

HOUSE BILL REPORT

HB 1785

As Passed Legislature

Title: An act relating to authorizing de minimis use of state resources to provide information about programs that may be authorized payroll deductions.

Brief Description: Authorizing de minimis use of state resources to provide information about programs that may be authorized payroll deductions.

Sponsors: Representatives S. Hunt, Kristiansen and Ryu.

Brief History:

Committee Activity:

Government Operations & Elections: 2/19/13, 2/20/13 [DP].

Floor Activity:

Passed House: 2/12/14, 98-0.

Passed Senate: 3/5/14, 48-1.

Passed Legislature.

Brief Summary of Bill

- Allows a provider of payroll deduction programs use of state facilities to provide information to employees about the programs.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass. Signed by 11 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Ranking Minority Member; Carlyle, Fitzgibbon, Kristiansen, Manweller, Orwall, Van De Wege and Alexander.

Staff: Marsha Reilly (786-7135).

Background:

It is a violation of state ethics laws for a state officer or state employee to employ or use any person, money, or property under the officer's or employee's control or direction or in his or her official custody, for his or her private benefit or for the benefit of another. Occasional but

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limited use of state resources (de minimis exception) is allowed if there is no actual cost to the state or the cost to the state is so small as to be insignificant or negligible.

A state or other public employee may authorize payroll deductions for medical and hospital care; life, accident or health insurance; or retirement plans. Businesses selling these insurance products typically ask permission to use state facilities to contact state employees.

Summary of Bill:

A provider of payroll deduction programs may use state facilities to provide employees with information about the programs, such as:

- medical, surgical, and hospital care;
- life insurance or accident and health disability insurance; or
- individual retirement accounts.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) State employers, fearing an ethics violation, no longer permit insurance providers to talk about available payroll deduction program products at work. An ethics opinion from years ago indicated that it was de minimis use of state resources for AFLAC to talk to employees at state facilities. The ethics board recently rescinded that opinion. This bill does not allow all insurance providers to come into state facilities to talk to employees; it allows only those providers of authorized payroll deduction programs. It should be emphasized that insurance companies will only have de minimis use of state facilities. The insurance companies will work with state human resources managers to arrange meetings with employees in their off-hours to talk about available insurance products.

(Opposed) None.

Persons Testifying: Tim Boyd, American Family Life Assurance Company of Columbus.

Persons Signed In To Testify But Not Testifying: None.