

**Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 08-0733.01 Nicole Myers

HOUSE BILL 08-1315

HOUSE SPONSORSHIP

Gallegos,

SENATE SPONSORSHIP

(None),

House Committees

Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORIZATION FOR VOLUNTEER EMERGENCY**
102 **MEDICAL TECHNICIANS TO FORM A PENSION PLAN.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Expands the "Volunteer Firefighter Pension Act" to allow volunteer emergency medical technicians (EMTs) who are affiliated with an ambulance district to create and maintain a pension plan for volunteer EMTs. Authorizes an ambulance district to:

- ! Create a pension board;
- ! Submit a question to the voters of the district to increase the district's mill levy to provide funding for the pension

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.*

- plan;
- ! Accept contributions to the plan from specified sources;
- ! Invest moneys in the pension fund;
- ! Offer insurance to volunteer EMTs under certain circumstances; and
- ! Offer disability, retirement, and survivor benefits to volunteer EMTs and their beneficiaries.

Specifies that the state shall provide a contribution to each volunteer EMT pension plan in an amount equal to a certain percentage of the tax revenue that the ambulance district receives for the plan.

Provides certain job protections for volunteer EMTs. Specifies that a volunteer EMT's years of service for the purposes of receiving benefits shall be counted from the date that a volunteer EMT pension plan is created and starts receiving contributions.

Defines terms. Makes conforming amendments.

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

2 **SECTION 1.** Article 30 of title 31, Colorado Revised Statutes, is
 3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 13**

5 **VOLUNTEER EMERGENCY**

6 **MEDICAL TECHNICIAN PENSION ACT**

7 **31-30-1301. Short title.** THIS PART 13 SHALL BE KNOWN AND
 8 MAY BE CITED AS THE "VOLUNTEER EMERGENCY MEDICAL TECHNICIAN
 9 PENSION ACT".

10 **31-30-1302. Definitions.** AS USED IN THIS PART 13, UNLESS THE
 11 CONTEXT OTHERWISE REQUIRES:

12 (1) "BOARD" MEANS THE BOARD OF TRUSTEES OF A VOLUNTEER
 13 EMERGENCY MEDICAL TECHNICIAN PENSION FUND THAT IS CREATED FOR
 14 A DISTRICT, COUNTY, OR MUNICIPALITY UNDER THIS PART 13.

15 (2) "COUNTY" MEANS A COUNTY IN THIS STATE THAT MAINTAINS
 16 A REGULARLY ORGANIZED COUNTY AMBULANCE SERVICE AND OFFERS
 17 VOLUNTEER EMERGENCY MEDICAL SERVICES.

1 (3) "DISTRICT" MEANS AN AMBULANCE DISTRICT, HOSPITAL
2 DISTRICT, HEALTH SERVICES DISTRICT, OR FIRE PROTECTION DISTRICT IN
3 THIS STATE THAT HAS PLAN MEMBERS AND THAT OFFERS EMERGENCY
4 MEDICAL SERVICES, AND ANY COUNTY THAT PROVIDES FUNDING,
5 INCLUDING VOLUNTEER PENSION FUNDING, THROUGH
6 INTERGOVERNMENTAL COOPERATION FOR THE PROVISION OF EMERGENCY
7 MEDICAL SERVICES.

8 (4) "FIRE AND POLICE PENSION ASSOCIATION" MEANS THE
9 ASSOCIATION CREATED BY SECTION 31-31-201.

10 (5) "FUND" MEANS THE VOLUNTEER EMERGENCY MEDICAL
11 TECHNICIAN PENSION FUND PROVIDED IN THIS PART 13.

12 (6) "MEMBER" MEANS A VOLUNTEER EMERGENCY MEDICAL
13 TECHNICIAN WHO VOLUNTEERS THROUGH A DISTRICT, COUNTY, OR
14 MUNICIPALITY, AND WHO ACCRUES BENEFITS IN THE FUND.

15 (7) "MUNICIPALITY" MEANS A MUNICIPALITY IN THIS STATE THAT
16 MAINTAINS A REGULARLY ORGANIZED MUNICIPAL AMBULANCE SERVICE
17 AND OFFERS VOLUNTEER EMERGENCY MEDICAL SERVICES.

18 (8) "PLAN" MEANS A PROGRAM OF BENEFITS FOR VOLUNTEER
19 EMERGENCY MEDICAL TECHNICIANS PROVIDED UNDER THIS PART 13.

20 (9) "PREVIOUS NET VALUATION" MEANS AN AMOUNT EQUAL TO
21 THE TOTAL VALUATION FOR ASSESSMENT CERTIFIED BY THE COUNTY
22 ASSESSOR PURSUANT TO SECTION 39-5-128, C.R.S., AND AMENDED
23 PURSUANT TO SECTION 39-1-111 (5), C.R.S., LESS THE VALUATION FOR
24 ASSESSMENT THAT HAS BEEN DIVIDED FOR AN URBAN RENEWAL AREA
25 PURSUANT TO SECTION 31-25-107 (9) OR FOR A DOWNTOWN
26 DEVELOPMENT AUTHORITY PURSUANT TO SECTION 31-25-807 (3) FOR THE
27 PROPERTY TAX YEAR IN WHICH THE MUNICIPALITY OR DISTRICT MADE A

1 CONTRIBUTION TO THE FUND. IF THE TOTAL VALUATION FOR ASSESSMENT
2 CERTIFIED BY THE COUNTY ASSESSOR, AS AMENDED, DOES NOT INCLUDE
3 THE VALUATION FOR ASSESSMENT THAT HAS BEEN DIVIDED FOR AN URBAN
4 RENEWAL AREA, SUCH URBAN RENEWAL VALUATION FOR ASSESSMENT
5 SHALL NOT BE SUBTRACTED FROM THE TOTAL VALUATION FOR
6 ASSESSMENT.

7 (10) "RETIRED MEMBER" MEANS A VOLUNTEER EMERGENCY
8 MEDICAL TECHNICIAN WHO IS NOT ON ACTIVE DUTY AND WHO RECEIVES
9 PENSION BENEFITS FROM THE VOLUNTEER EMERGENCY MEDICAL
10 TECHNICIAN PENSION FUND.

11 (11) (a) "VOLUNTEER EMERGENCY MEDICAL TECHNICIAN" MEANS
12 AN EMERGENCY MEDICAL TECHNICIAN WHO RENDERS SERVICE TO A
13 DISTRICT, COUNTY, OR MUNICIPALITY, WHO DOES NOT RECEIVE
14 COMPENSATION AS AN EMERGENCY MEDICAL TECHNICIAN, AND WHO IS
15 NOT CLASSIFIED AS AN EMPLOYEE FOR PURPOSES OF THE FEDERAL "FAIR
16 LABOR STANDARDS ACT OF 1938", AS AMENDED, BASED ON PAYMENTS,
17 FEES, OR BENEFITS THAT THE EMERGENCY MEDICAL TECHNICIAN RECEIVES.
18 "VOLUNTEER EMERGENCY MEDICAL TECHNICIAN" MAY INCLUDE OTHER
19 DESIGNATIONS OR TITLES GIVEN TO EMERGENCY MEDICAL TECHNICIANS IF
20 THE EMERGENCY MEDICAL TECHNICIAN MEETS ALL OF THE REQUIREMENTS
21 FOR BEING A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN IN THIS PART
22 13.

23 (b) FOR THE PURPOSES OF THIS SUBSECTION (11), "COMPENSATION"
24 DOES NOT INCLUDE:

25 (I) ACTUAL EXPENSES INCURRED BY AND REIMBURSED TO A
26 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN;

27 (II) SALARY LOST AS A CONSEQUENCE OF ACTUAL DUTIES

1 PROVIDING EMERGENCY MEDICAL SERVICES CAUSING THE ABSENCE OF THE
2 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN FROM NORMAL
3 EMPLOYMENT;

4 (III) PARTICIPATION IN OR RECEIPT OF BENEFITS FROM THE FUND;

5 (IV) PARTICIPATION IN OR RECEIPT OF BENEFITS UPON
6 TERMINATION OF VOLUNTEER SERVICES TO ANY DISTRICT, COUNTY, OR
7 MUNICIPALITY PROVIDED AS PART OF AN INTERNAL REVENUE CODE
8 QUALIFIED VOLUNTEER SERVICE AWARD PLAN ESTABLISHED FOR THE
9 BENEFIT OF VOLUNTEER EMERGENCY MEDICAL TECHNICIANS;

10 (V) PAYMENTS FROM FEDERAL MONEYS, EITHER THROUGH A
11 DISTRICT, COUNTY, OR MUNICIPALITY OR TO THE VOLUNTEER EMERGENCY
12 MEDICAL TECHNICIAN DIRECTLY, FOR PARTICIPATION IN A TEMPORARY
13 EMERGENCY INCIDENT; OR

14 (VI) NOMINAL FEES OR BENEFITS PAID ON A PER-CALL BASIS OR AS
15 PART OF AN ANNUAL MERIT OR RECOGNITION AWARD PROGRAM OR OTHER
16 INCENTIVE AWARD PROGRAM.

17 **31-30-1303. Board of trustees - fund.** (1) IN ANY DISTRICT AND
18 IN ANY COUNTY OR MUNICIPALITY THAT MAINTAINS A REGULARLY
19 ORGANIZED VOLUNTEER AMBULANCE SERVICE, THERE IS CREATED A
20 BOARD OF TRUSTEES OF THE VOLUNTEER EMERGENCY MEDICAL
21 TECHNICIAN PENSION FUND. THE BOARD:

22 (a) SHALL MANAGE, USE, AND DISBURSE MONEYS IN THE FUND
23 ACCORDING TO ITS RULES AND BYLAWS AND THIS PART 13;

24 (b) SHALL SUPERVISE AND CONTROL THE FUND; AND

25 (c) MAY TAKE ALL NECESSARY STEPS AND PURSUE ALL NECESSARY
26 REMEDIES TO PRESERVE THE FUND.

27 **31-30-1304. Board of trustees - district.** (1) FOR A DISTRICT,

1 THE BOARD SHALL CONSIST OF THE FOLLOWING TRUSTEES:

2 (a) THE BOARD OF DIRECTORS OF THE DISTRICT FOR TERMS EQUAL
3 TO THEIR TENURE ON THE DISTRICT BOARD;

4 (b) THE TREASURER OF THE DISTRICT BOARD WHO SHALL BE
5 TREASURER OF THE FUND FOR A TERM EQUAL TO THE TREASURER'S TENURE
6 ON THE DISTRICT BOARD; AND

7 (c) TWO MEMBERS WHO VOLUNTEER THROUGH THE DISTRICT,
8 ELECTED BY THE MEMBERS OF THE DISTRICT, WHO SHALL SERVE
9 TWO-YEAR TERMS; EXCEPT THAT, AT THE INITIAL ELECTION, ONE MEMBER
10 SHALL BE ELECTED FOR A TWO-YEAR TERM AND ONE MEMBER SHALL BE
11 ELECTED FOR A ONE-YEAR TERM. IN ALL SUBSEQUENT ELECTIONS, BOTH
12 MEMBERS SHALL BE ELECTED FOR A TWO-YEAR TERM.

13 (2) THE BOARD SHALL ELECT A PRESIDENT AND SECRETARY FROM
14 THE TRUSTEES.

15 (3) THE TREASURER OF THE BOARD SHALL OBTAIN A BOND PAID
16 FROM THE FUND IN AN AMOUNT DETERMINED BY THE BOARD.

17 **31-30-1305. Board of trustees - county ambulance service.**

18 (1) FOR A COUNTY AMBULANCE SERVICE, THE BOARD SHALL CONSIST OF
19 THE FOLLOWING TRUSTEES:

20 (a) ONE COUNTY COMMISSIONER OF THE COUNTY IN WHICH THE
21 AMBULANCE SERVICE IS LOCATED FOR A TERM EQUAL TO THE
22 COMMISSIONER'S TENURE AS COUNTY COMMISSIONER;

23 (b) THE COUNTY TREASURER WHO SHALL BE TREASURER OF THE
24 FUND FOR A TERM EQUAL TO THE TREASURER'S TENURE WITH THE COUNTY;

25 (c) THREE RESIDENTS OF THE COUNTY OBLIGATED TO PAY REAL OR
26 PERSONAL PROPERTY TAXES WHO ARE APPOINTED BY THE COUNTY
27 COMMISSIONERS FOR STAGGERED TERMS DETERMINED BY THE COUNTY

1 COMMISSIONERS; AND

2 (d) TWO MEMBERS WHO VOLUNTEER THROUGH THE COUNTY
3 AMBULANCE SERVICE, ELECTED BY MEMBERS OF THE SERVICE, WHO SHALL
4 SERVE FOR TWO-YEAR TERMS; EXCEPT THAT, AT THE INITIAL ELECTION,
5 ONE MEMBER SHALL BE ELECTED FOR A TWO-YEAR TERM AND ONE
6 MEMBER SHALL BE ELECTED FOR A ONE-YEAR TERM. IN ALL SUBSEQUENT
7 ELECTIONS, BOTH MEMBERS SHALL BE ELECTED FOR A TWO-YEAR TERM.

