

By: Representative Wallace

To: Insurance

HOUSE BILL NO. 528

1 AN ACT TO AMEND SECTION 25-15-3, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT ELECTION COMMISSIONERS SHALL BE CONSIDERED AN  
 3 "EMPLOYEE" FOR PURPOSES OF THE STATE EMPLOYEES LIFE AND HEALTH  
 4 INSURANCE PLAN; TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF  
 5 1972, TO PROVIDE THAT THE STATE SHALL PROVIDE ANNUALLY, BY LINE  
 6 ITEM IN THE SECRETARY OF STATE APPROPRIATION BILL, SUCH FUNDS TO  
 7 PAY THE COST OF HEALTH INSURANCE FOR THE COUNTY AND MUNICIPAL  
 8 ELECTION COMMISSIONERS UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH  
 9 INSURANCE PLAN; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 25-15-3, Mississippi Code of 1972, is  
 12 amended as follows:

13 25-15-3. For the purposes of this article, the words and  
 14 phrases used herein shall have the following meanings:

15 (a) "Employee" means a person who works full time for  
 16 the State of Mississippi and receives his compensation in a direct  
 17 payment from a department, agency or institution of the state  
 18 government and any person who works full time for any school  
 19 district, community/junior college, public library or  
 20 university-based program authorized under Section 37-23-31 for  
 21 deaf, aphasic and emotionally disturbed children or any regular



22 nonstudent bus driver. This shall include legislators, employees  
23 of the legislative branch and the judicial branch of the state and  
24 "employees" shall include full-time salaried judges and full-time  
25 district attorneys and their staff and full-time compulsory school  
26 attendance officers. This shall include county and municipal  
27 election commissioners. For the purposes of this article, any  
28 "employee" making contributions to the State of Mississippi  
29 retirement plan shall be considered a full-time employee.

30 (b) "Department" means the Department of Finance and  
31 Administration.

32 (c) "Plan" means the State and School Employees Life  
33 and Health Insurance Plan created under this article.

34 (d) "Fund" means the State and School Employees  
35 Insurance Fund set up under this article.

36 (e) "Retiree" means any employee retired under the  
37 Mississippi retirement plan.

38 (f) "Board" means the State and School Employees Health  
39 Insurance Management Board created under Section 25-15-303.

40 **SECTION 2.** Section 25-15-15, Mississippi Code of 1972, is  
41 amended as follows:

42 25-15-15. (1) The board is authorized to determine the  
43 manner in which premiums and contributions by the state agencies,  
44 local school districts, colleges, universities, community/junior  
45 colleges and public libraries shall be collected to provide the  
46 self-insured health insurance program for employees as provided



47 under this article. The state shall provide fifty percent (50%)  
48 of the cost of the above life insurance plan for all active  
49 full-time employees. The state shall provide one hundred percent  
50 (100%) of the cost of the health insurance plan for active  
51 full-time employees initially employed before January 1, 2006,  
52 except as otherwise provided in this section. For active  
53 full-time employees initially employed on or after January 1,  
54 2006, the state shall provide one hundred percent (100%) of the  
55 cost of a basic level of health insurance, except as otherwise  
56 provided in this section, and the employees may pay additional  
57 amounts to purchase additional benefits or levels of coverage  
58 offered under the plan. The board, if determined to be necessary,  
59 may assess active full-time employees a portion of the active  
60 employee premium in an amount not to exceed Twenty Dollars  
61 (\$20.00) per month, notwithstanding any language in this section  
62 to the contrary. All active full-time employees shall be given  
63 the opportunity to purchase coverage for their eligible dependents  
64 with the premiums for such dependent coverage, as well as the  
65 employee's fifty percent (50%) share for his life insurance  
66 coverage, to be deductible from the employee's salary by the  
67 agency, department or institution head, which deductions, together  
68 with the fifty percent (50%) share of such life insurance premiums  
69 of such employing agency, department or institution head from  
70 funds appropriated to or authorized to be expended by the  
71 employing agency, department or institution head, shall be



72 deposited directly into a depository bank or special fund in the  
73 State Treasury, as determined by the board. These funds and  
74 interest earned on these funds may be used for the disbursement of  
75 claims and shall be exempt from the appropriation process.

