

State of Arkansas

Call Item 3

89th General Assembly

A Bill

Second Extraordinary Session, 2014

SENATE BILL 4

By: Senators J. Hendren, Bledsoe, E. Cheatham, D. Sanders, J. Cooper, J. English, Hickey

By: Representatives Copenhaver, Gossage, Kerr, McGill, E. Armstrong, Gillam, Hickerson, B. Overbey,

Richey, Talley, T. Thompson, Wardlaw, B. Wilkins

For An Act To Be Entitled

AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR
PARTICIPATION IN THE STATE AND PUBLIC SCHOOL LIFE AND
HEALTH INSURANCE PROGRAM; TO DECLARE AN EMERGENCY;
AND FOR OTHER PURPOSES.

Subtitle

TO MODIFY THE ELIGIBILITY REQUIREMENTS
FOR PARTICIPATION IN THE STATE AND PUBLIC
SCHOOL LIFE AND HEALTH INSURANCE PROGRAM
AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 21-5-410, concerning the eligibility requirements for participation in the State and Public School Life and Health Insurance Program, is amended to add an additional subsection to read as follows:

(g)(1) Beginning in the 2015 plan year, a public school employee is eligible to participate in the program if the public school employee is in a position that requires on average at least thirty (30) hours per week of actual performance of duty during the annual school year.

(2) A public school employee who is in a variable hour position is ineligible.

SECTION 2. Arkansas Code § 6-17-1111 is repealed.



~~6-17-1111. Life and disability insurance—Employee eligibility—
Allocation of costs.~~

~~(a) Eligible employees shall include:~~

~~(1) All licensed employees in public schools who are normally
expected to work nine hundred (900) hours or more per year, whose salaries
are paid from the school district's teacher salary fund, and all other
employees of public schools who are normally expected to work nine hundred
(900) hours or more per year and whose salaries are paid from the school
district's local or state revenue; and~~

~~(2)(A) All other employees of the school district whose salaries
are not paid from the school district's local or state revenues, provided
these employees are licensed or they are normally expected to work nine
hundred (900) hours or more per year.~~

~~(B) The employing school district is required to pay the
same amount per month for the employees in subdivision (a)(2)(A) of this
section as the General Assembly appropriates for employees in subdivision
(a)(1) of this section.~~

~~(C) The State and Public School Life and Health Insurance
Board may establish the manner in which this payment is to be made if the
manner of payment is not in violation of any other law, rule, or regulation
governing the school district.~~

~~(b) If an employee draws part of his or her salary from the school
district's local or state revenue and part of his or her salary from another
fund administered by the school district, the employer's share of the cost of
the employee's insurance shall be prorated between the provisions of
subdivisions (a)(1) and (2) of this section.~~

SECTION 3. Arkansas Code § 6-17-1116 is repealed.

~~6-17-1116. School bus drivers.~~

~~(a) For the purposes of this section, a full-time school bus driver
is:~~

~~(1) A person who contracts with a public school district to
operate a school bus for at least seven hundred twenty (720) hours during the
school year;~~

~~(2) A person whose primary source of income during the school
year is obtained by operating a school bus for a public school district; or~~

~~(3) A person who contracts with a public school district to operate a school bus and is designated by the superintendent as a full-time school bus driver, regardless of the number of hours for which the person contracted.~~

~~(b) All full-time school bus drivers who are not under current law eligible to participate in the public school employees insurance program provided for by §§ 6-17-1109 and 6-17-1111—6-17-1115 shall hereafter be eligible to participate in the program provided that they pay all costs associated with participating in the program unless the employing school district opts to pay all or a portion of that cost.~~

SECTION 4. EFFECTIVE DATE. Sections 2 and 3 of this act are effective on and after January 1, 2015.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the State and Public School Life and Health Insurance Program requires fundamental restructuring to ensure that affordable health insurance options are available to state and public school employees; that an urgent need exists to start implementing the necessary reforms to the State and Public School Life and Health Insurance Program; and that Section 1 of this act is immediately necessary to improve the financial viability of the State and Public School Life and Health Insurance Program. Therefore, an emergency is declared to exist, and Section 1 of this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.