

1 **SENATE FLOOR VERSION**

2 February 27, 2019

3 **AS AMENDED**

4 SENATE BILL NO. 750

By: Bergstrom of the Senate

and

Lepak of the House

7
8 **[insurance - Educators' Professional Liability**
9 **Insurance Program - codification - effective date]**

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 85.58Q of Title 74, unless there
14 is created a duplication in numbering, reads as follows:

15 A. There is hereby created the Educators' Professional
16 Liability Insurance Program for all **certified teachers** of public
17 schools, as defined in Section 1-106 of Title 70 of the Oklahoma
18 Statutes and charter schools, as defined in subsection D of section
19 3-132 of Title 70 of the Oklahoma Statutes.

20 B. The program shall provide liability coverage for employees
21 up to Two Million Dollars (\$2,000,000.00) in coverage per
22 occurrence.

1 C. The program shall be administered by the Office of
2 Management and Enterprise Services (OMES). OMES shall promulgate
3 rules to implement the provisions of this act.

4 D. OMES shall be authorized to contract liability insurance
5 from a licensed insurer, to create a self-insured risk pool or to
6 use a combination of both.

7 E. The insurance carrier providing any portion of coverage
8 provided under this act shall be selected by a competitive process.

9 F. The Legislature shall provide an annual appropriation to
10 cover the costs and any associated premiums for the program.

11 G. Each school district shall notify annually, in writing,
12 eligible employees about the coverage provided by the Educators'
13 Professional Liability Insurance Program.

14 H. OMES and the Department of Education shall notify in writing
15 all eligible employees about the Educators' Professional Liability
16 Insurance Program. The notice shall specifically inform employees
17 that coverage is provided automatically as part of their employment.
18 The notice shall be given upon hiring and annually thereafter.

19 **I. Nothing in this section shall be construed to exempt a local**
20 **school district from any current obligations or duties nor amend the**
21 **Governmental Tort Claims Act provided in Sections 151 through 172 of**
22 **Title 51 of the Oklahoma Statutes.**

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1 SECTION 2. This act shall become effective in accordance with
2 the provisions of Section 58 of Article V of the Oklahoma
3 Constitution.

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
5 February 27, 2019 - DO PASS AS AMENDED
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