76 (2) The state shall provide annually, by line item in the  
77 Mississippi Library Commission appropriation bill, such funds to  
78 pay one hundred percent (100%) of the cost of health insurance  
79 under the State and School Employees Health Insurance Plan, or any  
80 lesser percentage of the cost that is not assessed to the  
81 employees by the board, for full-time library staff members in  
82 each public library in Mississippi initially employed before  
83 January 1, 2006. For full-time library staff members initially  
84 employed on or after January 1, 2006, the state shall provide one  
85 hundred percent (100%) of the cost of a basic level of health  
86 insurance under the State and School Employees Health Insurance  
87 Plan, or any lesser percentage of the cost that is not assessed to  
88 the employees by the board, and the employees may pay additional  
89 amounts to purchase additional benefits or levels of coverage  
90 offered under the plan. The commission shall allot to each public  
91 library a sufficient amount of those funds appropriated to pay the  
92 costs of insurance for eligible employees. Any funds so  
93 appropriated by line item which are not expended during the fiscal  
94 year for which such funds were appropriated shall be carried  
95 forward for the same purposes during the next succeeding fiscal  
96 year. If any premiums for the health insurance and/or late



97 charges and interest penalties are not paid by a public library in  
98 a timely manner, as defined by the board, the Mississippi Library  
99 Commission, upon notice by the board, shall immediately withhold  
100 all subsequent disbursements of funds to that public library.

101 (3) The state shall annually provide one hundred percent  
102 (100%) of the cost of the health insurance plan, or any lesser  
103 percentage of the cost that is not assessed to the employees by  
104 the board, for public school district employees who work no less  
105 than twenty (20) hours during each week and regular nonstudent  
106 school bus drivers, if such employees and school bus drivers were  
107 initially employed before January 1, 2006. For such employees and  
108 school bus drivers initially employed on or after January 1, 2006,  
109 the state shall provide one hundred percent (100%) of the cost of  
110 a basic level of health insurance under the State and School  
111 Employees Health Insurance Plan, or any lesser percentage of the  
112 cost that is not assessed to the employees by the board, and the  
113 employees may pay additional amounts to purchase additional  
114 benefits or levels of coverage offered under the plan. Where  
115 federal funding is allowable to defray, in full or in part, the  
116 cost of participation in the program by district employees who  
117 work no less than twenty (20) hours during the week and regular  
118 nonstudent bus drivers, whose salaries are paid, in full or in  
119 part, by federal funds, the allowance under this section shall be  
120 reduced to the extent of such federal funding. Where the use of  
121 federal funds is allowable but not available, it is the intent of



122 the Legislature that school districts contribute the cost of  
123 participation for such employees from local funds, except that  
124 parent fees for child nutrition programs shall not be increased to  
125 cover such cost.

126 (4) The state shall provide annually, by line item in the  
127 community/junior college appropriation bill, such funds to pay one  
128 hundred percent (100%) of the cost of the health insurance plan,  
129 or any lesser percentage of the cost that is not assessed to the  
130 employees by the board, for community/junior college district  
131 employees initially employed before January 1, 2006, who work no  
132 less than twenty (20) hours during each week. For such employees  
133 initially employed on or after January 1, 2006, the state shall  
134 provide one hundred percent (100%) of the cost of a basic level of  
135 health insurance under the State and School Employees Health  
136 Insurance Plan, or any lesser percentage of the cost that is not  
137 assessed to the employees by the board, and the employees may pay  
138 additional amounts to purchase additional benefits or levels of  
139 coverage offered under the plan.

140 (5) The state shall provide annually, by line item in the  
141 Secretary of State appropriation bill, such funds to pay one  
142 hundred percent (100%) of the cost of health insurance under the  
143 State and School Employees Health Insurance Plan, or any lesser  
144 percentage of the cost that is not assessed to the employees by  
145 the board, for county and municipal election commissioners in  
146 Mississippi initially employed before January 1, 2006. For county



147 and municipal election commissioners initially employed on or  
148 after January 1, 2006, the state shall provide one hundred percent  
149 (100%) of the cost of a basic level of health insurance under the  
150 State and School Employees Health Insurance Plan, or any lesser  
151 percentage of the cost that is not assessed to the employees by  
152 the board, and the employees may pay additional amounts to  
153 purchase additional benefits or levels of coverage offered under  
154 the plan. The Secretary of State shall allot to each county or  
155 municipality a sufficient amount of those funds appropriated to  
156 pay the costs of insurance for election commissioners. Any funds  
157 so appropriated by line item which are not expended during the  
158 fiscal year for which such funds were appropriated shall be  
159 carried forward for the same purposes during the next succeeding  
160 fiscal year. If any premiums for the health insurance and/or late  
161 charges and interest penalties are not paid by a county or  
162 municipality in a timely manner, as defined by the board, the  
163 Secretary of State, upon notice by the board, shall immediately  
164 withhold all subsequent disbursements of funds to that county or  
165 municipality.