8 (2) THE BOARD SHALL ELECT A PRESIDENT AND SECRETARY FROM
9 THE TRUSTEES.

10 (3) THE TREASURER OF THE FUND SHALL OBTAIN A BOND PAID
11 FROM THE FUND IN AN AMOUNT DETERMINED BY THE BOARD.

12 **31-30-1306. Board of trustees - municipal ambulance service.**

13 (1) FOR A MUNICIPAL AMBULANCE SERVICE, THE BOARD SHALL CONSIST
14 OF THE FOLLOWING TRUSTEES:

15 (a) THE MAYOR OF THE MUNICIPALITY FOR A TERM EQUAL TO THE
16 MAYOR'S TENURE AS MAYOR;

17 (b) THE MUNICIPAL TREASURER OR FINANCE OFFICER FOR A TERM
18 EQUAL TO THE TREASURER'S OR FINANCE OFFICER'S TENURE WITH THE
19 MUNICIPALITY, WHO SHALL SERVE AS THE EX OFFICIO TREASURER OF THE
20 BOARD;

21 (c) TWO OTHER PERSONS APPOINTED BY AND FOR TERMS
22 DETERMINED BY THE GOVERNING BODY OF THE MUNICIPALITY; AND

23 (d) THREE MEMBERS WHO VOLUNTEER FOR THE MUNICIPAL
24 AMBULANCE SERVICE, ELECTED BY THE MEMBERS OF THE SERVICE, WHO
25 SHALL SERVE FOR THREE-YEAR TERMS; EXCEPT THAT, AT THE INITIAL
26 ELECTION, ONE MEMBER SHALL BE ELECTED FOR A THREE-YEAR TERM, ONE
27 MEMBER SHALL BE ELECTED FOR A TWO-YEAR TERM, AND ONE MEMBER

1 SHALL BE ELECTED FOR A ONE-YEAR TERM. IN ALL SUBSEQUENT
2 ELECTIONS, ALL THREE MEMBERS SHALL BE ELECTED FOR A THREE-YEAR
3 TERM.

4 (2) THE BOARD SHALL ELECT A PRESIDENT AND SECRETARY FROM
5 THE TRUSTEES.

6 (3) THE TREASURER OF THE FUND SHALL OBTAIN A BOND PAID
7 FROM THE FUND IN AN AMOUNT DETERMINED BY THE BOARD.

8 **31-30-1307. Board of trustees - consolidation or merger. (1)**

9 IF A DISTRICT, COUNTY AMBULANCE SERVICE, OR MUNICIPAL AMBULANCE
10 SERVICE MERGES OR CONSOLIDATES WITH ONE OR MORE DISTRICT, COUNTY
11 AMBULANCE SERVICE, OR MUNICIPAL AMBULANCE SERVICE, THE FORMER
12 TRUSTEES OF THE VARIOUS FUNDS OF THE CONSOLIDATED OR MERGED
13 DISTRICTS, COUNTY AMBULANCE SERVICES, OR MUNICIPAL AMBULANCE
14 SERVICES SHALL:

15 (a) ELECT SEVEN PERSONS FROM THEIR TRUSTEES, NOT MORE THAN
16 THREE OF WHOM ARE MEMBERS, TO SERVE AS TRUSTEES OF THE FUND OF
17 THE CONSOLIDATED OR MERGED FUND WITH DUE REGARD TO EQUAL
18 REPRESENTATION; AND

19 (b) CEASE TO HOLD OFFICE IF THEY ARE NOT ELECTED PURSUANT
20 TO PARAGRAPH (a) OF THIS SUBSECTION (1).

21 (2) THE TRUSTEES OF THE CONSOLIDATED OR MERGED FUND SHALL
22 ELECT FROM ITS MEMBERS A PRESIDENT, SECRETARY, AND TREASURER.
23 THE TREASURER OF THE CONSOLIDATED OR MERGED FUND SHALL OBTAIN
24 A BOND PAID FROM THE FUND IN AN AMOUNT DETERMINED BY THE BOARD
25 OF TRUSTEES.

26 **31-30-1308. Board of trustees - powers and duties - rules.**

27 (1) A BOARD CREATED BY THIS PART 13 TO CONTROL A FUND:

1 (a) SHALL ADOPT NECESSARY RULES THAT ARE NOT INCONSISTENT
2 WITH THIS PART 13 FOR THE MANAGEMENT AND DISCHARGE OF ITS DUTIES,
3 FOR ITS OWN GOVERNMENT AND PROCEDURE, AND FOR THE PRESERVATION
4 AND PROTECTION OF THE FUND;

5 (b) SHALL HEAR AND DECIDE EACH APPLICATION FOR BENEFITS
6 UNDER THIS PART 13 IN ACCORDANCE WITH SECTION 24-4-105, C.R.S.
7 ACTION ON AN APPLICATION IS FINAL AND CONCLUSIVE; EXCEPT THAT, IF
8 IN THE OPINION OF A BOARD, JUSTICE DEMANDS RECONSIDERATION OF THE
9 ACTION, THE BOARD MAY REVERSE THE ACTION.

10 (c) SHALL KEEP AND PRESERVE A RECORD OF THE ACTION AND ALL
11 OTHER MATTERS PROPERLY BEFORE THE BOARD;

12 (d) MAY MAKE AGREEMENTS WITH THE FIRE AND POLICE PENSION
13 ASSOCIATION TO ADMINISTER THE PLAN AND MANAGE THE FUNDS OF THE
14 PLAN FOR INVESTMENT;

15 (e) MAY CONSOLIDATE ITS FUND WITH THE FUND OF ANOTHER
16 DISTRICT, COUNTY AMBULANCE SERVICE, OR MUNICIPAL AMBULANCE
17 SERVICE AND SHALL ADMINISTER THE CONSOLIDATED FUNDS AS A SINGLE
18 FUND IF IN THE OPINION OF THE BOARD THE TOTAL MONEYS ALLOCATED TO
19 A FUND BY A DISTRICT, COUNTY, OR MUNICIPALITY ARE INADEQUATE TO
20 SUSTAIN A PROPER FUND FOR RETIREMENT OR FOR THE OTHER PURPOSES
21 OF THE FUND UNDER THIS PART 13. THE BOARDS OF THESE SINGLE FUNDS
22 MAY CONSOLIDATE THE FUNDS UNDER CONDITIONS AND TERMS PROVIDED
23 IN AN AGREEMENT CONSISTENT WITH THIS PART 13.

24 **31-30-1309. Attorney representation.** (1) THE ATTORNEY FOR
25 A DISTRICT, COUNTY, OR MUNICIPALITY SHALL:

26 (a) WHEN REQUIRED BY THE BOARD, ADVISE THE BOARD ON ALL
27 MATTERS PERTAINING TO THE BOARD'S DUTIES AND MANAGEMENT OF THE

1 **FUND;**

2 **(b) REPRESENT AND DEFEND THE BOARD IN ANY SUIT OR ACTION**
3 **AT LAW OR IN EQUITY BROUGHT AGAINST THE BOARD; AND**

4 **(c) BRING ALL SUITS AND ACTIONS ON THE BOARD'S BEHALF AS THE**
5 **BOARD REQUIRES OR REQUESTS.**

6 **(2) IF A CONFLICT BETWEEN A BOARD AND A DISTRICT, COUNTY, OR**
7 **MUNICIPALITY EXISTS, THE BOARD MAY OBTAIN AN ATTORNEY TO**
8 **REPRESENT THE BOARD IN ANY ACTION DESCRIBED IN THIS SECTION AT THE**
9 **BOARD'S EXPENSE.**

10 **31-30-1310. Property tax - other tax revenue. (1) THE**
11 **GOVERNING BODY OF A DISTRICT OR COUNTY OR THE GOVERNING BODY OF**
12 **A MUNICIPALITY WITH A POPULATION OF LESS THAN ONE HUNDRED**
13 **THOUSAND MAY LEVY AND SET APART A TAX FOR EACH YEAR OF NOT**
14 **MORE THAN ONE MILL ON THE TAXABLE PROPERTY IN THE DISTRICT,**
15 **COUNTY, OR MUNICIPALITY. THE GOVERNING BODY SHALL CONTRIBUTE**
16 **THE PROCEEDS OF THIS TAX, IF ANY, TO THE DISTRICT'S, COUNTY'S, OR**
17 **MUNICIPALITY'S FUND. THE TOTAL TAX LEVIED FOR A DISTRICT, COUNTY**
18 **AMBULANCE SERVICE, OR MUNICIPAL AMBULANCE SERVICE THAT HAS**
19 **BOTH PAID AND VOLUNTEER EMERGENCY MEDICAL TECHNICIANS SHALL**
20 **NOT EXCEED ONE MILL ON THE TAXABLE PROPERTY IN THE MUNICIPALITY,**
21 **COUNTY, OR DISTRICT. ANY NEW TAX OR AN INCREASE IN THE MILL LEVY**
22 **UNDER THIS SECTION SHALL COMPLY WITH THE VOTER APPROVAL**
23 **REQUIREMENTS UNDER SECTION 20 OF ARTICLE X OF THE STATE**
24 **CONSTITUTION.**

25 **(2) THE GOVERNING BODY OF A DISTRICT OR COUNTY OR THE**
26 **GOVERNING BODY OF A MUNICIPALITY WITH A POPULATION OF LESS THAN**
27 **ONE HUNDRED THOUSAND MAY CONTRIBUTE THE PROCEEDS OF ANY OTHER**

1 TAX THAT THE DISTRICT, COUNTY, OR MUNICIPALITY IS AUTHORIZED TO
2 COLLECT TO THE DISTRICT'S, COUNTY'S, OR MUNICIPALITY'S FUND.

3 **31-30-1311. Contribution to fund.** (1) IN ADDITION TO ANY TAX
4 REVENUES CONTRIBUTED UNDER SECTION 31-30-1310, A FUND SHALL
5 ALSO CONSISTS OF THE FOLLOWING:

6 (a) MONEYS GIVEN TO THE BOARD OR FUND BY A PERSON FOR THE
7 USE AND PURPOSE FOR WHICH THE FUND IS CREATED. THE BOARD MAY
8 TAKE ANY MONEY, PERSONAL PROPERTY, OR REAL ESTATE, OR INTEREST
9 THEREIN BY GIFT, GRANT, DEVISE, OR BEQUEST AS TRUSTEES FOR THE USE
10 AND PURPOSE FOR WHICH THE FUND IS CREATED;

11 (b) MONEYS, FEES, REWARDS, OR EMOLUMENTS OF ANY NATURE
12 AND DESCRIPTION THAT ARE PAID OR GIVEN TO THE FUND; AND

13 (c) MONEYS PROVIDED BY THE STATE UNDER SECTION 31-30-1312.

14 (2) FUND MONEYS ARE HELD IN TRUST FOR THE EXCLUSIVE USE
15 AND BENEFIT OF THE MEMBERS AND RETIRED MEMBERS AND THEIR
16 SURVIVING SPOUSES, DEPENDENT CHILDREN, DEPENDENT PARENTS, AND
17 OTHER BENEFICIARIES IN ACCORDANCE WITH THIS PART 13.

18 **31-30-1312. State contributions to volunteer emergency**
19 **medical technician plans - intent - advisory committee - fund -**

20 **created - repeal.** (1) FOR THE 2009-10 FISCAL YEAR AND EACH FISCAL
21 YEAR THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS SHALL REQUEST,
22 IN ITS ANNUAL BUDGET REQUEST, THE AMOUNT ANTICIPATED TO FUND THE
23 DISTRIBUTION AS PROVIDED IN THIS SECTION TO ASSIST IN FUNDING PLANS.

