

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0392.01 Veronica Parish x2606

HOUSE BILL 26-1027

HOUSE SPONSORSHIP

Story,

SENATE SPONSORSHIP

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House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING BOARDS OF COOPERATIVE SERVICES, AND, IN
102 CONNECTION THEREWITH, PERMITTING A RETIREE TO WORK AS
103 AN EXECUTIVE DIRECTOR OF A BOARD OF COOPERATIVE
104 SERVICES WITHOUT LOSING RETIREMENT BENEFITS AND
105 CLARIFYING BOARD OF COOPERATIVE SERVICES ELIGIBILITY
106 FOR POSTSECONDARY AND WORKFORCE READINESS FUNDING.

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://leg.colorado.gov>.)

The bill adds a board of cooperative services (BOCES) executive

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

director to the list of individuals covered by the public employees' retirement association (PERA) who may be employed in specified education-related positions under certain circumstances with no change in their PERA retirement benefits.

The bill amends the definition of "local education provider" in the "Public School Finance Act of 2025" applicable to postsecondary and workforce readiness funding to include BOCES that do not operate schools.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-51-1101, **amend**
3 (1.9)(a)(I), (1.9)(a)(II)(B), (1.9)(a)(II)(C), and (1.9)(h); and **add** (1.9)(k)
4 as follows:

5 **24-51-1101. Employment after service retirement - report -**
6 **definitions - repeal.**

7 (1.9) (a) (I) Subject to subsection (1.9)(h) of this section, a service
8 retiree who is a superintendent; a principal; a teacher; a school bus driver;
9 a school food services cook; a school nurse; ~~or~~ a paraprofessional, as
10 defined in section 22-60.3-201; OR A BOCES EXECUTIVE DIRECTOR, and
11 is hired pursuant to subsection (1.9)(b) of this section by an employer in
12 the school division of the association that satisfies the criteria specified
13 in subsection (1.9)(a)(II) of this section may receive salary without
14 reduction in benefits for any length of employment in a calendar year if
15 the service retiree has not worked for an employer, as defined in section
16 24-51-101 (20), during the month of the effective date of retirement. A
17 service retiree described in this subsection (1.9)(a) who works for an
18 employer, as defined in section 24-51-101 (20), during the month of the
19 effective date of retirement is subject to a reduction in benefits as
20 provided in section 24-51-1102 (2).

21 (II) The provisions of this subsection (1.9) apply only if:

1 (B) The school district, board of cooperative services, or charter
2 school hires the service retiree for the purpose of providing classroom
3 instruction or school bus transportation to students enrolled by the district,
4 enrolled by one or more of the districts served by the board of cooperative
5 services, or enrolled by the charter school, or for the purpose of being a
6 superintendent; a principal; a school food services cook; a school nurse;
7 ~~or~~ a paraprofessional, as defined in section 22-60.3-201; OR A BOCES
8 EXECUTIVE DIRECTOR; and

9 (C) The school district, board of cooperative services, or charter
10 school determines that there is a critical shortage of qualified
11 superintendents; principals; teachers; school bus drivers; school food
12 services cooks; school nurses; ~~or~~ paraprofessionals, as defined in section
13 22-60.3-201; OR BOCES EXECUTIVE DIRECTORS, as applicable, and that
14 the service retiree has specific experience, skills, or qualifications that
15 would benefit the district, board of cooperative services, or charter
16 school.

17 (h) A teacher, school bus driver, school food services cook, school
18 nurse, superintendent, principal, ~~or~~ qualified paraprofessional, OR BOCES
19 EXECUTIVE DIRECTOR who retires before ~~he or she has~~ THEY HAVE met the
20 age and service credit requirements for full service retirement benefits
21 pursuant to section 24-51-602 shall not be employed after retirement
22 pursuant to this subsection (1.9) by the employer in the school division
23 that was the teacher's, school bus driver's, school food services cook's,
24 school nurse's, superintendent's, principal's, ~~or~~ qualified
25 paraprofessional's, OR BOCES EXECUTIVE DIRECTOR'S last employer until
26 two years after the teacher's, school bus driver's, school food services
27 cook's, school nurse's, superintendent's, principal's, ~~or~~ qualified

1 paraprofessional's, OR BOCES EXECUTIVE DIRECTOR'S date of retirement.

2 (k) AS USED IN THIS SUBSECTION (1.9), UNLESS THE CONTEXT
3 OTHERWISE REQUIRES, "BOCES EXECUTIVE DIRECTOR" MEANS AN
4 INDIVIDUAL WHO HAS EXECUTIVE AUTHORITY FOR THE ADMINISTRATION
5 OF A BOARD OF COOPERATIVE SERVICES.

6 **SECTION 2.** In Colorado Revised Statutes, 22-54-202, **amend**
7 (4) as follows:

8 **22-54-202. Definitions.**

9 As used in this part 2, unless the context otherwise requires:

10 (4) "Local education provider" means a school district, a charter
11 school authorized by a school district pursuant to part 1 of article 30.5 of
12 this title 22, a charter school authorized by the state charter school
13 institute pursuant to part 5 of article 30.5 of this title 22, or a board of
14 cooperative services created and operating pursuant to article 5 of this
15 title 22. ~~that operates one or more public schools.~~

16 **SECTION 3. Safety clause.** The general assembly finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety or for appropriations for
19 the support and maintenance of the departments of the state and state
20 institutions.