

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1432

BY: ROBERTS (WALT)

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; AMENDING SECTION 8, CHAPTER 370, O.S.L. 1989, AS AMENDED BY SECTION 12, CHAPTER 244, O.S.L. 1990 (74 O.S. SUPP. 1990, SECTION 1344), WHICH RELATES TO THE ESTABLISHMENT OF A FLEXIBLE BENEFITS PLAN; PROVIDING ADDITIONAL EXPENSES WHICH MAY BE ADDED TO SUCH PLAN; PROVIDING FOR THE ESTABLISHMENT OF A EDUCATION ENROLLMENT FEE PROGRAM; SPECIFYING PROGRAM; LIMITING FUNDS FOR THE PROGRAM; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY Section 8, Chapter 370, O.S.L. 1989, as amended by Section 12, Chapter 244, O.S.L. 1990 (74 O.S. Supp. 1990, Section 1344), is amended to read as follows:

Section 1344. A. The Flexible Benefits Advisory Council shall establish a flexible benefits plan. All state employers as defined in Section 1342 of this title shall offer the flexible benefits plan to employees.

B. Expenses included in an employee's salary adjustment agreement pursuant to the flexible benefits plan shall be limited to expenses for:

1. Dependent health insurance pursuant to the provisions of Section 1309 of Title 74 of the Oklahoma Statutes;

2. Insurance premiums or retirement plan premiums or payments which are supplemental to insurance or retirement programs offered by the State of Oklahoma or which are paid for under salary adjustment agreements pursuant to the provisions of paragraph 1 or 2 of subsection D of Section 7.10 of Title 62 of the Oklahoma Statutes;

3. Dependent care;

4. Medical care as defined by the Flexible Benefits Advisory Council; ~~or~~

5. General enrollment fees and other fees for enrollment in one of the institutions of higher education in The Oklahoma State System of Higher Education or in a vocational-technical school subject to the State Board of Vocational and Technical Education, pursuant to Section 2 of this Act; or

6. All other eligible programs offered under Title 26, Section 125 et seq. of the Internal Revenue Code of the United States.

C. The amount by which an employee's salary is adjusted pursuant to a salary adjustment agreement shall be excluded from income in computation of income tax withholding, unemployment payments and workers' compensation coverage. Such amount shall be included as income in computation of state retirement contributions and benefits. Provided, if the inclusions and exclusions provided in this subsection conflict with the provisions of federal law or regulations pertaining to flexible benefits plans, the Council is authorized to modify or abolish such inclusions and exclusions.

D. The Administrator of the State and Education Employees Group Insurance Board with approval of the Council shall promulgate rules, regulations and procedures as necessary for implementation and administration of the flexible benefits plan.

E. The Administrator of the State and Education Employees Group Insurance Board under the direction of the Council shall contract with one or more private firms or organizations to administer the flexible benefits plan. The contract shall be made at no cost to any employee of the State of Oklahoma.

F. All employers shall begin offering the flexible benefits plan to employees not later than January 1, 1990.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1347 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Beginning January 1, 1992, the Office of Personnel Management shall establish and administer a program which offers to employees of this state general enrollment fees and other fees for enrollment in an institution of higher education in The Oklahoma State System of Higher Education or for enrollment in a vocational-technical school subject to the State Board of Vocational and Technical Education. The program shall be provided for with funds available in the Flexible Benefit Revolving Fund or with funds otherwise available for that purpose. The purpose of this program is to aid state employees in pursuing a higher education degree in an institution of higher education in The Oklahoma State System of Higher Education or in furthering the education of employees in programs related to their jobs through schools subject to the State Board of Vocational and Technical Education.

B. The program shall be funded from the Flexible Benefit Revolving Fund. Provided, however, the maximum amount per year of monies which may be expended from this fund for this program shall be Two Hundred Fifty Thousand Dollars (\$250,000.00).

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

43-1-5542

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