ELECTED OFFICIAL of a municipality, whose employees are covered by the public employees' retirement association on the effective date of this section, shall be subject to the provisions of this article un-

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

less on or before July 1, 1969 1971, such member PERSON notifies the association in writing that he desires to exempt himself from the provisions of this section. All persons who become members of a covered city council ELECTED MUNICIPAL OFFICIALS after the effective date of this section shall become members of the retirement association, unless within thirty days after taking office any such member PERSON notifies the public employees' retirement association in writing that he desires to exempt himself from the provisions of this section, and the salary deductions and payments provided in this article shall be made on account of such members of the city council PERSONS. Any member PERSON who has thus exempted himself from membership may, at his option or at a later date, apply for membership therein, except that only the service of such member PERSON rendered as such after the date of such membership shall be allowed by the retirement board in computing retirement benefits. No service credit will be allowed under this article for any service rendered prior to or subsequent to the effective date of this section unless such member was receiving a salary as a member of the city council AN ELECTED OFFICIAL.

(3) Service credit toward qualification of benefits under the retirement law shall be given for each year or portion thereof that a member of the city council AN ELECTED OFFICIAL serves, without regard to whether or not such service is consecutive or nonconsecutive; but any period during which such member is not a member of the city council AN ELECTED OFFICIAL shall not count as service credit nor shall any disability or survivor benefits be payable if disability or death occurs while such person is not a member of the covered city council AN ELECTED OFFICIAL.

Section 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 30, 1971