24 (2) (a) STATE CONTRIBUTIONS TO ANY DISTRICT, COUNTY, OR
25 MUNICIPALITY SHALL EQUAL NINETY PERCENT OF ALL AMOUNTS
26 CONTRIBUTED BY THE DISTRICT, COUNTY, OR MUNICIPALITY UNDER
27 SECTION 31-30-1310 IN THE PREVIOUS YEAR; EXCEPT THAT,

1 NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 13, THE STATE
2 CONTRIBUTION SHALL NOT EXCEED ONE-HALF MILL ON THE PREVIOUS NET
3 VALUATION FOR ASSESSMENT OF THE DISTRICT, COUNTY, OR
4 MUNICIPALITY, ASSUMING ONE HUNDRED PERCENT COLLECTION.

5 (b) A DISTRICT, COUNTY, OR MUNICIPALITY THAT CONTRIBUTES AN
6 AMOUNT NECESSARY TO PAY VOLUNTEER EMERGENCY MEDICAL
7 TECHNICIAN PENSIONS IN EXCESS OF THREE HUNDRED DOLLARS PER
8 MONTH SHALL RECEIVE THE LESSER OF THE STATE CONTRIBUTIONS UNDER
9 PARAGRAPH (a) OF THIS SUBSECTION (2) IN AN AMOUNT NOT TO EXCEED
10 ONE-HALF MILL ON THE PREVIOUS NET VALUATION FOR ASSESSMENT OF
11 THE DISTRICT, COUNTY, OR MUNICIPALITY, ASSUMING ONE HUNDRED
12 PERCENT COLLECTION, OR THE CONTRIBUTION THAT WAS ACTUARIALLY
13 REQUIRED TO PAY A PENSION OF THREE HUNDRED DOLLARS PER MONTH IN
14 THE PREVIOUS YEAR, AS DETERMINED BY THE DISTRICT, COUNTY, OR
15 MUNICIPALITY.

16 (3) THE BOARD OF ANY DISTRICT, COUNTY, OR MUNICIPALITY
17 SHALL NOT INCREASE BENEFITS ABOVE THE FOLLOWING AMOUNTS UNLESS
18 THE INCREASE IS APPROVED BY THE GOVERNING BODY OF THE DISTRICT,
19 COUNTY, OR MUNICIPALITY AND AN ACTUARIAL REVIEW INDICATES A
20 HIGHER PAYMENT IS ACTUARIALLY SOUND:

21 (a) FOR VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSIONS,
22 THREE HUNDRED DOLLARS PER MONTH;

23 (b) FOR A SHORT-TERM DISABILITY MONTHLY ANNUITY PURSUANT
24 TO SECTION 31-30-1320, ONE HUNDRED FIFTY DOLLARS PER MONTH;

25 (c) FOR A RETIREMENT PENSION PURSUANT TO SECTION
26 31-30-1323, TWO HUNDRED DOLLARS PER MONTH;

27 (d) FOR SURVIVOR BENEFITS PURSUANT TO SECTION 31-30-1327,

1 ONE HUNDRED FIFTY DOLLARS PER MONTH; OR

2 (e) FOR FUNERAL BENEFITS PURSUANT TO SECTION 31-30-1329,
3 ONE HUNDRED DOLLARS.

4 (4) IN NO EVENT SHALL A DISTRICT, COUNTY, OR MUNICIPALITY
5 RECEIVE LESS THAN ONE THOUSAND DOLLARS IF THE DISTRICT, COUNTY,
6 OR MUNICIPAL CONTRIBUTION TO ITS FUND IS EQUAL TO OR GREATER THAN
7 ONE-HALF MILL ON THE PREVIOUS NET VALUATION FOR ASSESSMENT OF
8 THE DISTRICT, COUNTY, OR MUNICIPALITY.

9 (5) THE MONEYS NECESSARY TO MAKE THE STATE'S CONTRIBUTION
10 UNDER THIS SECTION SHALL BE DERIVED FROM THE PROCEEDS OF THE TAX
11 IMPOSED BY SECTION 10-3-209, C.R.S. FOR THE 2009-10 FISCAL YEAR
12 AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT OF LOCAL
13 AFFAIRS SHALL REQUEST IN ITS ANNUAL BUDGET REQUEST THE AMOUNT
14 NECESSARY TO MAKE THE STATE'S CONTRIBUTION PURSUANT TO THIS
15 SECTION FROM THE PROCEEDS OF THE TAX IMPOSED BY SECTION 10-3-209,
16 C.R.S., FOR DISBURSEMENT TO THE DISTRICT'S, COUNTY'S, AND
17 MUNICIPALITY'S FUNDS. THE MONEYS APPROPRIATED FOR THE PURPOSES
18 OF THIS SECTION SHALL NOT REVERT TO THE GENERAL FUND AND SHALL BE
19 AVAILABLE FOR THE PURPOSES PROVIDED IN THIS SECTION.

20 (6) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
21 AFFAIRS OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL BE RESPONSIBLE
22 FOR PROVIDING THE ACCIDENTAL DEATH AND DISABILITY INSURANCE
23 POLICY FOR VOLUNTEER EMERGENCY MEDICAL TECHNICIANS AS PROVIDED
24 IN SECTION 31-30-1334. FOR THE 2009-10 FISCAL YEAR AND EACH FISCAL
25 YEAR THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS SHALL REQUEST
26 IN ITS ANNUAL BUDGET REQUEST THE AMOUNT NECESSARY TO PAY FOR
27 THE ACCIDENTAL DEATH AND DISABILITY INSURANCE POLICY FOR

1 VOLUNTEER EMERGENCY MEDICAL TECHNICIANS AND THE
2 ADMINISTRATIVE COSTS OF PROVIDING SUCH POLICY FROM THE PROCEEDS
3 OF THE TAX IMPOSED BY SECTION 10-3-209, C.R.S. THE MONEYS
4 APPROPRIATED FOR THE PURPOSES OF THIS SECTION SHALL NOT REVERT TO
5 THE GENERAL FUND AND SHALL BE AVAILABLE FOR THE PURPOSES
6 PROVIDED IN THIS SECTION.

7 (7) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CONTINUALLY
8 FUND VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION PLANS.

9 (8) (a) THE DEPARTMENT OF LOCAL AFFAIRS SHALL WORK WITH
10 THE DISTRICTS, COUNTIES, MUNICIPALITIES, AND THE ADVISORY
11 COMMITTEE ESTABLISHED IN SUBSECTION (11) OF THIS SECTION TO
12 DEVELOP A PROCEDURE BY WHICH DISTRICTS, COUNTIES, AND
13 MUNICIPALITIES APPLY TO RECEIVE STATE ASSISTANCE MONEYS
14 DISTRIBUTED PURSUANT TO THIS SECTION. SUCH APPLICATION PROCEDURE
15 SHALL ENSURE THAT THE DEPARTMENT CAN VERIFY THE AMOUNT OF
16 MONEY TO WHICH EACH DISTRICT, COUNTY, ANY MUNICIPALITY IS
17 ENTITLED BEFORE THE DEPARTMENT TRANSFERS FUNDS TO THE DISTRICTS,
18 COUNTIES, AND MUNICIPALITIES EACH YEAR.

19 (b) THE DEPARTMENT OF LOCAL AFFAIRS SHALL WORK WITH THE
20 JOINT BUDGET COMMITTEE TO DEVELOP A PROCEDURE THAT ALLOWS ANY
21 DISTRICT, COUNTY, OR MUNICIPALITY TO APPLY FOR A LATE
22 DISBURSEMENT OF MONEYS IN THE EVENT THAT SUCH DISTRICT, COUNTY,
23 OR MUNICIPALITY MADE A GOOD FAITH EFFORT BUT WAS UNABLE TO
24 COMPLY WITH THE APPLICATION PROCEDURE CREATED PURSUANT TO
25 PARAGRAPH (a) OF THIS SUBSECTION (8) DUE TO A DELAY IN PREPARING A
26 FINANCIAL STATEMENT OR COMPLETING A REQUIRED AUDIT OR ACTUARIAL
27 STUDY.

1 (9) (a) THE DEPARTMENT OF LOCAL AFFAIRS, AFTER
2 CONSULTATION WITH THE ADVISORY COMMITTEE ESTABLISHED IN
3 SUBSECTION (11) OF THIS SECTION, MAY IMPOSE A NONREFUNDABLE
4 APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY THE DEPARTMENT
5 ON ANY DISTRICT, COUNTY, OR MUNICIPALITY THAT APPLIES TO THE
6 DEPARTMENT FOR STATE ASSISTANCE MONEYS DISTRIBUTED PURSUANT TO
7 THIS SECTION. THE APPLICATION FEE MAY BE ON A SLIDING SCALE BASED
8 ON THE AMOUNT OF STATE ASSISTANCE MONEYS DISTRIBUTED TO EACH
9 FUND PURSUANT TO THIS SECTION IN THE PREVIOUS YEAR.

10 (b) ALL REVENUE COLLECTED BY THE DEPARTMENT OF LOCAL
11 AFFAIRS FROM THE FEE IMPOSED PURSUANT TO PARAGRAPH (a) OF THIS
12 SUBSECTION (9) SHALL BE TRANSMITTED TO THE STATE TREASURER WHO
13 SHALL CREDIT THE REVENUE TO THE VOLUNTEER EMERGENCY MEDICAL
14 TECHNICIAN FUND, WHICH FUND IS HEREBY CREATED IN THE STATE
15 TREASURY. THE MONEYS IN THE FUND SHALL BE CONTINUOUSLY
16 APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSE OF COVERING THE
17 DIRECT COSTS OF ADMINISTERING THE DISTRIBUTION OF THE STATE
18 CONTRIBUTION MONEYS PURSUANT TO THIS SECTION.

19 (10) THE DEPARTMENT OF LOCAL AFFAIRS SHALL HAVE THE
20 AUTHORITY TO CONTRACT WITH ANY ENTITY FOR THE PURPOSE OF
21 COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

22 (11) (a) THERE IS HEREBY CREATED A VOLUNTEER EMERGENCY
23 MEDICAL TECHNICIAN ADVISORY COMMITTEE. THE DEPARTMENT OF
24 LOCAL AFFAIRS SHALL CONSULT WITH THE COMMITTEE IN THE
25 PERFORMANCE OF ITS DUTIES IN CONNECTION WITH THE DISTRIBUTION OF
26 STATE CONTRIBUTION MONEYS TO VOLUNTEER EMERGENCY MEDICAL
27 TECHNICIAN PENSION FUNDS PURSUANT TO THIS SECTION AND TO THE

1 ACCIDENTAL DEATH AND DISABILITY INSURANCE POLICY FOR VOLUNTEER
2 EMERGENCY MEDICAL TECHNICIANS PURSUANT TO SECTION 31-30-1334.
3 A MEMBER OF THE ADVISORY COMMITTEE SHALL NOT RECEIVE
4 COMPENSATION OR REIMBURSEMENT FROM THE STATE OR THE
5 DEPARTMENT FOR EXPENSES INCURRED IN THE PERFORMANCE OF HIS OR
6 HER DUTIES. THE COMMITTEE SHALL CONSIST OF FIVE MEMBERS THAT THE
7 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL
8 APPOINT AS FOLLOWS: THREE MEMBERS SHALL BE MEMBERS OF A BOARD,
9 ONE MEMBER SHALL BE AN ACTIVE VOLUNTEER EMERGENCY MEDICAL
10 TECHNICIAN, AND ONE MEMBER SHALL BE A REPRESENTATIVE OF A
11 DISTRICT, COUNTY, OR MUNICIPALITY.

12 (b) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JULY 1, 2018.
13 PRIOR TO THE REPEAL OF THIS SUBSECTION (11), THE ADVISORY
14 COMMITTEE SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203,
15 C.R.S.

16 **31-30-1313. Fund investments.** (1) A BOARD MAY INVEST ALL
17 OR ANY PART OF FUND MONEYS IN THE NAME OF THE BOARD'S TREASURER
18 OR IN THE NAME OF A CUSTODIAN OR CUSTODIANS APPOINTED BY THE
19 BOARD UNDER THIS SECTION IN INTEREST-BEARING OBLIGATIONS OF THE
20 UNITED STATES, IN INTEREST-BEARING BONDS OF THIS STATE, IN GENERAL
21 OBLIGATION BONDS OF MUNICIPALITIES, WHETHER ORGANIZED UNDER
22 GENERAL LAW OR ARTICLE XX OF THE STATE CONSTITUTION, OR IN ANY
23 DEPOSITORY STATED IN SECTION 24-75-603, C.R.S., AND SECURED AS
24 PROVIDED IN ARTICLES 10.5 AND 47 OF TITLE 11, C.R.S. BY WRITTEN
25 RESOLUTION, THE BOARD MAY APPOINT ONE OR MORE PERSONS TO ACT AS
26 A CUSTODIAN OR CUSTODIANS, IN ADDITION TO THE TREASURER, TO
27 DEPOSIT OR CAUSE TO BE DEPOSITED ALL OR PART OF THE FUND IN ANY

1 STATE OR NATIONAL BANK OR ANY STATE OR FEDERALLY CHARTERED
2 SAVINGS AND LOAN ASSOCIATION IN THIS STATE. THE APPOINTED PERSONS
3 SHALL GIVE SURETY BONDS, AND THE BOARD SHALL DETERMINE THE
4 BONDS' AMOUNTS, FORM, AND PURPOSES. THESE SECURITIES AND
5 EVIDENCES OF INVESTMENT SHALL BE DEPOSITED WITH THE TREASURER OF
6 THE DISTRICT, COUNTY, OR MUNICIPALITY.