166 ( \* \* \*6) When the use of federal funding is allowable to  
167 defray, in full or in part, the cost of participation in the  
168 insurance plan by community/junior college district employees who  
169 work no less than twenty (20) hours during each week, whose  
170 salaries are paid, in full or in part, by federal funds, the  
171 allowance under this section shall be reduced to the extent of the



172 federal funding. Where the use of federal funds is allowable but  
173 not available, it is the intent of the Legislature that  
174 community/junior college districts contribute the cost of  
175 participation for such employees from local funds.

176 ( \* \* \*7) Any community/junior college district may  
177 contribute to the cost of coverage for any district employee from  
178 local community/junior college district funds, and any public  
179 school district may contribute to the cost of coverage for any  
180 district employee from nonminimum program funds. Any part of the  
181 cost of such coverage for participating employees of public school  
182 districts and public community/junior college districts that is  
183 not paid by the state shall be paid by the participating  
184 employees, which shall be deducted from the salaries of the  
185 employees in a manner determined by the board.

186 ( \* \* \*8) Any funds appropriated for the cost of insurance  
187 by line item in the community/junior colleges appropriation bill  
188 which are not expended during the fiscal year for which such funds  
189 were appropriated shall be carried forward for the same purposes  
190 during the next succeeding fiscal year.

191 ( \* \* \*9) The board may establish and enforce late charges  
192 and interest penalties or other penalties for the purpose of  
193 requiring the prompt payment of all premiums for life and health  
194 insurance permitted under this chapter. All funds in excess of  
195 the amount needed for disbursement of claims shall be deposited in  
196 a special fund in the State Treasury to be known as the State and





197 School Employees Insurance Fund. The State Treasurer shall invest  
198 all funds in the State and School Employees Insurance Fund and all  
199 interest earned shall be credited to the State and School  
200 Employees Insurance Fund. Such funds shall be placed with one or  
201 more depositories of the state and invested on the first day such  
202 funds are available for investment in certificates of deposit,  
203 repurchase agreements or in United States Treasury bills or as  
204 otherwise authorized by law for the investment of Public  
205 Employees' Retirement System funds, as long as such investment is  
206 made from competitive offering and at the highest and best market  
207 rate obtainable consistent with any available investment  
208 alternatives; however, such investments shall not be made in  
209 shares of stock, common or preferred, or in any other investments  
210 which would mature more than one (1) year from the date of  
211 investment. The board shall have the authority to draw from this  
212 fund periodically such funds as are necessary to operate the  
213 self-insurance plan or to pay to the insurance carrier the cost of  
214 operation of this plan, it being the purpose to limit the amount  
215 of participation by the state to fifty percent (50%) of the cost  
216 of the life insurance program and not to limit the contracting for  
217 additional benefits where the cost will be paid in full by the  
218 employee. The state shall not share in the cost of coverage for  
219 retired employees.

220 ( \* \* \*10) The board shall also provide for the creation of  
221 an Insurance Reserve Fund and funds therein shall be invested by



222 the State Treasurer with all interest earned credited to the State  
223 and School Employees Insurance Fund.

224 ( \* \* \*11) Any retired employee electing to purchase retired  
225 life and health insurance will have the full cost of such  
226 insurance deducted monthly from his State of Mississippi  
227 retirement plan check or direct billed for the cost of the premium  
228 if the retirement check is insufficient to pay for the premium.  
229 If the board determines actuarially that the premium paid by the  
230 participating retirees adversely affects the overall cost of the  
231 plan to the state, then the board may impose a premium surcharge,  
232 not to exceed fifteen percent (15%), upon such participating  
233 retired employees who are under the age for Medicare eligibility  
234 and who were initially employed before January 1, 2006. For  
235 participating retired employees who are under the age for Medicare  
236 eligibility and who were initially employed on or after January 1,  
237 2006, the board may impose a premium surcharge in an amount the  
238 board determines actuarially to cover the full cost of insurance.

239 ( \* \* \*12) This section shall stand repealed on July 1,  
240 2026.

241 **SECTION 3.** This act shall take effect and be in force from  
242 and after July 1, 2023.

