HOUSE BILL NO. 1370

AN ACT TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE SHALL PAY FIFTY PERCENT OF THE COST OF THE PREMIUMS FOR HEALTH INSURANCE FOR RETIRED STATE AND SCHOOL EMPLOYEES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 25-15-15, Mississippi Code of 1972, is amended as follows:

Through June 30 of the year in which Section 25-11-143 becomes effective as provided in subsection (1) of Section 25-11-143, this section shall read as follows:

25-15-15. (1) The board is authorized to determine the manner in which premiums and contributions by the state agencies, local school districts, colleges, universities, community/junior colleges and public libraries shall be collected to provide the self-insured health insurance program for employees as provided under this article. The state shall provide fifty percent (50%) of the cost of the above life insurance plan and one hundred percent (100%) of the cost of the above health insurance plan for all active full-time employees, and the employees shall be given the opportunity to purchase coverage for their eligible dependents with the premiums for such dependent coverage as well as the employee's fifty percent (50%) share for his life insurance coverage to be deductible from the employee's salary by the agency, department or institution head, which deductions, together with the fifty percent (50%) share of such life insurance premiums of such employing agency, department or institution head from funds appropriated to or authorized to be expended by such employing agency, department or institution head, shall be
deposited directly into a depository bank or special fund in the State Treasury, as determined by the board. These funds and interest earned on these funds may be used for the disbursement of claims and shall be exempt from the appropriation process.

(2) The state shall provide annually, by line item in the Mississippi Library Commission appropriation bill, such funds to pay one hundred percent (100%) of the cost of health insurance under the State and School Employees Health Insurance Plan for all full-time library staff members in each public library in Mississippi. The commission shall allot to each public library a sufficient amount of those funds appropriated to pay the costs of insurance for eligible employees. Any funds so appropriated by line item which are not expended during the fiscal year for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year. If any premiums for the health insurance and/or late charges and interest penalties are not paid by a public library in a timely manner, as defined by the board, the Mississippi Library Commission, upon notice by the board, shall immediately withhold all subsequent disbursements of funds to that public library.

(3) The state shall annually provide one hundred percent (100%) of the cost of the health insurance plan for all public school district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers. Where federal funding is allowable to defray, in full or in part, the cost of participation in the program by district employees who work no less than twenty (20) hours during the week and regular nonstudent bus drivers, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of such federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that school districts contribute the cost of participation for such employees from local funds, except that...
parent fees for child nutrition programs shall not be increased to
cover such cost.

(4) The state shall provide annually, by line item in the
community/junior college appropriation bill, such funds to pay one
hundred percent (100%) of the cost of the health insurance plan
for all community/junior college district employees who work no
less than twenty (20) hours during each week.

(5) When the use of federal funding is allowable to defray,
in full or in part, the cost of participation in the insurance
plan by community/junior college district employees who work no
less than twenty (20) hours during each week, whose salaries are
paid, in full or in part, by federal funds, the allowance under
this section shall be reduced to the extent of the federal
funding. Where the use of federal funds is allowable but not
available, it is the intent of the Legislature that
community/junior college districts contribute the cost of
participation for such employees from local funds.

(6) Any community/junior college district may contribute to
the cost of coverage for any district employee from local
community/junior college district funds, and any public school
district may contribute to the cost of coverage for any district
employee from nonminimum program funds. Any part of the cost of
such coverage for participating employees of public school
districts and public community/junior college districts that is
not paid by the state shall be paid by the participating
employees, which shall be deducted from the salaries of the
employees in a manner determined by the board.

(7) Any funds appropriated for the cost of insurance by line
item in the community/junior colleges appropriation bill which are
not expended during the fiscal year for which such funds were
appropriated shall be carried forward for the same purposes during
the next succeeding fiscal year.
(8) The board may establish and enforce late charges and
interest penalties or other penalties for the purpose of requiring
the prompt payment of all premiums for life and health insurance
permitted under Chapter 15 of Title 25. All funds in excess of
the amount needed for disbursement of claims shall be deposited in
a special fund in the State Treasury to be known as the State and
School Employees Insurance Fund. The State Treasurer shall invest
all funds in the State and School Employees Insurance Fund and all
interest earned shall be credited to the State and School
Employees Insurance Fund. Such funds shall be placed with one or
more depositories of the state and invested on the first day such
funds are available for investment in certificates of deposit,
repurchase agreements or in United States Treasury bills or as
otherwise authorized by law for the investment of Public
Employees' Retirement System funds, as long as such investment is
made from competitive offering and at the highest and best market
rate obtainable consistent with any available investment
alternatives; however, such investments shall not be made in
shares of stock, common or preferred, or in any other investments
which would mature more than one (1) year from the date of
investment. The board shall have the authority to draw from this
fund periodically such funds as are necessary to operate the
self-insurance plan or to pay to the insurance carrier the cost of
operation of this plan, it being the purpose to limit the amount
of participation by the state to fifty percent (50%) of the cost
of the life insurance program and not to limit the contracting for
additional benefits where the cost will be paid in full by the
employee. The state shall not share in the cost of coverage for
retired employees.