7 (2) UPON THE BOARD'S DIRECTION, THE TREASURER OF THE BOARD
8 MAY INVEST PART OF THE FUND AVAILABLE FOR INVESTMENT, WITH OR
9 WITHOUT ONE OR MORE OTHER VOLUNTEER EMERGENCY MEDICAL
10 TECHNICIAN PENSION FUNDS, IN A NONINSURED TRUST PENSION PLAN WITH
11 A BANK OR TRUST COMPANY AUTHORIZED TO EXERCISE TRUST POWERS IN
12 THIS STATE AS A TRUSTEE. THE TRUSTEE'S INVESTMENT OF FUND MONEYS
13 IS GOVERNED BY ARTICLE 1.1 OF TITLE 15, C.R.S., BUT THE TRUSTEE
14 SHALL AT ALL TIMES HOLD FIXED-INCOME OBLIGATIONS HAVING A BOOK
15 VALUE OR COST OF NOT LESS THAN SIXTY PERCENT OF THE TOTAL
16 CONTRIBUTIONS MADE TO THE TRUST LESS THE AMOUNTS PAID OUT.

17 (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, THE
18 BOARD MAY INVEST ALL OR ANY PART OF FUND MONEYS IN THE NAME OF
19 THE BOARD'S TREASURER OR IN THE NAME OF A CUSTODIAN OR
20 CUSTODIANS APPOINTED BY THE BOARD UNDER THIS SECTION IN ONE OR
21 MORE OF THE FOLLOWING:

22 (a) ANY PUBLIC-PRIVATE INITIATIVE WITH THE DEPARTMENT OF
23 TRANSPORTATION, AS DEFINED IN SECTION 43-1-1201 (3), C.R.S.;

24 (b) BONDS ISSUED FOR TURNPIKES IN ACCORDANCE WITH PART 2
25 OF ARTICLE 3 OF TITLE 43, C.R.S.; OR

26 (c) ANY OTHER PUBLIC-PRIVATE INITIATIVE PROGRAM FOR
27 TRANSPORTATION SYSTEM PROJECTS IN COLORADO AUTHORIZED BY LAW.

1 (4) THE BOARD MAY GIVE PREFERENCE TO THE INVESTMENTS
2 DESCRIBED IN SUBSECTION (3) OF THIS SECTION IF SUCH INVESTMENTS ARE
3 CONSISTENT WITH SOUND INVESTMENT POLICY.

4 **31-30-1314. Fund investment in insurance.** (1) EXCEPT AS
5 PROVIDED IN SUBSECTION (2) OF THIS SECTION AND WITH THE
6 CONCURRENCE OF AT LEAST SIXTY-FIVE PERCENT OF THE MEMBERS
7 VOTING THEREON AND SIXTY-FIVE PERCENT OF THE RETIRED MEMBERS
8 VOTING THEREON, THE BOARD MAY:

9 (a) INSURE THE MEMBERS UNDER THE FOLLOWING INSURANCE
10 POLICIES ISSUED BY COMPANIES AUTHORIZED TO DO BUSINESS IN THIS
11 STATE:

12 (I) INDIVIDUAL, GROUP, OR BLANKET LIFE, ENDOWMENT, OR
13 ANNUITY INSURANCE;

14 (II) VARIABLE ANNUITY INSURANCE; OR

15 (III) DISABILITY OR LIABILITY INSURANCE.

16 (b) SPEND ANY PART OF THE FUND TO PAY PREMIUMS ON THESE
17 POLICIES.

18 (2) THE BOARD SHALL NOT SPEND FUND MONEYS TO PURCHASE
19 INSURANCE IF THE EXPENDITURE WOULD IMPAIR THE PENSION FUND'S
20 ABILITY TO:

21 (a) PAY ANNUITIES TO A MEMBER, SURVIVING SPOUSE, OR
22 DEPENDENT PARENT OR CHILD RECEIVING ANNUITIES; OR

23 (b) MEET THE FUTURE REQUIREMENTS OF PENSIONS, BENEFITS,
24 AND AWARDS UNDER THE PLAN.

25 (3) THE BOARD SHALL BE THE BENEFICIARY OF ANY INSURANCE
26 POLICIES, AND THE PROCEEDS OF THE INSURANCE POLICIES SHALL BE PAID
27 TO THE BOARD AS AN ADDITION TO THE FUND.

1 **31-30-1315. Warrants.** (1) OFFICERS OF THE DISTRICT, COUNTY,
2 OR MUNICIPALITY WHO ARE DESIGNATED BY LAW TO DRAW WARRANTS ON
3 THE TREASURER OF THE DISTRICT, COUNTY, OR MUNICIPALITY SHALL
4 DRAW WARRANTS THEREON UPON ORDERS BY THE BOARD, PAYABLE TO
5 THE BOARD'S TREASURER FOR MONEYS BELONGING TO THE FUND.

6 (2) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, THE
7 BOARD'S TREASURER SHALL PAY MONEYS ORDERED TO BE PAID FROM THE
8 FUND TO ANY PERSON ONLY UPON WARRANTS SIGNED BY THE BOARD'S
9 PRESIDENT AND COUNTERSIGNED BY THE BOARD'S SECRETARY. A
10 WARRANT SHALL NOT BE DRAWN EXCEPT BY THE BOARD'S ORDER THAT IS
11 DULY ENTERED IN THE RECORDS OF THE BOARD'S PROCEEDINGS.

12 (3) FUND MONEYS IN NONINSURED TRUST PENSION PLANS WITH A
13 BANK OR TRUST COMPANY SHALL BE PAID BY THE TRUSTEE ONLY UPON
14 THE BOARD'S WRITTEN ORDER THAT IS SIGNED BY THE BOARD'S PRESIDENT,
15 COUNTERSIGNED BY THE BOARD'S SECRETARY, AND DULY ENTERED IN THE
16 RECORDS OF THE BOARD'S PROCEEDINGS.

17 **31-30-1316. Treasurer - custodian - segregation of moneys.**

18 (1) THE BOARD'S TREASURER AND THE CUSTODIAN APPOINTED BY THE
19 BOARD UNDER SECTION 31-30-1313 ARE THE CUSTODIANS OF THE FUND
20 AND SHALL SECURE AND SAFELY KEEP BOOKS AND ACCOUNTS
21 CONCERNING THE FUND IN THE MANNER AS THE BOARD MAY PRESCRIBE.
22 THE BOOKS AND ACCOUNTS ARE SUBJECT TO INSPECTION BY THE BOARD,
23 ANY BOARD MEMBER, OR ANY OTHER INTERESTED PERSON. UPON
24 EXPIRATION OF THE TREASURER'S OR CUSTODIAN'S TERM OF OFFICE OR
25 APPOINTMENT, THE TREASURER OR CUSTODIAN SHALL SURRENDER AND
26 DELIVER TO THE SUCCESSOR ALL BONDS, SECURITIES, AND UNEXPENDED
27 MONEYS OR OTHER PROPERTY OF THE FUND THAT THE TREASURER OR

1 CUSTODIAN HAS POSSESSED.

2 (2) A DISTRICT, COUNTY, OR MUNICIPALITY THAT INCLUDES BOTH
3 PAID AND VOLUNTEER EMERGENCY MEDICAL TECHNICIANS IN THEIR
4 PENSION PLANS MAY CONSOLIDATE THE FUNDS BUT MUST SEGREGATE THE
5 MONEYS FOR PAID AND VOLUNTEER EMERGENCY MEDICAL TECHNICIANS
6 ON AN EQUITABLE BASIS FOR ACCOUNTING AND ACTUARIAL PURPOSES.
7 THE SEGREGATION SHALL BE CONSIDERED IN ACTUARIAL REPORTS ON THE
8 FUNDS. IN COMPUTING THE PORTION OF THE FUND ATTRIBUTED TO
9 VOLUNTEER EMERGENCY MEDICAL TECHNICIANS, VOLUNTEER EMERGENCY
10 MEDICAL TECHNICIANS' BENEFITS SHALL NOT BE CHANGED.

11 **31-30-1317. Exemption from levy.** (1) EXCEPT FOR AN
12 ASSIGNMENT FOR CHILD SUPPORT PURPOSES AS PROVIDED IN SECTIONS
13 14-10-118 (1) AND 14-14-107, AS THEY EXISTED PRIOR TO JULY 1, 1996,
14 AND EXCEPT FOR INCOME ASSIGNMENTS FOR CHILD SUPPORT PURPOSES
15 PURSUANT TO SECTION 14-14-111.5, C.R.S., AND A WRIT OF GARNISHMENT
16 THAT IS THE RESULT OF A JUDGMENT TAKEN FOR ARREARAGES FOR CHILD
17 SUPPORT OR FOR CHILD SUPPORT DEBT, NO PART OF THE FUND, EITHER
18 BEFORE OR AFTER ANY ORDER FOR DISTRIBUTION OF THE FUND TO A
19 MEMBER, RETIRED MEMBER, OR BENEFICIARY OF THE FUND OR THE
20 SURVIVING SPOUSE OR GUARDIAN OF ANY CHILD OF A DECEASED OR
21 DISABLED MEMBER OR OF A DECEASED, DISABLED, OR RETIRED MEMBER,
22 SHALL BE HELD, SEIZED, TAKEN, SUBJECTED TO, DETAINED, OR LEVIED ON
23 BY VIRTUE OF ANY ATTACHMENT, EXECUTION, PROTEST, OR PROCEEDING
24 OF ANY NATURE WHATSOEVER ISSUED OUT OF OR BY ANY COURT IN THIS
25 OR ANY OTHER STATE FOR THE PAYMENT OR SATISFACTION OF ALL OR
26 PART OF ANY DEBT, DAMAGES, CLAIM, DEMAND, JUDGMENT, FINE, OR
27 AMERCEMENT OF THE DISTRICT, COUNTY, MUNICIPALITY OR OF A MEMBER,

1 RETIRED MEMBER, OR THEIR SURVIVING SPOUSES, DEPENDENT CHILDREN,
2 OR DESIGNATED BENEFICIARIES.

3 (2) EXCEPT AS PROVIDED IN SECTION 31-30-1318, THE FUND MUST
4 BE KEPT, SECURED, AND DISTRIBUTED FOR THE PURPOSE OF ISSUING
5 PENSIONS AND PROTECTING THE PERSONS NAMED IN THIS PART 13 AND FOR
6 NO OTHER PURPOSE WHATSOEVER; EXCEPT THAT THE BOARD MAY
7 ANNUALLY SPEND MONEYS AS IT DEEMS PROPER AND NECESSARY FROM
8 THE FUND FOR NECESSARY EXPENSES CONNECTED WITH THE FUND.

9 **31-30-1318. Fund use - other purposes.** (1) IF THE GOVERNING
10 BODY OF A DISTRICT, COUNTY, OR MUNICIPALITY FINDS BY RESOLUTION
11 THAT NO PERSON IS ELIGIBLE OR CAN BECOME ELIGIBLE FOR PAYMENT OF
12 A FUND BENEFIT, IT MAY AUTHORIZE CONTRIBUTIONS OF ALL FUND
13 MONEYS FOR ANY PURPOSE RELATED TO THE PROVISION OF EMERGENCY
14 MEDICAL SERVICES, OR, IF NO PURPOSE RELATED TO THE PROVISION OF
15 EMERGENCY MEDICAL SERVICES EXISTS, FOR ANY PURPOSE AS
16 DETERMINED BY THE GOVERNING BODY OF THE DISTRICT, COUNTY, OR
17 MUNICIPALITY.

