

1 ENGROSSED SENATE
2 BILL NO. 1592

By: Treat of the Senate

3 and

4 McCall of the House

5
6 An Act relating to liability insurance; creating the
7 Educators' Professional Liability Insurance Program;
8 stating application of act; requiring certain
9 liability coverage for employees; directing Office of
10 Management and Enterprise Services (OMES) to
11 administer program and promulgate rules; authorizing
12 OMES to contract for private insurance or create a
13 self-insured risk pool or both; requiring competitive
14 process for selecting insurer; directing Legislature
15 to appropriate funds for the program annually;
16 requiring written notification of coverage;
17 prescribing contents of notice; construing
18 provisions; providing for codification; and declaring
19 an emergency.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 5-140.1 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:

24 A. The Educators' Professional Liability Insurance Program
shall be created for full-time and part-time personnel employed by a
public school district and a public charter school. The program
shall provide liability coverage for employees up to One Million
Dollars (\$1,000,000.00) in coverage per occurrence.

1 B. The program shall be administered by the Office of
2 Management and Enterprise Services (OMES). OMES shall promulgate
3 rules to implement the provisions of this act. OMES may contract
4 liability insurance from a licensed insurer, create a self-insured
5 risk pool, or use a combination of both. The insurance carrier
6 providing any portion of coverage provided under this act shall be
7 selected by a competitive process.

8 C. The Legislature shall provide an annual appropriation to
9 cover the costs and any associated premiums for the program.

10 D. The State Department of Education shall provide to eligible
11 employees upon hiring and annually thereafter written notice of the
12 Educators' Professional Liability Insurance Program. The notice
13 shall specifically inform employees that coverage is provided
14 automatically as part of their employment.

15 E. Nothing in this section shall be construed to exempt a local
16 school district from any current obligations or duties nor amend or
17 alter The Governmental Tort Claims Act provided in Sections 151
18 through 172 of Title 51 of the Oklahoma Statutes.

19 SECTION 2. 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.

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