

ENROLLED SENATE
BILL NO. 685

BY: HOOPER of the SENATE

and

WILLIAMS of the HOUSE

AN ACT RELATING TO STATE GOVERNMENT; AMENDING 74 O.S. 1991, SECTION 1342, WHICH RELATES TO STATE EMPLOYEE FLEXIBLE BENEFITS; PROVIDING EXCEPTION; CLARIFYING LANGUAGE; DIRECTING THE STATE AND EDUCATION EMPLOYEES GROUP INSURANCE BOARD TO DEVELOP FLEXIBLE BENEFITS PLAN FOR COUNTIES, MUNICIPALITIES, POLITICAL SUBDIVISIONS AND SCHOOL DISTRICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1342, is amended to read as follows:

Section 1342. As used in the State Employees Flexible Benefits Act, Section 1341 et seq. of this title:

1. "Board" means the State and Education Employees Group Insurance Board;
2. "Flexible benefits plan" means a written plan providing benefits to eligible employees which meets the requirements of Title 26, Section 125 et seq. of the Internal Revenue Code of the United States and regulations promulgated thereunder;
3. "Employee" means any person eligible to participate in the State and Education Employees Group Insurance Act, Section 1301 et seq. of this title, or an employee of the Oklahoma Employment Security Commission. "Employee" shall not include a person who is an employee of the State Regents for Higher Education or any institution under the authority of the State Regents for Higher Education or any person who is an employee of any school district or political subdivision of this state, except as provided for in Section 2 of this act;
4. "Employer" means any state agency, board, commission, department, institution, authority, officer, bureau, council, office or other entity created by the Oklahoma Constitution or statutes, but shall not include the State Regents for Higher Education or any institution under the authority of the State Regents for Higher Education, any school district, or political subdivision of the state, except as provided for in Section 2 of this act; and
5. "Salary adjustment agreement" means a written agreement between an eligible employee and an employer whereby the employer agrees to adjust the salary of the employee by a stated amount or an amount equal to the cost of benefits selected under a flexible benefits plan and the employer agrees to contribute such amount to cover certain costs of the benefits selected by the eligible employee.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1348 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Board shall develop a flexible benefits plan, in accordance with the provisions of Section 1344 of Title 74 of the Oklahoma Statutes, to be made available to counties, municipalities, political subdivisions or school districts. If any individual county, municipality, political subdivision or school district chooses to participate in the plan, it must, by a resolution adopted by the governing body, adopt a written flexible benefits plan and notify the Board in order to participate in the program. All full-time employees of a participating entity shall be given the option of participating in the program. The Board is authorized to contract with any county, municipality, political subdivision or school district within this state for providing a flexible benefits plan and is authorized to assess charges to participating entities to cover the costs associated with administering this program.

SECTION 3. This act shall become effective July 1, 1992.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 28th day of April, 1992.

President of the Senate

Passed the House of Representatives the 31st day of March, 1992.

Speaker of the House of Representatives