(9) The board shall also provide for the creation of an
Insurance Reserve Fund and funds therein shall be invested by the
State Treasurer with all interest earned credited to the State and
School Employees Insurance Fund.
(10) The state shall pay fifty percent (50%) of the cost of the health insurance premiums for retired employees. Any retired employee electing to purchase retired life and health insurance or health insurance for his dependents shall have fifty percent (50%) of the cost of his health insurance premium and the full cost of the premium for the dependent coverage and the premium for the life insurance deducted monthly from his State of Mississippi retirement plan check or direct billed for the cost of the premium if the retirement check is insufficient to pay for the premium. If the board determines actuarially that the premium paid for the participating retirees adversely affects the overall cost of the plan to the state, then the department may impose a premium surcharge, not to exceed fifteen percent (15%), upon such participating retired employees who are under the age for Medicare eligibility.

[From and after July 1 of the year in which Section 25-11-143 becomes effective as provided in subsection (1) of Section 25-11-143, this section shall read as follows:]

25-15-15. (1) The board may determine the manner in which premiums and contributions by the state agencies, local school districts, colleges, universities, community/junior colleges and public libraries will be collected to provide the self-insured health insurance program for employees as provided under this article. The state shall provide fifty percent (50%) of the cost of the above life insurance plan and one hundred percent (100%) of the cost of the above health insurance plan for all active full-time employees. The employees shall be given the opportunity to purchase coverage for their eligible dependents with the premiums for the dependent coverage, as well as the employee's fifty percent (50%) share for his life insurance coverage, to be deductible from the employee's salary by the agency, department or institution head. Those deductions, together with the fifty percent (50%) share of the life insurance premiums of the
employing agency, department or institution head from funds appropriated to or authorized to be expended by the employing agency, department or institution head, shall be deposited directly into a depository bank or special fund in the State Treasury, as determined by the board. These funds and interest earned on these funds may be used for the disbursement of claims and shall be exempt from the appropriation process.

(2) The state shall provide annually, by line item in the Mississippi Library Commission appropriation bill, the funds to pay one hundred percent (100%) of the cost of health insurance under the State and School Employees Health Insurance Plan for all full-time library staff members in each public library in Mississippi. The commission shall allot to each public library a sufficient amount of those funds appropriated to pay the costs of insurance for eligible employees. Any funds so appropriated by line item that are not expended during the fiscal year for which the funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year. If any premiums for the health insurance and/or late charges and interest penalties are not paid by a public library in a timely manner, as defined by the board, the Mississippi Library Commission, upon notice by the board, shall immediately withhold all subsequent disbursements of funds to that public library.

(3) The state shall annually provide one hundred percent (100%) of the cost of the health insurance plan for all public school district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers. Where federal funding is allowable to defray, in full or in part, the cost of participation in the program by district employees who work no less than twenty (20) hours during the week and regular nonstudent bus drivers, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of that federal funding. Where the use of
federal funds is allowable but not available, it is the intent of
the Legislature that school districts contribute the cost of
participation for the employees from local funds, except that
parent fees for child nutrition programs shall not be increased to
cover that cost.

(4) The state shall provide annually, by line item in the
community/junior college appropriation bill, the funds to pay one
hundred percent (100%) of the cost of the health insurance plan
for all community/junior college district employees who work no
less than twenty (20) hours during each week.

(5) When the use of federal funding is allowable to defray,
in full or in part, the cost of participation in the insurance
plan by community/junior college district employees who work no
less than twenty (20) hours during each week, whose salaries are
paid, in full or in part, by federal funds, the allowance under
this section shall be reduced to the extent of the federal
funding. Where the use of federal funds is allowable but not
available, it is the intent of the Legislature that
community/junior college districts contribute the cost of
participation for the employees from local funds.

(6) Any community/junior college district may contribute to
the cost of coverage for any district employee from local
community/junior college district funds, and any public school
district may contribute to the cost of coverage for any district
employee from nonminimum program funds. Any part of the cost of
the coverage for participating employees of public school
districts and public community/junior college districts that is
not paid by the state shall be paid by the participating
employees, which shall be deducted from the salaries of the
employees in a manner determined by the board.

(7) Any funds appropriated for the cost of insurance by line
item in the community/junior colleges appropriation bill that are
not expended during the fiscal year for which the funds were
appropriated shall be carried forward for the same purposes during
the next succeeding fiscal year.

(8) The board may establish and enforce late charges and
interest penalties or other penalties for the purpose of requiring
the prompt payment of all premiums for life and health insurance
permitted under Chapter 15 of Title 25. All funds in excess of
the amount needed for disbursement of claims shall be deposited in
a special fund in the State Treasury to be known as the State and
School Employees Insurance Fund. The State Treasurer shall invest
all funds in the State and School Employees Insurance Fund and all
interest earned shall be credited to the State and School
Employees Insurance Fund. Those funds shall be placed with one or
more depositories of the state and invested on the first day that
the funds are available for investment in certificates of deposit,
repurchase agreements or in United States Treasury bills or as
otherwise authorized by law for the investment of Public
Employees' Retirement System funds, as long as the investment is
made from competitive offering and at the highest and best market
rate obtainable consistent with any available investment
alternatives. However, those investments shall not be made in
shares of stock, common or preferred, or in any other investments
that would mature more than one (1) year from the date of
investment. The board shall have the authority to draw from this
fund periodically such funds as are necessary to operate the
self-insurance plan or to pay to the insurance carrier the cost of
operation of this plan, it being the purpose to limit the amount
of participation by the state to fifty percent (50%) of the cost
of the life insurance program and not to limit the contracting for
additional benefits where the cost will be paid in full by the
employee.

(9) The board shall also provide for the creation of an
Insurance Reserve Fund, and funds in the reserve fund shall be
invested by the State Treasurer with all interest earned credited
to the State and School Employees Insurance Fund.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2003.