

**Senator Ronald Winterton** proposes the following substitute bill:

**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

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**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

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*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;



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

28           WHEREAS, the Legislature passed a joint resolution extending the state of emergency,  
29 due to the infectious disease COVID-19 Novel Coronavirus, to June 30, 2020;

30           WHEREAS, in April 2020, during its third special session, the Legislature passed  
31 H.J.R. 301 urging fiscal responsibility and urging state and local government entities to limit  
32 expenditures and avoid unnecessary spending;

33           WHEREAS, on May 20, 2020, the Utah Economic Response Task Force released Utah  
34 Leads Together III, which acknowledges that the state faces massive economic challenges; and

35           WHEREAS, the state insurance risk pools currently contain excess reserves:

36           NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
37 Governor concurring therein, directs the Public Employees' Benefit and Insurance Program to  
38 refund \$11,720,000 from the state insurance risk pools to the state before July 1, 2020, and its  
39 employees by July 15, 2020.

40           BE IT FURTHER RESOLVED that \$8,090,000 of the \$11,720,000 shall come from the  
41 state health insurance risk pool, with at least \$7,370,000 going to the state and approximately  
42 \$720,000 going to state employees.

43           BE IT FURTHER RESOLVED that \$3,630,000 of the \$11,720,000 shall come from the  
44 long-term disability risk pool.

45           BE IT FURTHER RESOLVED that the refund of excess reserves is directed due to the  
46 emergency resulting from the COVID-19 Novel Coronavirus.