18 (2) AT LEAST SIXTY DAYS BEFORE ADOPTION OF THE RESOLUTION
19 PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE GOVERNING BODY OF
20 THE DISTRICT, COUNTY, OR MUNICIPALITY SHALL PUBLISH ONE NOTICE IN
21 A NEWSPAPER WITH GENERAL CIRCULATION WITHIN THE DISTRICT,
22 COUNTY, OR MUNICIPALITY AND SHALL PROVIDE A COPY OF THE
23 PUBLISHED NOTICE TO THE BOARD OF DIRECTORS OF THE FIRE AND POLICE
24 PENSION ASSOCIATION. THE NOTICE MUST STATE THAT THE INTENT OF THE
25 GOVERNING BODY IS TO USE THE MONEY IN THE FUND FOR THE PURPOSES
26 PERMITTED IN SUBSECTION (1) OF THIS SECTION AND THAT PERSONS WHO
27 BELIEVE THEY ARE OR MAY BE ENTITLED TO BENEFIT PAYMENTS FROM THE

1 FUND HAVE FIFTY DAYS AFTER THE DATE OF PUBLICATION OF THE NOTICE
2 IN WHICH TO FILE A WRITTEN OBJECTION WITH THE GOVERNING BODY
3 REGARDING ITS PROPOSED USE OF THE FUND. IF A WRITTEN OBJECTION IS
4 TIMELY RECEIVED, THE GOVERNING BODY SHALL HOLD A PUBLIC HEARING
5 BEFORE ADOPTION OF THE RESOLUTION. BEFORE THE HEARING, THE
6 GOVERNING BODY SHALL PUBLISH NOTICE OF THE TIME AND PLACE OF THE
7 HEARING AND SEND WRITTEN NOTICE OF THE HEARING BY CERTIFIED MAIL
8 TO EACH PERSON WHO FILES A WRITTEN OBJECTION.

9 (3) IF A PERSON ESTABLISHES A CLAIM TO A BENEFIT FROM THE
10 FUND WITHIN ONE YEAR AFTER ADOPTION OF THE RESOLUTION PURSUANT
11 TO SUBSECTION (1) OF THIS SECTION, THE DISTRICT, COUNTY, OR
12 MUNICIPALITY SHALL REPAY TO THE FUND ANY MONEY PAID FROM THE
13 FUND UNDER THIS SECTION, AND NO SUCH ADDITIONAL PAYMENTS SHALL
14 BE MADE FROM THE FUND.

15 **31-30-1319. Board report.** THE BOARD SHALL MAKE A REPORT
16 TO THE GOVERNING BODY OF THE DISTRICT, COUNTY, OR MUNICIPALITY ON
17 THE CONDITION OF THE FUND. THE BOARD SHALL SUBMIT THE REPORT TO
18 THE GOVERNING BODY BEFORE THE LAST MEETING IN FEBRUARY AND THE
19 LAST MEETING IN AUGUST OF EACH YEAR.

20 **31-30-1320. Disability pension - rules - hearing.** (1) IF A
21 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN IS INJURED WHILE IN THE
22 LINE OF DUTY AS A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN, THE
23 BOARD SHALL PAY TO THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN:

24 (a) A SHORT-TERM DISABILITY MONTHLY ANNUITY FOR NOT MORE
25 THAN ONE YEAR IN AN AMOUNT IT DETERMINES IS PROPER AND EQUITABLE,
26 CONSIDERING THE FINANCIAL CONDITION OF THE FUND, BUT NOT MORE
27 THAN ONE-HALF THE AMOUNT PAID BY THE BOARD PURSUANT TO SECTION

1 31-30-1321 (1) OR TWO HUNDRED TWENTY-FIVE DOLLARS, WHICHEVER IS
2 GREATER; OR

3 (b) A LONG-TERM DISABILITY MONTHLY ANNUITY FOR A
4 DISABILITY THAT DEPRIVES THE VOLUNTEER EMERGENCY MEDICAL
5 TECHNICIAN OF AN EARNING CAPACITY AND THAT EXTENDS BEYOND ONE
6 YEAR IN AN AMOUNT IT DETERMINES IS PROPER AND NECESSARY, BUT NOT
7 MORE THAN THE AMOUNT PAID BY THE BOARD PURSUANT TO SECTION
8 31-30-1321 (1) OR FOUR HUNDRED FIFTY DOLLARS, WHICHEVER IS
9 GREATER. ANY INCREASE IN THE BENEFITS IN A MUNICIPALITY UNDER THIS
10 PARAGRAPH (b) SHALL BE APPROVED BY THE MUNICIPALITY'S GOVERNING
11 BODY.

12 (2) DISABILITY-PENSION APPLICANTS SHALL BE EXAMINED BY ONE
13 OR MORE PHYSICIANS SELECTED BY THE BOARD AND MAY BE EXAMINED BY
14 ONE OR MORE PHYSICIANS SELECTED BY THE APPLICANT. THE BOARD
15 SHALL PAY FROM THE FUND THE EXPENSES OF THE PHYSICIAN CHOSEN BY
16 THE BOARD.

17 (3) THE BOARD SHALL ADOPT RULES IT DEEMS PROPER
18 CONCERNING THE EXAMINATION OF PERSONS WHO ARE RECEIVING
19 DISABILITY BENEFITS UNDER THIS SECTION TO DETERMINE PERIODICALLY
20 THE FITNESS OF THESE PERSONS. A PERSON WHO IS RECEIVING BENEFITS
21 UNDER THIS SECTION AND WHO IS EITHER FIFTY YEARS OF AGE OR OLDER
22 OR HAS COMPLETED TWENTY YEARS OF ACTIVE DUTY IN THE DISTRICT,
23 COUNTY, OR MUNICIPALITY BEFORE THE DATE DISABILITY BENEFITS UNDER
24 THIS SECTION ARE FIRST PROVIDED SHALL NOT BE REEXAMINED. A PERSON
25 RECEIVING BENEFITS UNDER THIS SECTION SHALL NOT BE EXAMINED
26 BEFORE ONE YEAR AFTER THE DATE DISABILITY BENEFITS UNDER THIS
27 SECTION ARE FIRST PROVIDED AND NOT MORE OFTEN THAN ANNUALLY

1 AFTER SAID DATE.

2 (4) THE BOARD SHALL TERMINATE THE DISABILITY BENEFITS
3 UNDER THIS SECTION OF A PERSON WHO THE BOARD FINDS HAS RECOVERED
4 SUFFICIENTLY FROM THE DISABILITY THAT RESULTED IN THE RECEIPT OF
5 THESE BENEFITS, IS UNDER THE AGE OF FIFTY YEARS, AND HAS SERVED
6 LESS THAN TWENTY YEARS OF ACTIVE DUTY. A PERSON WHOSE BENEFITS
7 ARE TERMINATED UNDER THIS SUBSECTION (4) MAY FILE A WRITTEN
8 PROTEST WITHIN THIRTY DAYS AFTER THE TERMINATION DATE STATING
9 THE OBJECTION TO THE TERMINATION AND REQUESTING A HEARING. THE
10 DECISION OF THE BOARD IS SUSPENDED PENDING A HEARING ON THE
11 PROTEST. AT THE HEARING, THE MEMBER MAY APPEAR AND BE
12 REPRESENTED BY COUNSEL.

13 **31-30-1321. Retirement pension.** (1) THE BOARD OF A DISTRICT
14 OR COUNTY, OR THE BOARD OF A MUNICIPALITY WITH THE PRIOR CONSENT
15 OF THE MUNICIPALITY'S GOVERNING BODY, MAY PAY A RETIREMENT
16 PENSION TO A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN WHO HAS
17 TWENTY YEARS OR MORE OF ACTIVE SERVICE AND WHO IS FIFTY YEARS OF
18 AGE OR OLDER. THE RETIREMENT PENSION SHALL BE AN AMOUNT
19 DETERMINED BY THE BOARD OF NOT MORE THAN ONE HUNDRED DOLLARS
20 PER MONTH, UNLESS AN ACTUARIAL REVIEW INDICATES A HIGHER
21 PAYMENT IS ACTUARIALLY SOUND; EXCEPT THAT ANY SUCH AMOUNT
22 DETERMINED BY THE BOARD OF A MUNICIPALITY SHALL BE MADE WITH THE
23 PRIOR CONSENT OF THE MUNICIPALITY'S GOVERNING BODY. PLANS THAT
24 MAKE PAYMENTS IN EXCESS OF THREE HUNDRED DOLLARS PER MONTH ARE
25 SUBJECT TO THE STATE CONTRIBUTION LIMITATION SPECIFIED IN SECTION
26 31-30-1312 (2) (b). EXCEPT AS PROVIDED IN SECTION 31-30-1332, A
27 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN SHALL NOT RECEIVE A

1 RETIREMENT PENSION FOR SERVICE AS A VOLUNTEER FOR A DISTRICT,
2 COUNTY, OR MUNICIPALITY WHILE THE EMERGENCY MEDICAL TECHNICIAN
3 IS AN ACTIVE MEMBER OF THAT DISTRICT, COUNTY, OR MUNICIPALITY. A
4 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN SHALL MAINTAIN THE
5 MINIMUM ANNUAL TRAINING AND CERTIFICATION REQUIREMENTS AS
6 DETERMINED BY THE COLORADO STATE BOARD OF MEDICAL EXAMINERS
7 PURSUANT TO SECTION 25-3.5-203, C.R.S., TO QUALIFY FOR RETIREMENT
8 BENEFITS. A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN WHO HAS
9 SERVED TWENTY YEARS OR MORE AND WHO HAS NOT REACHED FIFTY
10 YEARS OF AGE MAY BE GRANTED A LEAVE OF ABSENCE AND RETAIN ALL
11 RIGHTS TO A RETIREMENT PENSION AND IS ENTITLED TO THE RETIREMENT
12 PENSION WHEN THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN
13 REACHES FIFTY YEARS OF AGE.

14 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, THE
15 BOARD MAY PAY A RETIREMENT PENSION TO A VOLUNTEER EMERGENCY
16 MEDICAL TECHNICIAN WHO HAS LESS THAN TWENTY YEARS OF ACTIVE
17 SERVICE IF THE DISTRICT'S, COUNTY'S, OR MUNICIPALITY'S FUND IS
18 ACTUARIALLY SOUND. THE BOARD SHALL DETERMINE THE PERIOD OF
19 ACTIVE SERVICE NECESSARY TO QUALIFY FOR THIS RETIREMENT PENSION,
20 BUT IN NO EVENT SHALL SUCH PERIOD BE LESS THAN TEN YEARS OF ACTIVE
21 SERVICE. THE BOARD SHALL NOT PAY A RETIREMENT PENSION UNTIL THE
22 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN REACHES FIFTY YEARS OF
23 AGE. THE AMOUNT OF THIS RETIREMENT PENSION SHALL BE DETERMINED
24 BY PRORATING THE AMOUNT OF THE RETIREMENT PENSION UNDER
25 SUBSECTION (1) OF THIS SECTION BASED ON THE VOLUNTEER EMERGENCY
26 MEDICAL TECHNICIAN'S YEARS OF SERVICE.

27 (3) WHENEVER THE BOARD INCREASES THE RETIREMENT PENSION

1 BENEFIT PAYABLE PURSUANT TO SUBSECTION (1) OF THIS SECTION, SUCH
2 INCREASE MAY ALSO BE APPLIED TO THE PENSION BENEFIT OF ANY RETIRED
3 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN RECEIVING THE PENSION
4 BENEFIT SPECIFIED IN SUBSECTION (1) OF THIS SECTION AT THE TIME OF
5 SUCH INCREASE. THE APPLICABLE PRO RATA SHARE OF ANY SUCH
6 INCREASE, BASED UPON THE NUMBER OF YEARS OF SERVICE, MAY ALSO BE
7 APPLIED TO THE PENSION BENEFIT OF ANY RETIRED VOLUNTEER
8 EMERGENCY MEDICAL TECHNICIAN RECEIVING THE PENSION BENEFIT
9 SPECIFIED IN SUBSECTION (2) OF THIS SECTION AT THE TIME OF SUCH
10 INCREASE. WHENEVER THE BOARD ELECTS TO APPLY ANY RETIREMENT
11 PENSION INCREASE PERMITTED UNDER THIS SUBSECTION (3), THE BOARD
12 SHALL APPLY SUCH INCREASE TO THE RETIREMENT PENSION OF ALL
13 RETIRED VOLUNTEER EMERGENCY MEDICAL TECHNICIANS WHO
14 VOLUNTEER FOR A DISTRICT, COUNTY, OR MUNICIPALITY WHO ARE
15 ELIGIBLE FOR SUCH INCREASE UNDER THIS SUBSECTION (3). ANY
16 ACTUARIAL REVIEW REQUIRED UNDER SUBSECTION (1) OF THIS SECTION
17 SHALL INCLUDE THE COST OF ANY RETIREMENT PENSION INCREASE
18 PERMITTED UNDER THIS SUBSECTION (3).

