

SECOND REGULAR SESSION

HOUSE BILL NO. 1535

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DEEKEN (Sponsor), BRUNS, DAY,
GRISAMORE, RUESTMAN AND HODGES (Co-sponsors).

Pre-filed January 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4090L.011

AN ACT

To repeal section 33.103, RSMo, and to enact in lieu thereof one new section relating to state employee payroll deductions for insurance premiums.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 33.103, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 33.103, to read as follows:

33.103. 1. Whenever the employees of any state department, division or agency establish any voluntary retirement plan, or participate in any group hospital service plan, group life insurance plan, medical service plan or other such plan, or if they are members of an employee collective bargaining organization, or if they participate in a group plan for uniform rental, the commissioner of administration may deduct from such employees' compensation warrants the amount necessary for each employee's participation in the plan or collective bargaining dues, provided that such dues deductions shall be made only from those individuals agreeing to such deductions. Before such deductions are made, the person in charge of the department, division or agency shall file with the commissioner of administration an authorization showing the names of participating employees, the amount to be deducted from each such employee's compensation, and the agent authorized to receive the deducted amounts. The amount deducted shall be paid to the authorized agent in the amount of the total deductions by a warrant issued as provided by law.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 2. The commissioner of administration may, in the same manner, deduct from any state
15 employee's compensation warrant:

16 (1) Any amount authorized by the employee for the purchase of shares in a state
17 employees' credit union in Missouri;

18 (2) Any amount authorized by the employee for contribution to a fund resulting from a
19 united, joint community-wide solicitation or to a fund resulting from a nationwide solicitation
20 by charities rendering services or otherwise fulfilling charitable purposes if the fund is
21 administered in a manner requiring public accountability and public participation in policy
22 decisions;

23 (3) Any amount authorized by the employee for the payment of dues in an employee
24 association;

25 (4) Any amount determined to be owed by the employee to the state in accordance with
26 guidelines established by the commissioner of administration which shall include notice to the
27 employee and an appeal process;

28 (5) Any amount voluntarily assigned by the employee for payment of child support
29 obligations determined pursuant to chapter 452 or 454, RSMo; [and]

30 (6) Any amount authorized by the employee for contributions to any "qualified state
31 tuition program" pursuant to Section 529 of the Internal Revenue Code of 1986, as amended,
32 sponsored by the state of Missouri; **and**

33 **(7) Any amount for cafeteria plan administrative fees under subdivision (4) of**
34 **subsection 3 of this section.**

35 3. The commissioner of administration may establish a cafeteria plan in accordance with
36 Section 125 of Title 26 United States Code for state employees. The commissioner of
37 administration must file a written plan document to be filed in accordance with chapter 536,
38 RSMo. Employees must be furnished with a summary plan description one hundred twenty days
39 prior to the effective date of the plan. In connection with such plans, the commissioner may:

40 (1) Include as an option in the plan any employee benefit, otherwise available to state
41 employees, administered by a statutorily created retirement system;

42 (2) Provide and administer, or select companies on the basis of competitive bids or
43 proposals to provide or administer, any group insurance, or other plan which may be included
44 as part of a cafeteria plan, provided such plan is not duplicative of any other plan, otherwise
45 available to state employees, administered by a statutorily created retirement system;

46 (3) Include as an option in the plan any other product eligible under Section 125 of Title
47 26 of the United States Code, subject to regulations promulgated by the office of administration,
48 and including payment to the state by vendors providing those products for the cost of
49 administering those deductions, as set by the office of administration; and

50 (4) Reduce each [participating] employee's compensation warrant by the amount
51 necessary for each employee's participation in the cafeteria plan, [provided that such salary
52 reduction shall be made only with respect to those individuals agreeing to such reduction] **except**
53 **for those individual employees who affirmatively elect not to participate in the cafeteria**
54 **plan.** No such reduction in salary for the purpose of participation in a cafeteria plan shall have
55 the effect of reducing the compensation amount used in calculating the state employee's
56 retirement benefit under a statutorily created retirement system or reducing the compensation
57 amount used in calculating the state employee's compensation or wages for purposes of any
58 workers' compensation claim governed by chapter 287, RSMo.

59 4. Employees may authorize deductions as provided in this section in writing or by
60 electronic enrollment.

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