

Senate Bill 893

Sponsored by Senator STEINER HAYWARD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires one-time election by governing body of local government to offer alternative benefit plan after participating in plan offered by Oregon Educators Benefit Board or Public Employees' Benefit Board to be made within 30 days of third anniversary of date on which governing body first elected to participate in benefit plan offered by board.

Prohibits governing body of local government from subsequently participating in benefit plan offered by Oregon Educators Benefit Board or Public Employees' Benefit Board after having withdrawn from participating in those plans.

A BILL FOR AN ACT

1
2 Relating to withdrawal by local government from participation in certain benefit plans; amending
3 ORS 243.129 and 243.867.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 243.867 is amended to read:

6 243.867. (1) The governing body of a local government may elect to participate in a benefit plan
7 offered by the Oregon Educators Benefit Board.

8 (2) The decision of the governing body of a local government to participate in a benefit plan
9 offered by the board is in the discretion of the governing body of the local government and is a
10 permissive subject of collective bargaining.

11 (3) If the governing body of a local government elects to offer a benefit plan through the
12 board[,];

13 (a) The governing body may elect one time only to provide alternative group health and welfare
14 insurance benefit plans to eligible employees [*if*];

15 (b) **The election must be made within 30 days of the third anniversary of the date on**
16 **which the governing body first elected to participate in a benefit plan offered by the board;**

17 [*(a)*] (c) The alternative benefit plan [*is*] **must be** offered through the health insurance exchange
18 under ORS 741.310 (1)(b); and

19 [*(b)*] (d) The participation of the local government [*is not*] **must not be** precluded under federal
20 law on or after January 1, 2017.

21 (4) **The governing body of a local government that has elected to withdraw from partic-**
22 **ipation in a benefit plan offered by the board may not subsequently participate in a benefit**
23 **plan offered by the board.**

24 **SECTION 2.** ORS 243.129 is amended to read:

25 243.129. (1) The governing body of a local government may elect to participate in a benefit plan
26 offered by the Public Employees' Benefit Board.

27 (2) The decision of the governing body of a local government to participate in a benefit plan
28 offered by the board is in the discretion of the governing body of the local government and is a

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 permissive subject of collective bargaining.

2 (3) If the governing body of a local government elects to offer a benefit plan through the
3 board[,]:

4 (a) The governing body may elect one time only to provide alternative group health and welfare
5 insurance benefit plans to eligible employees *[if:]*;

6 (b) **The election must be made within 30 days of the third anniversary of the date on**
7 **which the governing body first elected to participate in a benefit plan offered by the board;**

8 *[(a)]* (c) The alternative benefit plan *[is]* **must be** offered through the health insurance exchange
9 under ORS 741.310 (1)(b); and

10 *[(b)]* (d) The participation of the local government *[is not]* **must not be** precluded under federal
11 law on or after January 1, 2017.

12 (4) **The governing body of a local government that has elected to withdraw from partic-**
13 **ipation in a benefit plan offered by the board may not subsequently participate in a benefit**
14 **plan offered by the board.**

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