

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3920

By: Caldwell (Chad)

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6 AS INTRODUCED

7 An Act relating to school employee liability
8 insurance; creating the Educators' Professional
9 Liability Insurance Program; defining eligible
10 employees; requiring certain coverage for employees;
11 directing Office of Management and Enterprise
12 Services (OMES) to administer program and promulgate
13 rules; authorizing OMES to contract for private
14 insurance or create self-insured risk pool; requiring
15 competitive process for selecting insurer; directing
16 Legislature to appropriate certain funds; requiring
17 certain notification; construing section; providing
18 for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 26-201 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby created the Educators' Professional
Liability Insurance Program for all employees, including full-time
and part-time personnel of public schools, as defined in Section 1-
106 of Title 70 of the Oklahoma Statutes, and charter schools, as

1 defined in subsection D of Section 3-132 of Title 70 of the Oklahoma
2 Statutes.

3 B. The program shall provide liability coverage for employees
4 up to Two Million Dollars (\$2,000,000.00) in coverage per
5 occurrence.

6 C. The program shall be administered by the Office of
7 Management and Enterprise Services (OMES). OMES shall promulgate
8 rules to implement the Educators' Professional Liability Insurance
9 Program.

10 D. OMES shall be authorized to contract liability insurance
11 from a licensed insurer, to create a self-insured risk pool, or to
12 use a combination of both.

13 E. The insurance carrier providing any portion of liability
14 coverage required by this section shall be selected by a competitive
15 process.

16 F. The Legislature shall provide an annual appropriation to
17 cover the costs and any associated premiums for the program.

18 G. Each school district shall annually notify, in writing,
19 eligible employees about the coverage provided by the Educators'
20 Professional Liability Insurance Program.

21 H. OMES and the State Department of Education shall notify, in
22 writing, all eligible employees about the Educators' Professional
23 Liability Insurance Program. The notice shall specifically inform
24 employees that coverage is provided automatically as part of their
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1 employment. The notice shall be given upon hiring and annually
2 thereafter.

3 I. Nothing in this section shall be construed to exempt a
4 school district from any current obligations or duties nor amend or
5 alter the Governmental Tort Claims Act in Sections 151 through 172
6 of Title 51 of the Oklahoma Statutes.

7 SECTION 2. This act shall become effective November 1, 2024.

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