19 **31-30-1322. Volunteer emergency medical technicians - years**
20 **of service.** FOR THE PURPOSES OF THIS PART 13, A VOLUNTEER
21 EMERGENCY MEDICAL TECHNICIAN'S YEARS OF SERVICE SHALL BE
22 COUNTED FROM THE DATE THAT A PLAN IS CREATED IN THE DISTRICT,
23 COUNTY, OR MUNICIPALITY FOR WHICH THE EMERGENCY MEDICAL
24 TECHNICIAN IS A VOLUNTEER AND THE PLAN SECURES A CONTRIBUTION
25 FROM A SOURCE SPECIFIED IN THIS PART 13.

26 **31-30-1323. Retirement pension - sources of payment.** (1) THE
27 RETIREMENT PENSION OF A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN

1 WHO SERVED TWENTY YEARS OR MORE OF ACTIVE SERVICE AS A
2 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN FOR ANY ONE DISTRICT,
3 COUNTY, OR MUNICIPALITY SHALL BE PAID FROM THE FUND OF THAT
4 DISTRICT, COUNTY, OR MUNICIPALITY, AND NO OTHER FUND SHALL PAY A
5 PENSION TO THAT VOLUNTEER EMERGENCY MEDICAL TECHNICIAN.

6 (2) THE RETIREMENT PENSION OF A VOLUNTEER EMERGENCY
7 MEDICAL TECHNICIAN WHO SERVED TWENTY YEARS OF ACTIVE SERVICE AS
8 A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN BY SERVING MORE THAN
9 ONE DISTRICT, COUNTY, OR MUNICIPALITY SHALL BE PAID ON A PRO RATA
10 BASIS FROM THE FUND OF EACH DISTRICT, COUNTY, OR MUNICIPALITY FOR
11 WHICH THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN SERVED FOR
12 AT LEAST FIVE YEARS.

13 (3) IN NO EVENT SHALL A VOLUNTEER EMERGENCY MEDICAL
14 TECHNICIAN RECEIVE A TOTAL RETIREMENT BENEFIT FROM ALL
15 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION FUNDS
16 EXCEEDING THE MAXIMUM AMOUNT PAID BY THE BOARD FROM SUCH
17 FUNDS PURSUANT TO SECTION 31-30-1321 (1) OR FOUR HUNDRED FIFTY
18 DOLLARS, WHICHEVER IS GREATER.

19 **31-30-1324. Compliance - insufficient moneys.** (1) THE BOARD
20 MAY REQUIRE INFORMATION, INCLUDING PROOF OF YEARS OF SERVICE,
21 AND ESTABLISH PROCEDURES AS IT DEEMS NECESSARY TO ENSURE
22 COMPLIANCE WITH THE REQUIREMENTS AND LIMITATIONS OF SECTIONS
23 31-30-1321 AND 31-30-1323.

24 (2) IF AT ANY TIME MONEY OR OTHER PROPERTY IN THE FUND IS
25 INSUFFICIENT TO PAY THE FULL AMOUNT PER MONTH TO WHICH EACH
26 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN RECEIVING A PENSION
27 UNDER THIS PART 13 AND ANY OTHER BENEFICIARY OF THE FUND IS

1 ENTITLED, AN EQUAL PERCENTAGE OF THE MONTHLY PAYMENT SHALL BE
2 MADE TO THOSE VOLUNTEER EMERGENCY MEDICAL TECHNICIANS AND
3 OTHER BENEFICIARIES UNTIL THE FUND IS REPLENISHED IN AN AMOUNT
4 THAT PERMITS PAYMENT IN FULL TO THOSE VOLUNTEER EMERGENCY
5 MEDICAL TECHNICIANS AND OTHER BENEFICIARIES.

6 **31-30-1325. Supplemental retirement pension.** (1) IN
7 ADDITION TO THE MONTHLY RETIREMENT PENSION PROVIDED BY SECTION
8 31-30-1321, THE BOARD OF A DISTRICT OR COUNTY OR THE BOARD OF A
9 MUNICIPALITY, WITH THE PRIOR CONSENT OF THE MUNICIPALITY'S
10 GOVERNING BODY, MAY PAY A SUPPLEMENTAL MONTHLY RETIREMENT
11 PENSION TO A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN WHO IS
12 FIFTY YEARS OF AGE OR OLDER AND WHO SERVED TWENTY YEARS OR MORE
13 OF ACTIVE SERVICE IF:

14 (a) AN ACTUARIAL REVIEW INDICATES A SUPPLEMENTAL MONTHLY
15 PENSION PAYMENT IS ACTUARIALLY SOUND; AND

16 (b) AT LEAST SIXTY-FIVE PERCENT OF THE TOTAL NUMBER OF
17 MEMBERS AND RETIRED MEMBERS OF THE DISTRICT, COUNTY, OR
18 MUNICIPALITY GIVE PRIOR APPROVAL.

19 (2) THE SUPPLEMENTAL MONTHLY PENSION PAYMENT SHALL NOT
20 EXCEED FIVE PERCENT OF THE MONTHLY RETIREMENT PENSION PAYMENT
21 PROVIDED BY SECTION 31-30-1321 MULTIPLIED BY THE NUMBER OF YEARS
22 OF ACTIVE SERVICE IN EXCESS OF TWENTY YEARS, UP TO A MAXIMUM OF
23 TEN YEARS; EXCEPT THAT THE TOTAL OF THE MONTHLY RETIREMENT
24 PENSION PAYMENT PROVIDED BY SECTION 31-30-1321 AND THE
25 SUPPLEMENTAL MONTHLY PENSION PAYMENT SHALL NOT EXCEED AN
26 AMOUNT THAT IS ACTUARIALLY SOUND.

27 **31-30-1326. Survivor benefit.** (1) EXCEPT AS OTHERWISE

1 PROVIDED IN SUBSECTION (3) OF THIS SECTION, UPON THE DEATH OF A
2 RETIRED MEMBER OR A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN
3 WHO, REGARDLESS OF AGE, HAS SERVED THE REQUISITE NUMBER OF YEARS
4 FOR RETIREMENT UNDER SECTION 31-30-1321 AND WHO LEAVES A
5 SURVIVING SPOUSE, THE BOARD MAY PAY AN ANNUITY OF NOT MORE THAN
6 FIFTY PERCENT OF THE CURRENT PENSION PAYMENT FOR A RETIRED
7 MEMBER IF THE FUND IS ACTUARIALLY SOUND. IF THE VOLUNTEER
8 EMERGENCY MEDICAL TECHNICIAN HAD LESS THAN TWENTY YEARS OF
9 ACTIVE SERVICE, THE ANNUITY TO THE SURVIVING SPOUSE SHALL BE
10 PRORATED BASED UPON THE NUMBER OF YEARS OF SERVICE.

11 (2) THE ANNUITY TO THE SURVIVING SPOUSE ALLOWED PURSUANT
12 TO SUBSECTION (1) OF THIS SECTION SHALL CEASE IF THE SURVIVING
13 SPOUSE REMARRIES. DISSOLUTION OF A SUBSEQUENT MARRIAGE DOES NOT
14 REINSTATE THE ANNUITY. A SURVIVING SPOUSE SHALL NOT RECEIVE BOTH
15 AN ANNUITY UNDER SECTION 31-30-1327 AND AN ANNUITY UNDER THIS
16 SECTION.

17 (3) THE BENEFITS UNDER THIS SECTION DO NOT APPLY IF THE
18 OPTIONAL SURVIVOR BENEFITS UNDER SECTION 31-30-1328 ARE
19 PROVIDED.

20 (4) THE BENEFITS UNDER THIS SECTION MAY BE INCREASED IN THE
21 SAME MANNER AS POSTRETIREMENT BENEFIT INCREASES AS PROVIDED IN
22 SECTION 31-30-1321 (3), SUBJECT TO THE STATE CONTRIBUTION LIMIT SET
23 FORTH IN SECTION 31-30-1312 (2).

24 **31-30-1327. Survivor benefit - death from injuries in the line**
25 **of duty.** (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS
26 SECTION, IF A MEMBER DIES FROM INJURIES RECEIVED WHILE IN THE LINE
27 OF DUTY AS A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN AND LEAVES

1 A SURVIVING SPOUSE, THE BOARD SHALL PAY THE SURVIVING SPOUSE A
2 MONTHLY ANNUITY EITHER IN AN AMOUNT THE BOARD DEEMS PROPER AND
3 NECESSARY, BUT NOT MORE THAN ONE-HALF THE AMOUNT PAID BY THE
4 BOARD PURSUANT TO SECTION 31-30-1321 (1) OR TWO HUNDRED
5 TWENTY-FIVE DOLLARS, WHICHEVER IS GREATER, OR WITHIN LIMITS
6 PRESCRIBED BY MUNICIPAL ORDINANCE OR BY RULES OF THE BOARD OF
7 THE AFFECTED DISTRICT, COUNTY, OR MUNICIPALITY. THE ANNUITY SHALL
8 CEASE IF THE SURVIVING SPOUSE REMARRIES. DISSOLUTION OF A
9 SUBSEQUENT MARRIAGE DOES NOT REINSTATE THE ANNUITY.

10 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS
11 SECTION, IF THERE IS NO SURVIVING SPOUSE AS PROVIDED IN SUBSECTION
12 (1) OF THIS SECTION BUT THERE IS A SURVIVING CHILD OF THE DECEASED
13 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN UNDER EIGHTEEN YEARS
14 OF AGE, THE BOARD SHALL PAY A MONTHLY ANNUITY EITHER IN AN
15 AMOUNT THE BOARD DEEMS PROPER OR NECESSARY, BUT NOT MORE THAN
16 ONE-HALF THE AMOUNT PAID BY THE BOARD PURSUANT TO SECTION
17 31-30-1321 (1) OR TWO HUNDRED TWENTY-FIVE DOLLARS, WHICHEVER IS
18 GREATER, OR WITHIN LIMITS PRESCRIBED BY MUNICIPAL ORDINANCE OR BY
19 RULES OF THE BOARD OF THE AFFECTED DISTRICT, COUNTY, OR
20 MUNICIPALITY. THE BOARD SHALL PAY THE ANNUITY TO THE GUARDIAN
21 OF THE CHILD ON BEHALF OF THE CHILD. THE ANNUITY SHALL CEASE
22 WHEN THE CHILD REACHES EIGHTEEN YEARS OF AGE.

23 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS
24 SECTION, IF THERE IS NO SURVIVING SPOUSE OR CHILD AS PROVIDED IN
25 SUBSECTIONS (1) AND (2) OF THIS SECTION BUT THERE IS A SURVIVING
26 DEPENDENT PARENT OF THE DECEASED VOLUNTEER EMERGENCY MEDICAL
27 TECHNICIAN, THE BOARD SHALL PAY THE DEPENDENT PARENT A MONTHLY

1 ANNUITY EITHER IN AN AMOUNT THE BOARD DEEMS PROPER AND
2 NECESSARY, BUT NOT MORE THAN ONE-HALF THE AMOUNT PAID BY THE
3 BOARD PURSUANT TO SECTION 31-30-1321 (1) OR TWO HUNDRED
4 TWENTY-FIVE DOLLARS, WHICHEVER IS GREATER, OR WITHIN LIMITS
5 PRESCRIBED BY COUNTY OR MUNICIPAL ORDINANCE OR BY RULES OF THE
6 BOARD OF THE AFFECTED DISTRICT, COUNTY, OR MUNICIPALITY. THE
7 ANNUITY SHALL CEASE IF THE DEPENDENT PARENT REMARRIES.
8 DISSOLUTION OF A SUBSEQUENT MARRIAGE DOES NOT REINSTATE THE
9 ANNUITY.

10 (4) THE BENEFITS UNDER THIS SECTION:

11 (a) DO NOT APPLY IF THE OPTIONAL SURVIVOR BENEFITS UNDER
12 SECTION 31-30-1328 ARE PROVIDED; AND

13 (b) MAY BE INCREASED IN THE SAME MANNER AS POSTRETIREMENT
14 BENEFIT INCREASES AS PROVIDED IN SECTION 31-30-1321 (3), SUBJECT TO
15 THE STATE CONTRIBUTION LIMIT SET FORTH IN SECTION 31-30-1312 (2).

