

**Fall 2017****Notice of  
Proposed  
Rule Making  
& Plan  
Amendment****FPPA Fall 2017****Notice of Proposed Rule Making & Plan Amendment**

This Notice of Proposed Rule-Making and Plan Amendment is issued in accordance with FPPA Rule 702.01. A public hearing will be held Thursday, September 28, 2017 at 7:30 a.m. in the FPPA Board Room of the Fire and Police Pension Association, Two DTC, 5290 DTC Parkway, Suite 100, Greenwood Village, Colorado 80111, 303-770-3772 or 800-332-3772. The FPPA Board will consider proposed rules and plan amendments on the subjects and issues described below. Persons desiring to submit written data, views, or arguments to the FPPA Board are asked to submit them to FPPA by Thursday, September 21, 2017. The Board will consider all written submissions as well as any oral testimony taken at the public hearing. Comments will also be accepted via fax at 303-771-7622. Please include your name and address with all correspondence.

A description of the subjects and issues involved in the proposed amendments to the FPPA Rules and Regulations for the:

- Statewide Defined Benefit (SWDB) Plan,
  - Statewide Death & Disability (SWD&D) Plan,
  - Statewide Hybrid (SWH) Plan,
  - and the Statewide Money Purchase (SWMP) Plan Document, are as follows:
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- Amending the rule defining “Dependent Child” to clarify that a child must meet the definition of Dependent Child at the time of a Member’s retirement for disability or the Member’s death while he or she is an active employee; and in the case of an unmarried child or a child who is not a party to a civil union under the age of 23, an adopted child.
  - Adding a definition of “Leave of Absence” to provide clarity to the term as it is used throughout the rules and plan documents
  - Amending the rules to clarify that when a Member does not name an eligible beneficiary on the retirement application, the Member shall be considered to have elected the Normal payment option
  - Amending the rules to clarify that a benefit recipient whose benefit distribution method requires monthly payments must provide authorization to FPPA for the electronic transfer of pension payments to the benefit recipient’s banking institution; and to provide that electronic transfer of monthly payments will be made to one institution that is part of the Federal Reserve
  - Amending the rules and plan documents to allow any revenue sharing derived from the investments offered by the plan as an offset against the costs of administrative services to be instead distributed to participants
  - Adding a rule to clarify how the defined benefit offset to a death and disability benefit or survivor’s benefit is calculated

- Amending a rule to clarify to whom funds are distributed if the Member's retirement plan will not accept the transfer of the amount of employer contributions to the Member's retirement plan that the Member would have received during the period of a Member's temporary occupational disability, after a Member is restored to active service
- Adding a rule to clarify that if the Member's normal retirement plan is the Statewide Defined Benefit Plan, the Statewide Hybrid Plan, the Money Purchase Component of the Statewide Hybrid Plan, the Colorado Springs New Hire Pension Plan (Police or Fire Components), or a local money purchase plan, and if the Member would have attained the required age and service for a normal retirement under the Member's retirement plan, during the Member's period of disability, the Member may retire under the Member's normal retirement plan; and that the Member's normal retirement benefit will become payable effective the 1st day of the month following that date on which the Member attains the required age and service for a normal retirement and the disability benefit will be discontinued
- Amending the rules to comply with recently enacted statutory amendments in SB17-020 concerning the modification of the uniform approval standard for FPPA plan elections from 65 percent of the Members eligible to vote to 65 percent of Members who vote to approve coverage under an FPPA plan
- Amending the rules to allow for a shorter or longer waiting period than 60 days as approved by the COO for a volunteer fire department to file a resolution of intent to disaffiliate from FPPA; and setting the effective date of disaffiliation as the first of the month following the waiting period; and providing that all monies and net

earnings shall be returned to the disaffiliating department within 30 days of the effective date of disaffiliation; and that the determination of net earnings shall be made by the Executive Director or COO; and providing that the assets in the volunteer fund to be returned to the disaffiliating volunteer fire department will accrue interest the month prior to the effective date of disaffiliation through the date of the actual return of the monies by FPPA

- Amending the rules to provide that notice of proposed rule-making and plan documents changes by the Board shall contain the authority under which the rule or plan document change is proposed, a description of the subjects and issues involved, and the location of the proposed rules and plan document changes; and providing that notice shall be published by emailing a copy of the notice
- Amending the rules to provide that interest shall not be compounded on amounts of delinquent contributions
- Amending rules going forward to remove the rules for payment of distributions for health insurance premiums for Members of plans within the FPPA Defined Benefit System, affiliated old hire and affiliated volunteer plans, and the SWD&D, but not for any self-directed assets held by FPPA's recordkeeper; and removing the requirement that the Member notify FPPA if the Member does not wish to have the exclusion made for health insurance
- Amending rules and adding rules for affiliated volunteer fire departments to comply with Section 401(a) of the Internal Revenue Code
- Amending the SWH Plan rules and the SWMP Plan document defining "Authorized Leave of Absence" to provide clarity to the term as it is used throughout the rules and plan documents

- Amending the SWH Plan rules to clarify if a Member must have reached age 50 to make the one-time irrevocable election to convert to a monthly benefit all or a portion of the Member's money purchase component account or DROP account; and the Member must make a one-time irrevocable election to convert all or a portion of the DROP or MP component of the SWH Plan account to a monthly lifetime benefit within 90 days of retirement or separation of service
- Amend the SWH Plan document to allow the cost of administrative services to be covered by penalties received, settlement proceeds, and other sources of revenue received

A description of the subjects and issues involved in the proposed amendments to the Colorado Springs New Hire Pension (CSNHPP) Plan Rules and Regulations are as follows:

- Amending the rule defining "Authorized Leave of Absence" to provide clarity to the term as it is used throughout the rules
- Amending the rule defining "Qualified Child" to clarify that a child must be meet the definition of Qualified Child at the time of a Member's retirement; and in the case of an unmarried child or a child who is not a party to a civil union under the age of 23, an adopted child and a child who is conceived but unborn at the date of the Member's death or whichever applies; and that any increase in benefits will occur upon birth

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These rules and plan amendments are proposed pursuant to the Board's authority under CRS § 31-31-202(1)(j), as amended, CRS §31-30.5-212, CRS §§ 31-31-204(2.5), 31-31-502(5), and 31-31-815, the FPPA Rules & Regulations, the Statewide Hybrid Plan Document, the Statewide Money Purchase Plan Document and the Colorado Springs New Hire Pension Plan Documents for the Police Component and the Fire Component.

The specific proposed changes are more completely described in the actual proposed rules and proposed plan amendments. Copies of the proposed rules and amendments are available on our web site at [www.FPPAco.org](http://www.FPPAco.org). Once there click on the blue box in the left column labeled "Rules & Statutes".

Or copies may be obtained by contacting FPPA's Office of the General Counsel during regular business hours. Individuals with disabilities needing auxiliary aids may request assistance by contacting Gina Witsell at the following address or telephone numbers.

**Fire & Police Pension Association**  
**5290 DTC Parkway, Suite 100, Greenwood Village, CO 80111**

**(303) 770-3772** in the Denver Metro area or **(800) 332-3772** toll free Statewide.