CONCURRENT RESOLUTION ON REFUNDING EXCESS RESERVES FROM THE STATE INSURANCE RISK POOLS

2020 FIFTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald Winterton
House Sponsor: Norman K. Thurston

LONG TITLE

General Description:

This concurrent resolution directs the Public Employees' Benefit and Insurance Program to reimburse to the state and state employees excess reserves held in the state insurance risk pools.

Highlighted Provisions:

This resolution:

• directs the Public Employees' Benefit and Insurance Program to reimburse to the state and state employees excess reserves held in the state insurance risk pools; and
• finds that the reason for the reimbursement is the emergency created by the COVID-19 Novel Coronavirus.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, Utah Code Section 49-20-402 directs the Public Employees' Benefit and Insurance Program on the process to follow if substantial excess reserves are accrued;

WHEREAS, on March 6, 2020, Governor Herbert issued an executive order declaring a state of emergency due to the COVID-19 Novel Coronavirus outbreak;

WHEREAS, the Legislature passed a joint resolution extending the state of emergency,
due to the infectious disease COVID-19 Novel Coronavirus, to June 30, 2020;
WHEREAS, in April 2020, during its third special session, the Legislature passed H.J.R. 301 urging fiscal responsibility and urging state and local government entities to limit expenditures and avoid unnecessary spending;
WHEREAS, on May 20, 2020, the Utah Economic Response Task Force released Utah Leads Together III, which acknowledges that the state faces massive economic challenges; and WHEREAS, the state insurance risk pools currently contain excess reserves:
NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, directs the Public Employees' Benefit and Insurance Program to refund $11,720,000 from the state insurance risk pools to the state before July 1, 2020, and its employees by July 15, 2020.
BE IT FURTHER RESOLVED that $8,090,000 of the $11,720,000 shall come from the state health insurance risk pool, with at least $7,370,000 going to the state and approximately $720,000 going to state employees.
BE IT FURTHER RESOLVED that $3,630,000 of the $11,720,000 shall come from the long-term disability risk pool.
BE IT FURTHER RESOLVED that the refund of excess reserves is directed due to the emergency resulting from the COVID-19 Novel Coronavirus.