16 **31-30-1328. Optional survivor benefits.**

17 (1) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 31-30-1326 AND
18 31-30-1327 RELATING TO PAYMENT OF ANNUITIES IN THE EVENT OF THE
19 DEATH OF A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN IN ACTIVE
20 SERVICE, THE BOARD OF ANY DISTRICT OR COUNTY, OR THE BOARD OF A
21 MUNICIPALITY, WITH PRIOR CONSENT OF THE GOVERNING BODY OF THE
22 MUNICIPALITY, MAY PROVIDE TO THE ACTIVE MEMBERS THE OPTION OF
23 HAVING THE SURVIVOR BENEFITS OFFERED BY THIS SECTION IN LIEU OF THE
24 PURCHASE OF INDIVIDUAL, GROUP, OR BLANKET LIFE, ENDOWMENT, OR
25 ANNUITY OR VARIABLE ANNUITY INSURANCE PURSUANT TO SECTION
26 31-30-1314 (1) (a) (I) AND (1) (a) (II) AND IN LIEU OF THE SURVIVOR
27 BENEFITS PROVIDED TO ACTIVE VOLUNTEER EMERGENCY MEDICAL

1 TECHNICIANS PURSUANT TO SECTIONS 31-30-1326 AND 31-30-1327 IF THE
2 FOLLOWING CONDITIONS ARE MET:

3 (a) AT LEAST SIXTY-FIVE PERCENT OF THE ACTIVE AND RETIRED
4 VOLUNTEER EMERGENCY MEDICAL TECHNICIANS OF THE AFFECTED
5 DISTRICT, COUNTY, OR MUNICIPALITY CONSENT IN WRITING TO THE OPTION
6 PROVIDED BY THIS SECTION;

7 (b) AN ACTUARIAL REVIEW BY AN INDEPENDENT ACTUARY
8 INDICATES THE OPTION PROVIDED BY THIS SECTION IS ACTUARIALLY
9 SOUND AND WILL NOT IMPAIR THE ABILITY OF PENSION FUNDS TO PAY THE
10 ANNUITIES TO A BENEFICIARY OR TO PAY PENSIONS; AND

11 (c) IF A MUNICIPALITY INTENDS TO PROVIDE THE OPTION PROVIDED
12 BY THIS SECTION, THE GOVERNING BODY OF THE MUNICIPALITY CONSENTS
13 TO THE OPTION.

14 (2) THE GOVERNING BODY OF A DISTRICT, COUNTY, OR
15 MUNICIPALITY THAT INTENDS TO PROVIDE THE OPTION PROVIDED BY THIS
16 SECTION SHALL DETERMINE WHETHER THE SURVIVOR BENEFITS ARE
17 ALLOWED ONLY IF THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN
18 DIES WHILE ON DUTY AND SHALL DETERMINE THE BENEFIT AMOUNT EQUAL
19 TO UP TO ONE HUNDRED PERCENT OF THE AMOUNT OF THE PENSION THE
20 VOLUNTEER EMERGENCY MEDICAL TECHNICIAN WOULD HAVE BEEN
21 ENTITLED TO UNDER THIS PART 13 IF THE VOLUNTEER EMERGENCY
22 MEDICAL TECHNICIAN HAD RETIRED IMMEDIATELY BEFORE HIS OR HER
23 DEATH. IF SURVIVOR BENEFITS ARE PROVIDED PURSUANT TO SUBSECTION
24 (1) OF THIS SECTION TO THE MEMBERS OF A DISTRICT, COUNTY, OR
25 MUNICIPALITY, AND IF A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN
26 WHO IS A MEMBER OF SUCH DISTRICT, COUNTY, OR MUNICIPALITY DIES ON
27 DUTY OR, IF AUTHORIZED BY THE GOVERNING BODY OR BOARD, OFF DUTY,

1 A SPOUSE, DEPENDENT CHILD, OR DEPENDENT PARENT OF THE VOLUNTEER
2 EMERGENCY MEDICAL TECHNICIAN OR, LACKING SUCH DEPENDENTS, ANY
3 OTHER BENEFICIARY WHO IS A NATURAL PERSON AND WHO HAS BEEN
4 DESIGNATED BY THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN
5 SHALL RECEIVE A MONTHLY ANNUITY IN THE AMOUNT DETERMINED
6 PURSUANT TO THIS SUBSECTION (2).

7 (3) IF SURVIVOR BENEFITS ARE PROVIDED PURSUANT TO
8 SUBSECTION (1) OF THIS SECTION, THE BOARD SHALL PAY THE ANNUITY
9 AUTHORIZED BY THIS SECTION TO THE DESIGNATED BENEFICIARY OR TO
10 THE LEGAL GUARDIAN OF THE DESIGNATED BENEFICIARY WHO IS A CHILD
11 UNDER EIGHTEEN YEARS OF AGE AS FOLLOWS:

12 (a) UNTIL THE DEATH OF THE BENEFICIARY;

13 (b) IF THE BENEFICIARY IS A CHILD UNDER EIGHTEEN YEARS OF
14 AGE, UNTIL THE DEATH OF THE CHILD OR UNTIL THE CHILD IS EIGHTEEN
15 YEARS OF AGE;

16 (c) IF THE BENEFICIARY IS A FULL-TIME STUDENT IN AN
17 EDUCATIONAL OR VOCATIONAL INSTITUTION, UNTIL THE BENEFICIARY IS
18 TWENTY-THREE YEARS OF AGE;

19 (d) IF THE BENEFICIARY IS THE SURVIVING SPOUSE, UNTIL THE
20 SURVIVING SPOUSE REMARRIES; OR

21 (e) UNTIL THE PROCEEDS OF THE INSURANCE POLICIES PROVIDED
22 IN SUBSECTION (4) OF THIS SECTION AND THE ACCRUED INTEREST ON SUCH
23 INSURANCE PROCEEDS ARE EXHAUSTED.

24 (4) TO PAY THE COSTS OF THE OPTION PROVIDED PURSUANT TO
25 THIS SECTION, THE BOARD SHALL INSURE MEMBERS BY INSURANCE
26 POLICIES OF INDIVIDUAL, GROUP, OR BLANKET LIFE, ENDOWMENT, OR
27 ANNUITY INSURANCE OR VARIABLE ANNUITY INSURANCE. THE FUND IS

1 THE BENEFICIARY OF THE INSURANCE POLICIES, AND THE PROCEEDS OF THE
2 INSURANCE POLICIES SHALL BE PAID TO THE BOARD AS AN ADDITION TO
3 THE FUND. PAYMENT OF THE PREMIUMS ON THE POLICIES SHALL BE PAID
4 FROM THE EXISTING FUND ASSETS, FROM ADDITIONAL LOCAL
5 CONTRIBUTIONS MADE TO THE EXISTING FUND FOR PAYMENT OF THE
6 PREMIUMS, OR BOTH; EXCEPT THAT, NOTWITHSTANDING THE PROVISIONS
7 OF SECTION 31-30-1312 CONCERNING THE AMOUNT OF STATE
8 CONTRIBUTIONS TO THE FUND, ADDITIONAL STATE CONTRIBUTIONS SHALL
9 NOT BE MADE TO THE EXISTING FUND ASSETS FOR PAYMENT OF THE
10 PREMIUMS ON THE POLICIES OR AS A RESULT OF ADDITIONAL LOCAL
11 CONTRIBUTIONS MADE TO THE EXISTING PENSION FUND FOR PAYMENT OF
12 THE PREMIUMS.

13 (5) IF SURVIVOR BENEFITS ARE PROVIDED PURSUANT TO
14 SUBSECTION (1) OF THIS SECTION AND IF A VOLUNTEER EMERGENCY
15 MEDICAL TECHNICIAN TERMINATES ACTIVE DUTY BEFORE RETIREMENT,
16 THE BOARD MAY ALLOW THE EMERGENCY MEDICAL TECHNICIAN TO
17 PURCHASE ANY INSURANCE POLICY THAT WAS PURCHASED PURSUANT TO
18 SUBSECTION (4) OF THIS SECTION AT A PRICE EQUAL TO THE CASH VALUE
19 OF THE POLICY. IF THE EMERGENCY MEDICAL TECHNICIAN DOES NOT
20 PURCHASE THE POLICY, THE BOARD SHALL SURRENDER THE POLICY FOR ITS
21 CASH VALUE. MONEYS OBTAINED BY THE BOARD PURSUANT TO THIS
22 SUBSECTION (5) SHALL BE DEPOSITED IN THE FUND AND USED TO PAY THE
23 COSTS OF THE SURVIVOR BENEFITS PROVIDED PURSUANT TO THIS SECTION.

24 (6) THE SURVIVOR BENEFITS PROVIDED PURSUANT TO SUBSECTION
25 (1) OF THIS SECTION MAY BE TERMINATED AT ANY TIME BY EITHER:

26 (a) A VOTE TO TERMINATE BY THE GOVERNING BODY OF THE
27 DISTRICT, COUNTY, OR MUNICIPALITY;

1 (b) A VOTE TO TERMINATE APPROVED BY AT LEAST SIXTY-FIVE
2 PERCENT OF THE MEMBERS OF THE DISTRICT, COUNTY, OR MUNICIPALITY.

3 **31-30-1329. Funeral benefit.** WHEN AN ACTIVE OR RETIRED
4 MEMBER DIES, THE BOARD SHALL PAY A FUNERAL BENEFIT TO ASSIST IN
5 THE PROPER BURIAL OF THE DECEASED VOLUNTEER EMERGENCY MEDICAL
6 TECHNICIAN IN AN AMOUNT DETERMINED BY THE BOARD OF NOT MORE
7 THAN TWICE THE AMOUNT DETERMINED BY THE BOARD UNDER SECTION
8 31-30-1321, BUT NOT LESS THAN ONE HUNDRED DOLLARS. THE BOARD
9 SHALL PAY THE FUNERAL BENEFIT TO ANY PERSON WHO PAYS THE
10 NECESSARY FUNERAL EXPENSES.

11 **31-30-1330. Dissolution of district, county ambulance service**
12 **or municipal ambulance service.** (1) IF A DISTRICT, COUNTY
13 AMBULANCE SERVICE, OR MUNICIPAL AMBULANCE SERVICE DISSOLVES
14 AND THE SERVICES OF VOLUNTEER EMERGENCY MEDICAL TECHNICIANS
15 ARE DISCONTINUED:

16 (a) THE BENEFITS PAID UNDER THIS PART 13 TO VOLUNTEER
17 EMERGENCY MEDICAL TECHNICIANS OR THEIR SURVIVING SPOUSES,
18 DEPENDENT PARENTS, CHILDREN, AND OTHER BENEFICIARIES AT THE TIME
19 OF THE DISSOLUTION SHALL CONTINUE.

20 (b) ASSETS OF THE FUND SHALL BE TRANSFERRED WITH OTHER
21 ASSETS OF THE DISTRICT, COUNTY AMBULANCE SERVICE, OR MUNICIPAL
22 AMBULANCE SERVICE AND SHALL BE ADMINISTERED BY THE BOARD OF
23 TRUSTEES OF THE SUCCESSOR PENSION FUND.

24 (c) IN NO EVENT SHALL THE RATE OF COMPENSATION BE ALTERED
25 EITHER AFTER COMMENCEMENT OF PROCEEDINGS FOR DISSOLUTION HAS
26 OCCURRED OR AFTER ITS COMPLETION.

27 (d) A VOLUNTEER EMERGENCY MEDICAL TECHNICIAN WHO HAS

1 ACCRUED TEN OR MORE YEARS OF ACTIVE SERVICE AT THE TIME OF THE
2 DISSOLUTION SHALL BE GRANTED AN ANNUITY WHEN THE EMERGENCY
3 MEDICAL TECHNICIAN REACHES FIFTY YEARS OF AGE. THE ANNUITY SHALL
4 BE PRORATED IN ACCORDANCE WITH THE MEMBER'S YEARS OF SERVICE
5 AND THE AMOUNT OF ANNUITY BEING PAID FOR AGE AND SERVICE
6 PENSIONS BY THE BOARD AT THE TIME OF THE DISSOLUTION.

7 **31-30-1331. Volunteer emergency medical technician -**
8 **employment termination restricted.** (1) AN EMPLOYER SHALL NOT
9 TERMINATE AN EMPLOYEE WHO IS A VOLUNTEER EMERGENCY MEDICAL
10 TECHNICIAN AND WHO FAILS TO REPORT TO WORK BECAUSE THE EMPLOYEE
11 HAS RESPONDED TO AN EMERGENCY SUMMONS IF THE EMPLOYEE PROVIDES
12 THE EMPLOYER WITH A WRITTEN STATEMENT FROM THE CHIEF EXECUTIVE
13 OF THE DISTRICT, COUNTY, OR MUNICIPALITY THAT THE EMPLOYEE'S
14 ABSENCE WAS DUE TO THE RESPONSE.

