

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2339

By: McAffrey

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5
6 AS INTRODUCED

7 An Act relating to state government; stating
8 legislative findings; defining terms; providing for
9 coverage of domestic partners as dependents in
10 certain circumstances; providing for codification;
11 and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1309.2 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The Legislature finds and declares that:

18 1. Most nonelderly adults in the United States receive health
19 care coverage through their own employment or through the
20 employment-based coverage of a family member, typically a spouse;

21 2. As a matter of customary compensation practice, many
22 employers offer employment-based health insurance to spouses of
23 employees;

1 3. Same-sex couples are at a significant disadvantage, however,
2 because they cannot legally marry in this state and are unable to
3 claim benefits for a same-sex domestic partner from many employers;

4 4. The exclusion of domestic partners as dependents under an
5 employer-sponsored health insurance plan makes unmarried couples and
6 their children more likely to be uninsured than the average
7 nonelderly person;

8 5. More and more employers are recognizing this inequity and
9 are starting to offer health benefits to their employees' domestic
10 partners;

11 6. Employers who offer domestic partner benefits are at a
12 competitive advantage over those employers who do not offer such
13 benefits because they are able to offer a more comprehensive
14 benefits package, as part of the overall compensation, to recruit
15 and retain skilled employees;

16 7. State government must remain a competitive employer in the
17 market, recruiting and retaining the best employees for state
18 government positions by offering an attractive and comprehensive
19 compensation and benefits package; and

20 8. It is therefore important for the state to offer domestic
21 partner benefits to its state employees in order to give the state a
22 competitive edge in attracting and retaining qualified individuals
23 for employment with the state.

24 B. As used in this section:

- 1 1. "Domestic partner" means an adult, at least eighteen (18)
2 years of age:
- 3 a. who may be the same gender as the employee,
 - 4 b. with whom the employee has shared an exclusive,
5 committed relationship for at least one (1) year with
6 the intent for the relationship to last indefinitely,
 - 7 c. who is not related to the employee by blood to a
8 degree that would prohibit marriage pursuant to
9 Section 2 of Title 43 of the Oklahoma Statutes, and
 - 10 d. who is not married to another person; and

11 2. "Employee" means an employee as defined by Section 1303 of
12 Title 74 of the Oklahoma Statutes.

13 C. Any domestic partner of an employee shall be covered as a
14 dependent under the State and Education Employees Group Insurance
15 Act.

16 SECTION 2. This act shall become effective November 1, 2010.

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18 52-2-8249 SDR 12/23/09

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