

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2347

By: Roan

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5  
6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.  
8 2001, Section 7.10, as last amended by Section 47,  
9 Chapter 441, O.S.L. 2009, and as renumbered by  
10 Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.  
11 2009, Section 34.70), which relates to voluntary  
12 payroll deductions; modifying provisions related to  
13 deduction for certain dues or contributions;  
14 providing for construction of statutory provisions;  
15 providing an effective date; and declaring an  
16 emergency.

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

18 SECTION 1. AMENDATORY 62 O.S. 2001, Section 7.10, as  
19 last amended by Section 47, Chapter 441, O.S.L. 2009, and as  
20 renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.  
21 2009, Section 34.70), is amended to read as follows:

22 Section 34.70 A. 1. Upon the request of a state employee, a  
23 state agency shall make voluntary payroll deductions for the  
24 employee to any credit union, bank, or savings association having an  
office in this state.

1           2. If the governing body of any county, municipality, or school  
2 district provides for voluntary payroll deductions to a credit union  
3 serving the employees of the county, municipality, or school  
4 district, it shall provide voluntary payroll deductions to any  
5 credit union, bank, or savings association having an office in this  
6 state which has a minimum participation of twenty percent (20%) of  
7 the employees of the county, municipality, or school district.

8           B. Upon the request of a state employee and pursuant to  
9 procedures established by the Administrator of the Office of  
10 Personnel Management, a state agency shall make payroll deductions  
11 for:

12           1. The payment of any insurance premiums due a private  
13 insurance organization with a minimum participation of five hundred  
14 (500) state employees for life, accident, and health insurance which  
15 is supplemental to that provided for by the state;

16           2. The payment of any insurance premiums due a private  
17 insurance organization or service company which is regulated by the  
18 State Insurance Commissioner and with a minimum participation of  
19 five hundred (500) state employees for legal services;

20           3. Premiums or payments for retirement plans with a minimum  
21 participation of five hundred (500) state employees for retirement  
22 plans which are supplemental to that provided for by the state;

23           4. Salary adjustment agreements included in a flexible benefits  
24 plan as authorized by the State Employees Flexible Benefits Act;

1           5. Membership dues utilized for benefits, goods or services  
2 provided by the Oklahoma Public Employees Association to the  
3 organization's membership or any other statewide association limited  
4 to ~~state employee~~ a voting membership of state employees with a  
5 minimum membership of ~~two thousand (2,000) dues paying members~~  
6 twenty percent (20%) of the represented agency's employees. For  
7 purposes of this paragraph, state agencies shall accept online or  
8 electronically submitted forms from the Oklahoma Public Employees  
9 Association and other state employee associations. The Office of  
10 Personnel Management shall develop and implement a verification  
11 process for online or electronically submitted forms which may  
12 include the use of electronic signature technology or other process  
13 as determined appropriate;

14           6. Contributions to any foundation organized pursuant to 26  
15 U.S.C., Section 501(c)(3) of the Oklahoma Public Employees  
16 Association or any other statewide association limited to ~~state~~  
17 ~~employee~~ a voting membership of state employees with a minimum  
18 membership of ~~two thousand (2,000) dues paying members~~ twenty  
19 percent (20%) of the represented agency's employees;

20           7. Payments to a college savings account administered under the  
21 Oklahoma College Savings Plan Act pursuant to Section 3970.1 et seq.  
22 of Title 70 of the Oklahoma Statutes;

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1 8. Subscriptions to the Oklahoma Today magazine published by  
2 the State of Oklahoma through the Oklahoma Tourism and Recreation  
3 Department; and

4 9. The payment of any insurance premiums due a private  
5 insurance organization, which is regulated by the State Insurance  
6 Commission, for an Oklahoma Long-Term Care Partnership Program  
7 approved policy pursuant to the Oklahoma Long-Term Care Partnership  
8 Act.

9 C. The administrative costs of processing payroll deductions or  
10 administering salary adjustment agreements for insurance premiums as  
11 provided for in subsection B of this section shall be a charge of  
12 two percent (2%) of the gross annual premiums for insurance plans.  
13 The administrative costs of processing payroll deductions or  
14 administering salary adjustment agreements for payments for  
15 retirement plans as provided for in subsection B of this section  
16 shall be one percent (1%) of the gross annual payments for  
17 retirement plans. These charges shall be collected monthly from the  
18 private insurance or retirement plan organization by the Office of  
19 Personnel Management and shall be deposited to the credit of the  
20 General Revenue Fund. Provided that these costs shall not be  
21 collected from state employees or state agencies unless otherwise  
22 directed in the Oklahoma State Finance Act.

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1 D. Any statewide association granted a payroll deduction prior  
2 to January 1, 2008, shall be exempt from the minimum state employee  
3 membership requirement.

4 E. Nothing in this section shall be construed to prohibit  
5 retired state employees or other persons or entities not employed by  
6 the state from participating as nonvoting members in any statewide  
7 association.

8 F. Approval of a payroll deduction or salary adjustment  
9 agreement for any insurance organization, line of coverage or policy  
10 shall not be construed as an assumption of liability, for the term  
11 of policy or the performance of the insurance organization, by this  
12 state, or any of its agencies or any officer or employee thereof.  
13 Contracts for such insurance shall be in all respects subject to the  
14 insurance laws of this state, and shall be enforceable solely  
15 pursuant to such laws.

16 ~~F.~~ G. The Oklahoma Employment Security Commission is authorized  
17 to deduct from the wages or salary of its employees the employees'  
18 contribution to the Oklahoma Employment Security Commission  
19 Retirement Plan.

20 ~~G.~~ H. Payroll deductions shall be made for premium payments for  
21 group insurance for retired members or beneficiaries of any state-  
22 supported retirement system upon proper authorization given by the  
23 member or beneficiary to the board from which the member or  
24 beneficiary is currently receiving retirement benefits.

1       ~~H.~~ I. Upon request of instructional personnel employed at  
2 either the Oklahoma School for the Blind or the Oklahoma School for  
3 the Deaf and pursuant to procedures established by the Administrator  
4 of the Office of Personnel Management, the Commission for  
5 Rehabilitation Services shall make payroll deductions for membership  
6 dues in any statewide educational employee organization or  
7 association.

8       ~~F.~~ J. Upon the request of a state employee of the Department of  
9 Corrections, the Department shall make voluntary payroll deductions  
10 for the employee to the Correctional Peace Officer Foundation.

11       SECTION 2. This act shall become effective July 1, 2010.

12       SECTION 3. It being immediately necessary for the preservation  
13 of the public peace, health and safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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17       52-2-9100           MAH       01/08/10

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