

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2366

BY: HAMILTON (Jeff)

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; AMENDING 74 O.S. 1991, SECTION 1347, WHICH RELATES TO REIMBURSEMENTS FOR PROJECTED EMPLOYER SOCIAL SECURITY SAVINGS; TRANSFERRING SUCH REIMBURSEMENTS FROM THE GENERAL REVENUE FUND TO THE CHILD DAY CARE AND STATE EMPLOYEE REVOLVING FUND; AMENDING 74 O.S. 1991, SECTIONS 4191 AND 4192, WHICH RELATE TO CHILD DAY CARE; AUTHORIZING THE USE OF CERTAIN FUNDS FOR CHILD DAY CARE PROGRAMS; CHANGING THE NAME OF THE CHILD DAY CARE REVOLVING FUND TO THE CHILD DAY CARE AND STATE EMPLOYEE REVOLVING FUND; EXPANDING DEPOSITS TO THE FUND; MODIFYING EXPENDITURE PURPOSES; TRANSFERRING MONIES; REPEALING 74 O.S. 1991, SECTION 1346 (SECTION 28, CHAPTER 26, O.S.L. 1991), WHICH RELATES TO THE FLEXIBLE BENEFIT REVOLVING FUND OF THE OFFICE OF PERSONNEL MANAGEMENT; PROVIDING FOR NONCODIFICATION; PROVIDING 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 1347, is amended to read as follows:

Section 1347. Beginning ~~April 1, 1991~~ July 1, 1992, all monthly interagency reimbursements for projected employer Social Security (FICA) savings made pursuant to the State Employees Flexible Benefits Plan Act shall be deposited into the ~~General Revenue Fund of the State Treasury~~ Child Day Care and State Employee Revolving Fund created pursuant to Section 4192 of this title.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 4191, is amended to read as follows:

Section 4191. A. The Office of Personnel Management shall establish and administer a pilot program of on-site child day care with funds available in the ~~Flexible Benefit Revolving Fund~~ Child Day Care and State Employee Revolving Fund or otherwise available for that purpose.

B. The pilot day care programs shall be operated through a contract with a child day care provider. Any such contract shall be made through competitive bid procedures through the Office of Public Affairs. Bid acceptance will be made on the basis of quality and how it is best suited to the childrens' needs. The low bid will not be the single qualifier. Any child day care provider shall be required to carry sufficient liability insurance coverage which will pay damages incurred as a result of the negligent acts or omissions of an employee of the child day care provider within the scope of the employment of such person. Any child day care provider shall meet or exceed applicable state child care facilities licensure standards.

C. Any parent utilizing the services of on-site child day care shall be responsible for the charges assessed by the child day care provider for child day care services.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 4192, is amended to read as follows:

Section 4192. There is hereby created in the State Treasury a revolving fund for the Office of Personnel Management, to be designated the "Child Day Care and State Employee Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monthly interagency reimbursements for projected employer Social Security (FICA) savings made pursuant to the State Employees Flexible Benefits Plan Act and all monies received by the Office of Personnel Management, from appropriations or fees. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Office of Personnel Management for the purpose of establishing and administering child day care centers and developing and implementing state employee programs prescribed by law. All expenditures from said revolving fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 4. The Director of State Finance, on the effective date of this section, shall transfer all unencumbered and unexpended monies in the Flexible Benefit Revolving Fund of the Office of Personnel Management created pursuant to Section 1346 of Title 74 of the Oklahoma Statutes (Section 28, Chapter 26, O.S.L. 1991) to the Flexible Benefit Revolving Fund of the State and Education Employees Group Insurance Board created pursuant to Section 1346 of Title 74 of the Oklahoma Statutes (Section 29, Chapter 26, O.S.L. 1991).

SECTION 5. REPEALER 74 O.S. 1991, Section 1346 (Section 28, Chapter 26, O.S.L. 1991), is hereby repealed.

SECTION 6. Section 4 of this act shall not be codified in the Oklahoma Statutes.

SECTION 7. Sections 1, 2 and 3 of this act shall become effective July 1, 1992.

SECTION 8. 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.

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