

OKLAHOMA STATE SENATE  
CONFERENCE  
COMMITTEE REPORT

April 30, 2018

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 1015

By: Stanislawski of the Senate and Caldwell of the House

Title: Larry Dickerson Education Flexible Benefits Allowance Act; modifying definition. Effective date.

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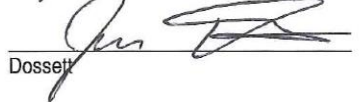
together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from its amendments.
2. By restoring the Effective date and Emergency Clause.
3. By restoring the title as follows:  
"An Act relating to the Larry Dickerson Education Flexible Benefits Allowance Act; amending 70 O.S. 2011, Section 26-103, as amended by Section 1, Chapter 320, O.S.L. 2012 (70 O.S. Supp. 2017, Section 26-103), which relates to definitions under the Larry Dickerson Education Flexible Benefits Allowance Act; modifying certain definition to include certain employees; providing an effective date; and declaring an emergency."

Respectfully submitted,

SENATE CONFEREES:

  
Stanislawski  
  
Bergstrom  
  
Simpson  
  
Griffin

  
Leewright  
  
Ikley-Freeman  
  
Dossett

HOUSE CONFEREES:

General Conference Committee on Appropriations

Senate Action \_\_\_\_\_ Date \_\_\_\_\_ House Action \_\_\_\_\_ Date \_\_\_\_\_

*epc*

SB1015 CCR (A)  
**HOUSE CONFEREES**

Bennett, John

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Caldwell, Chad




Calvey, Kevin

---

Casey, Dennis



Cockroft, Josh



Dunnington, Jason

---

Echols, Jon

---

Hall, Elise



Inman, Scott

---

Jordan, John Paul

---

Kannady, Chris



Kouplen, Steve



Lepak, Mark



Loring, Ben

---

McBride, Mark



O'Donnell, Terry



Ortega, Charles

---

Osborn, Leslie



Ownbey, Pat

---

Pfeiffer, John



Proctor, Eric

---

Roberts, Dustin

---

Russ, Todd



Sanders, Mike



Sears, Earl



Stone, Shane



Virgin, Emily



Wallace, Kevin

---

Watson, Weldon



ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 1015

By: Stanislawski of the Senate

and

Caldwell of the House

[ Larry Dickerson Education Flexible Benefits  
Allowance Act - definitions - ~~effective date~~ -  
emergency ]

AMENDMENT NO. 1. Page 1, line 9, strike the enacting clause

Passed the House of Representatives the 26th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

1 ENGROSSED SENATE  
2 BILL NO. 1015

By: Stanislawski of the Senate

3 and

4 Caldwell of the House

5  
6 [ Larry Dickerson Education Flexible Benefits  
7 Allowance Act - definitions - ~~effective date~~ -  
8 ~~emergency~~ ]

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

10 SECTION 1. AMENDATORY 70 O.S. 2011, Section 26-103, as  
11 amended by Section 1, Chapter 320, O.S.L. 2012 (70 O.S. Supp. 2017,  
12 Section 26-103), is amended to read as follows:

13 Section 26-103. The following words and phrases as used in ~~this~~  
14 ~~act~~ Section 26-101 et seq. of this title, unless a different meaning  
15 is clearly required by the context, shall have the following  
16 meanings:

17 1. "Benefit" means any of the benefits which may be purchased  
18 or are required to be purchased under the cafeteria plan;

19 2. "Cafeteria plan" means a benefit plan established pursuant  
20 to 26 U.S.C. Section 125;

21 3. "Flexible benefit allowance" means amounts credited by the  
22 school district for each school district employee for the purchase  
23 of benefits under the cafeteria plan;

24 (Floor Amendments Only) Date and Time Filed: \_\_\_\_\_

Untimely

Amendment Cycle Extended

Secondary Amendment

1           4. "Support personnel" means full-time employees of a school  
2 district as determined by the standard period of labor which is  
3 customarily understood to constitute full-time employment for the  
4 type of services performed by the employees who are employed a  
5 minimum of six (6) hours per day for a minimum of one hundred  
6 seventy-two (172) days or a minimum of six (6) hours per day for a  
7 minimum of one thousand thirty-two (1,032) hours per year and who  
8 provide services not performed by certified personnel, which is  
9 necessary for the efficient and satisfactory functioning of a school  
10 district, and shall include cooks, janitors, maintenance personnel,  
11 bus drivers, noncertified or nonregistered nurses, noncertified  
12 librarians, and clerical employees of a school district but shall  
13 not include adult education instructors or adult coordinators  
14 employed by technology center school districts;

15           5. "Plan year" means the twelve-month period established by the  
16 school district for the cafeteria plan;

17           6. "School district" means the public school districts and  
18 technology center school districts of this state;

19           7. "School district employee" means certified or support  
20 personnel as defined in ~~this act~~ Section 26-101 et seq. of this  
21 title. Employees of an educational service provider contracted with  
22 a school district pursuant to subsection G of Section 5-117 of this  
23 title who perform functions that would otherwise be performed by a  
24 school district employee shall be considered employees of a school

1 district for purposes of the Larry Dickerson Education Flexible  
2 Benefits Allowance Act unless otherwise provided for in the contract  
3 between the educational service provider and the contracting school  
4 district;

5 8. "Certified personnel" means a certified person employed on a  
6 full-time basis to serve as a teacher, principal, supervisor,  
7 administrator, counselor, librarian, or certified or registered  
8 nurse, but shall not mean a superintendent of a school district; and

9 9. "Self-insured" means a health care program in which the  
10 school district funds the benefit plans from its own resources  
11 without purchasing insurance and which may be administered by the  
12 school district or by an outside administrator under contract with  
13 the school district for administrative services. The State Board of  
14 Education shall prepare by May 1st of each year a list of each  
15 school district in the state that is self-insured and the number of  
16 support personnel and the number of certified personnel that are  
17 participating in each self-insured school district plan.

18 ~~SECTION 2. This act shall become effective July 1, 2018.~~

19 ~~SECTION 3. It being immediately necessary for the preservation~~  
20 ~~of the public peace, health or safety, an emergency is hereby~~  
21 ~~declared to exist, by reason whereof this act shall take effect and~~  
22 ~~be in full force from and after its passage and approval.~~

23  
24

1 Passed the Senate the 14th day of March, 2018.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2018.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives