

1 State of Arkansas  
2 89th General Assembly  
3 Second Extraordinary Session, 2014  
4

Call Item 3

# A Bill

SENATE BILL 4

5 By: Senators J. Hendren, Bledsoe, E. Cheatham, D. Sanders, J. Cooper, J. English, Hickey  
6 By: Representatives Copenhaver, Gossage, Kerr, McGill, E. Armstrong, Gillam, Hickerson, B. Overbey,  
7 Richey, Talley, T. Thompson, Wardlaw, B. Wilkins  
8

## For An Act To Be Entitled

9  
10 AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR  
11 PARTICIPATION IN THE STATE AND PUBLIC SCHOOL LIFE AND  
12 HEALTH INSURANCE PROGRAM; TO DECLARE AN EMERGENCY;  
13 AND FOR OTHER PURPOSES.  
14  
15

## Subtitle

16  
17 TO MODIFY THE ELIGIBILITY REQUIREMENTS  
18 FOR PARTICIPATION IN THE STATE AND PUBLIC  
19 SCHOOL LIFE AND HEALTH INSURANCE PROGRAM  
20 AND TO DECLARE AN EMERGENCY.  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

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

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

33 (2) A public school employee who is in a variable hour position  
34 is ineligible.  
35

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 Arkansas Code § 6-17-1111 is repealed.



1 ~~6-17-1111. Life and disability insurance—Employee eligibility—~~  
2 ~~Allocation of costs.~~

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

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

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

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

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

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

27  
28 SECTION 3. Arkansas Code § 6-17-1116 is repealed.

29 ~~6-17-1116. School bus drivers.~~

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

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

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

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

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

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

14  
15           SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
16 General Assembly of the State of Arkansas that the State and Public School  
17 Life and Health Insurance Program requires fundamental restructuring to  
18 ensure that affordable health insurance options are available to state and  
19 public school employees; that an urgent need exists to start implementing the  
20 necessary reforms to the State and Public School Life and Health Insurance  
21 Program; and that Section 1 of this act is immediately necessary to improve  
22 the financial viability of the State and Public School Life and Health  
23 Insurance Program. Therefore, an emergency is declared to exist, and Section  
24 1 of this act being immediately necessary for the preservation of the public  
25 peace, health, and safety shall become effective on:

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

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

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

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34                                   **APPROVED: 07/03/2014**