

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1015, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Stanislawski

Stanislawski-EB-FS-Req#3525
3/13/2018 2:50 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE

FOR

SENATE BILL NO. 1015

By: Stanislawski of the Senate

and

Caldwell of the House

FLOOR SUBSTITUTE

[Larry Dickerson Education Flexible Benefits
Allowance Act - definitions ~~effective date~~ -
~~emergency~~]

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 26-103, as amended by Section 1, Chapter 320, O.S.L. 2012 (70 O.S. Supp. 2017, Section 26-103), is amended to read as follows:

Section 26-103. The following words and phrases as used in ~~this act~~ Section 26-101 et seq. of this title, unless a different meaning is clearly required by the context, shall have the following meanings:

1. "Benefit" means any of the benefits which may be purchased or are required to be purchased under the cafeteria plan;

1 2. "Cafeteria plan" means a benefit plan established pursuant
2 to 26 U.S.C. Section 125;

3 3. "Flexible benefit allowance" means amounts credited by the
4 school district for each school district employee for the purchase
5 of benefits under the cafeteria plan;

6 4. "Support personnel" means full-time employees of a school
7 district as determined by the standard period of labor which is
8 customarily understood to constitute full-time employment for the
9 type of services performed by the employees who are employed a
10 minimum of six (6) hours per day for a minimum of one hundred
11 seventy-two (172) days or a minimum of six (6) hours per day for a
12 minimum of one thousand thirty-two (1,032) hours per year and who
13 provide services not performed by certified personnel, which is
14 necessary for the efficient and satisfactory functioning of a school
15 district, and shall include cooks, janitors, maintenance personnel,
16 bus drivers, noncertified or nonregistered nurses, noncertified
17 librarians, and clerical employees of a school district but shall
18 not include adult education instructors or adult coordinators
19 employed by technology center school districts;

20 5. "Plan year" means the twelve-month period established by the
21 school district for the cafeteria plan;

22 6. "School district" means the public school districts and
23 technology center school districts of this state;

1 7. "School district employee" means certified or support
2 personnel as defined in ~~this act~~ Section 26-101 et seq. of this
3 title. Employees of an educational service provider contracted with
4 a school district pursuant to subsection G of Section 5-117 of this
5 title who perform functions that would otherwise be performed by a
6 school district employee shall be considered employees of a school
7 district for purposes of the Larry Dickerson Education Flexible
8 Benefits Allowance Act unless otherwise provided for in the contract
9 between the educational service provider and the contracting school
10 district;

11 8. "Certified personnel" means a certified person employed on a
12 full-time basis to serve as a teacher, principal, supervisor,
13 administrator, counselor, librarian, or certified or registered
14 nurse, but shall not mean a superintendent of a school district; and

15 9. "Self-insured" means a health care program in which the
16 school district funds the benefit plans from its own resources
17 without purchasing insurance and which may be administered by the
18 school district or by an outside administrator under contract with
19 the school district for administrative services. The State Board of
20 Education shall prepare by May 1st of each year a list of each
21 school district in the state that is self-insured and the number of
22 support personnel and the number of certified personnel that are
23 participating in each self-insured school district plan.

24 ~~SECTION 2. This act shall become effective July 1, 2018.~~

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

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