

1 ENGROSSED HOUSE  
2 BILL NO. 3085

By: Hilbert of the House

3 and

4 Leewright of the Senate  
5

6 An Act relating to workers' compensation; defining  
7 terms; authorizing reduction in insurance premiums  
8 for workers' compensation policies if the employer is  
9 a work-based learning employer; providing  
10 qualifications and requirements for reduction in  
11 premiums; providing for codification; and providing  
12 an effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 42.1 of Title 85A, unless there  
15 is created a duplication in numbering, reads as follows:

16 As used in this act:

17 1. "Work-based learning coordinator" means a teacher, as  
18 defined by Section 6-101.3 of Title 70 of the Oklahoma Statutes, who  
19 coordinates and supervises students in work-based learning  
20 placements;

21 2. "Work-based learning employer" means an employer who  
22 provides work-based learning placements;

23 3. "Work-based learning placement" or "placement" means an  
24 arrangement between a business or industry partner and a local

1 school system in which students are released for a portion of the  
2 school day for structured learning at an employer's job site in  
3 either a paid or unpaid position while receiving academic credit.  
4 Work-based learning placements include, but are not limited to,  
5 employability skill development, service learning, cooperative  
6 education, internship, youth apprenticeship, and clinical  
7 experiences; and

8 4. "Work-based learning student" means a student sixteen (16)  
9 years of age or older in a work-based learning placement for an  
10 employer.

11 SECTION 2. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 42.2 of Title 85A, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. For each policy of workers' compensation insurance issued or  
15 renewed in this state on or after November 1, 2020, there may be  
16 granted by the insurer a reduction in the premium for such policy,  
17 not to exceed five percent (5%), if the insured has been certified  
18 by the State Board of Career and Technology Education to the  
19 Administrative Workers' Compensation Commission as a work-based  
20 learning employer pursuant to Section 3 of this act and has notified  
21 its insurer in writing of such certification.

22 B. If granted, the premium discount provided by this section  
23 may be applied to an insured's policy of workers' compensation  
24 insurance at the discretion of the insured's insurer pro rata as of

1 the date the insured receives such certification and shall continue  
2 for as long as the insured maintains the certification; provided,  
3 however, that an insurer shall not be required to credit the actual  
4 amount of the premium discount to the account of the insured until  
5 the final premium audit under such policy. Certification of an  
6 insured shall be required for each year in which a premium discount  
7 is granted.

8 C. If it is determined that an insured misrepresented its  
9 qualifications for certification pursuant to Section 3 of this act,  
10 the workers' compensation insurance policy of such insured may be  
11 subject to an additional premium for the purposes of reimbursement  
12 of a previously granted premium discount and to cancellation in  
13 accordance with the provisions of the policy.

14 D. Each insurer, at the discretion of the insured's insurer if  
15 granting a premium reduction, shall make an annual report, in  
16 accordance with rules promulgated by the Insurance Commissioner, to  
17 the Insurance Commissioner illustrating the total dollar amount of  
18 the premium discounts applied pursuant to this section.

19 E. The Insurance Commissioner and the State Board of Career and  
20 Technology Education shall conduct a study to determine the impact  
21 of the premium discounts provided pursuant to this section in  
22 encouraging employers to provide work-based learning opportunities  
23 for students sixteen (16) years of age or older.

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1 F. The Insurance Commissioner shall be authorized to promulgate  
2 rules necessary for the implementation and enforcement of this  
3 section.

4 SECTION 3. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 42.3 of Title 85A, unless there  
6 is created a duplication in numbering, reads as follows:

7 A. A work-based learning employer that has been certified  
8 pursuant to this section may be eligible for a premium discount  
9 under the employer's workers' compensation insurance policy pursuant  
10 to Section 2 of this act if the State Board of Career and Technology  
11 Education certifies to the Administrative Workers' Compensation  
12 Commission and the Insurance Commissioner that the work-based  
13 learning employer:

14 1. Has entered into a training agreement with one or more work-  
15 based learning students, the student's parent or guardian, and the  
16 school's work-based learning coordinator;

17 2. Has developed, in conjunction with the school's work-based  
18 learning coordinator, a detailed training plan for the work-based  
19 learning student that focuses on development of technical skills and  
20 employability skills;

21 3. Assigns a mentor to each work-based learning student and  
22 assists in monitoring the progress of the student; provided, a  
23 mentor may be assigned to more than one student;

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1 4. Provides workers' compensation insurance coverage for each  
2 work-based learning student;

3 5. Complies with all federal, state, and local laws and  
4 regulations regarding the employment of students; and

5 6. Complies with the rules of the State Board of Career and  
6 Technology Education regarding work-based learning placement.

7 B. A self-insured employer or an employer member of a group  
8 self-insurance association that provides work-based learning  
9 placements for one or more work-based learning students  
10 substantially in accordance with this section may be certified by  
11 the State Board of Career and Technology Education to the Insurance  
12 Commissioner and the Administrative Workers' Compensation Commission  
13 as a work-based learning employer in compliance with this act.

14 SECTION 4. This act shall become effective November 1, 2020.

15 Passed the House of Representatives the 10th day of March, 2020.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2020.

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Presiding Officer of the Senate

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