15 (2) AN EMPLOYER MAY DEDUCT TIME LOST FROM EMPLOYMENT
16 CAUSED BY A RESPONSE TO AN EMERGENCY SUMMONS FROM THE WAGES
17 OF AN EMPLOYEE WHO IS A VOLUNTEER EMERGENCY MEDICAL
18 TECHNICIAN.

19 **31-30-1332. Retired emergency medical technician - return to**
20 **active service - benefits.** IF THE GOVERNING BODY OF ANY DISTRICT,
21 COUNTY, OR MUNICIPALITY, BY RESOLUTION, DETERMINES THAT IT IS IN
22 NEED OF ADDITIONAL VOLUNTEER EMERGENCY MEDICAL TECHNICIANS, A
23 RETIRED MEMBER SHALL BE ELIGIBLE TO SERVE AS AN ACTIVE VOLUNTEER
24 EMERGENCY MEDICAL TECHNICIAN OF SUCH DISTRICT, COUNTY, OR
25 MUNICIPALITY. ANY RETIRED MEMBER WHO, SUBSEQUENT TO
26 RETIREMENT, SERVES AS AN ACTIVE VOLUNTEER EMERGENCY MEDICAL
27 TECHNICIAN PURSUANT TO THIS SECTION SHALL CONTINUE TO RECEIVE

1 PENSION BENEFITS FROM THE FUND UNDER THIS PART 13 DURING THE
2 PERIOD IN WHICH THE PERSON IS AN ACTIVE VOLUNTEER EMERGENCY
3 MEDICAL TECHNICIAN. DURING THE PERIOD SUCH PERSON IS RECEIVING A
4 PENSION AND ACTING AS AN ACTIVE VOLUNTEER EMERGENCY MEDICAL
5 TECHNICIAN PURSUANT TO THIS SECTION, SUCH PERSON SHALL NOT
6 RECEIVE SERVICE CREDIT FOR THE PURPOSE OF INCREASING SUCH PENSION.

7 **31-30-1333. Qualification requirements - internal revenue**
8 **code.** (1) AS USED IN THIS SECTION, "INTERNAL REVENUE CODE" MEANS
9 THE FEDERAL "INTERNAL REVENUE CODE OF 1954", AS IN EFFECT ON
10 SEPTEMBER 1, 1974, AS APPLICABLE TO GOVERNMENTAL PLANS, OR, TO
11 THE EXTENT NOT INCONSISTENT, THE FEDERAL "INTERNAL REVENUE CODE
12 OF 1986", AS AMENDED AND IN EFFECT ON JANUARY 1, 1989.

13 (2) ANY VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION
14 PLAN ESTABLISHED BY THIS PART 13 TO PROVIDE RETIREMENT BENEFITS
15 FOR VOLUNTEER EMERGENCY MEDICAL TECHNICIANS SHALL SATISFY THE
16 QUALIFICATION REQUIREMENTS SPECIFIED IN SECTION 401 OF THE
17 INTERNAL REVENUE CODE, AS APPLICABLE TO GOVERNMENTAL PLANS. IN
18 ORDER TO MEET THOSE REQUIREMENTS, SUCH PLANS ARE SUBJECT TO THE
19 FOLLOWING PROVISIONS, NOTWITHSTANDING ANY OTHER PROVISION OF
20 THIS PART 13:

21 (a) THE BOARD SHALL DISTRIBUTE THE CORPUS AND INCOME OF
22 THE PENSION PLAN TO MEMBERS AND THEIR BENEFICIARIES IN
23 ACCORDANCE WITH THIS PART 13 AND THE RULES ADOPTED BY THE
24 BOARD.

25 (b) NO PART OF THE CORPUS OR INCOME OF THE PENSION PLAN
26 MAY BE USED FOR OR DIVERTED TO ANY PURPOSE OTHER THAN THAT OF
27 PROVIDING BENEFITS TO PARTICIPANTS AND THEIR BENEFICIARIES AND

1 DEFRAYING REASONABLE EXPENSES OF ADMINISTERING THE PENSION
2 PLAN, EXCEPT FOR AN ASSIGNMENT FOR CHILD SUPPORT DEBT PURSUANT
3 TO SECTION 14-14-104, C.R.S., CHILD SUPPORT ARREARAGES AS
4 REQUESTED AS PART OF AN ENFORCEMENT ACTION UNDER ARTICLE 5 OF
5 TITLE 14, C.R.S., OR CHILD SUPPORT ARREARAGES THAT ARE THE SUBJECT
6 OF ENFORCEMENT SERVICES PROVIDED UNDER SECTION 26-13-106, C.R.S.,
7 AND EXCEPT FOR INCOME ASSIGNMENTS FOR CHILD SUPPORT PURPOSES
8 PURSUANT TO SECTION 14-14-111.5, C.R.S., AND A WRIT OF GARNISHMENT
9 THAT IS THE RESULT OF A JUDGMENT TAKEN FOR ARREARAGES FOR CHILD
10 SUPPORT OR FOR CHILD SUPPORT DEBT.

11 (c) FORFEITURES ARISING FROM SEVERANCE OF EMPLOYMENT,
12 DEATH, OR ANY OTHER REASON MAY NOT BE APPLIED TO INCREASE THE
13 BENEFITS ANY MEMBER WOULD OTHERWISE RECEIVE UNDER THIS PART 13.

14 (d) IF THE PENSION PLAN IS TERMINATED, OR IF ALL
15 CONTRIBUTIONS TO THE PENSION PLAN ARE PERMANENTLY DISCONTINUED,
16 THE RIGHTS OF EACH AFFECTED MEMBER TO THE BENEFITS ACCRUED AT
17 THE DATE OF THE TERMINATION OR DISCONTINUANCE, TO THE EXTENT
18 THEN FUNDED, ARE NONFORFEITABLE.

19 (e) UPON ATTAINING THE ELIGIBILITY REQUIREMENTS FOR A
20 BENEFIT, A MEMBER SHALL BE FULLY VESTED IN THE BENEFITS SUCH
21 MEMBER HAS ACCRUED.

22 (f) ALL BENEFITS PAID FROM THE PENSION PLAN SHALL BE
23 DISTRIBUTED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 401

24 (a) (9) OF THE INTERNAL REVENUE CODE AND THE REGULATIONS
25 PROMULGATED UNDER THAT SECTION. IN ORDER TO MEET THOSE
26 REQUIREMENTS, THE PENSION PLAN IS SUBJECT TO THE FOLLOWING
27 PROVISIONS:

1 (I) THE LIFE EXPECTANCY OF A MEMBER, THE MEMBER'S SPOUSE,
2 OR THE MEMBER'S BENEFICIARY SHALL NOT BE RECALCULATED AFTER THE
3 INITIAL DETERMINATION OF THE AMOUNT OF BENEFITS THAT ARE PAYABLE.

4 (II) IF A MEMBER DIES BEFORE THE DISTRIBUTION OF THE
5 MEMBER'S BENEFITS HAS BEGUN, DISTRIBUTIONS TO BENEFICIARIES MUST
6 BEGIN NO LATER THAN DECEMBER 31 OF THE CALENDAR YEAR
7 IMMEDIATELY FOLLOWING THE CALENDAR YEAR IN WHICH THE MEMBER
8 DIED.

9 (III) THE AMOUNT OF AN ANNUITY PAID TO A MEMBER'S
10 BENEFICIARY MAY NOT EXCEED THE MAXIMUM DETERMINED UNDER THE
11 INCIDENTAL DEATH BENEFIT REQUIREMENT OF THE INTERNAL REVENUE
12 CODE.

13 (g) BENEFITS PAID UNDER ANY PENSION PLAN MAY NOT EXCEED
14 THE LIMITATIONS SPECIFIED BY SECTION 415 OF THE INTERNAL REVENUE
15 CODE, INCLUDING THE SPECIAL RULE UNDER SECTION 415 (b) (10) OF THE
16 INTERNAL REVENUE CODE.

17 (h) THE COMPENSATION TAKEN INTO ACCOUNT UNDER THIS PART
18 13 MAY NOT EXCEED THE APPLICABLE AMOUNT UNDER SECTION 401 (a)
19 (17) OF THE INTERNAL REVENUE CODE.

20 (i) ANY DISTRIBUTEE WHO IS ENTITLED TO AN ELIGIBLE ROLLOVER
21 DISTRIBUTION, AS DEFINED IN SECTION 402 (c) (4) OF THE INTERNAL
22 REVENUE CODE, FROM THE STATEWIDE PENSION PLAN MAY ELECT TO HAVE
23 THE PORTION OF SUCH DISTRIBUTION THAT WOULD OTHERWISE BE
24 INCLUDED IN THE GROSS INCOME OF THE DISTRIBUTEE FOR FEDERAL
25 INCOME TAX PURPOSES TRANSFERRED DIRECTLY TO AN ELIGIBLE
26 RETIREMENT PLAN, AS DEFINED IN SECTION 402 (c) (8) (B) OF THE
27 INTERNAL REVENUE CODE, DESIGNATED BY THE DISTRIBUTEE.

1 **31-30-1334. Statewide accidental death and disability**
2 **insurance policy - department of local affairs - rules.** (1) BEGINNING
3 JULY 1, 2009, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE FOR
4 AND DETERMINE THE COST OF A STATEWIDE ACCIDENTAL DEATH AND
5 DISABILITY INSURANCE POLICY TO COVER ALL VOLUNTEER EMERGENCY
6 MEDICAL TECHNICIANS SERVING IN VOLUNTEER OR PAID AND VOLUNTEER
7 DISTRICTS, COUNTIES, OR MUNICIPALITIES, THE INSURANCE TO BE
8 APPLICABLE ONLY WHEN SERVING AS A VOLUNTEER EMERGENCY MEDICAL
9 TECHNICIAN. THE POLICY SHALL BE PAID FOR AS PROVIDED IN SECTION
10 31-30-1312 (6) FROM THE PROCEEDS OF THE TAX IMPOSED BY SECTION
11 10-3-209, C.R.S.

12 (2) THE DEPARTMENT OF LOCAL AFFAIRS SHALL SET THE AMOUNT
13 OF COVERAGE TO BE PROVIDED FOR EACH VOLUNTEER EMERGENCY
14 MEDICAL TECHNICIAN, TAKE COMPETITIVE BIDS FOR THE POLICY FROM
15 INSURERS, AND MAKE SUCH RULES AS MAY BE NECESSARY TO PROVIDE FOR
16 THE POLICY.

17 (3) THE DEPARTMENT OF LOCAL AFFAIRS SHALL SECURE AN
18 ACCIDENTAL DEATH AND DISABILITY INSURANCE POLICY THAT OFFERS THE
19 BEST BENEFITS AVAILABLE FOR THE AMOUNT OF MONEYS TRANSFERRED
20 TO THE DEPARTMENT PURSUANT TO SECTION 31-30-1312 (6).

21 (4) THE INSURER SHALL HAVE SOLE POWER TO DETERMINE
22 DISABILITY FOR VOLUNTEER EMERGENCY MEDICAL TECHNICIANS UNDER
23 THE POLICY PROVIDED BY THIS SECTION.

24 (5) THE DEPARTMENT OF LOCAL AFFAIRS SHALL HAVE THE
25 AUTHORITY TO CONTRACT WITH ANY ENTITY FOR THE PURPOSE OF
26 COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

27 **SECTION 2.** 2-3-1203 (3), Colorado Revised Statutes, is

1 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2 **2-3-1203. Sunset review of advisory committees.** (3) The
3 following dates are the dates for which the statutory authorization for the
4 designated advisory committees is scheduled for repeal:

5 (ee) JULY 1, 2018: THE VOLUNTEER EMERGENCY MEDICAL
6 TECHNICIAN ADVISORY COMMITTEE, CREATED IN SECTION 31-30-1312
7 (11), C.R.S.

8 **SECTION 3. Effective date.** This act shall take effect at 12:01
9 a.m. on the day following the expiration of the ninety-day period after
10 final adjournment of the general assembly that is allowed for submitting
11 a referendum petition pursuant to article V, section 1 (3) of the state
12 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
13 except that, if a referendum petition is filed against this act or an item,
14 section, or part of this act within such period, then the act, item, section,
15 or part, if approved by the people, shall take effect on the date of the
16 official declaration of the vote thereon by proclamation of the governor.