

1 **CONCURRENT RESOLUTION ON REFUNDING EXCESS**

2 **RESERVES FROM THE STATE**

3 **INSURANCE RISK POOLS**

4 2020 FIFTH SPECIAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Ronald Winterton**

7 House Sponsor: Norman K. Thurston

8

9 **LONG TITLE**

10 **General Description:**

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

14 **Highlighted Provisions:**

15 This resolution:

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

20 **Special Clauses:**

21 None

22

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

24 WHEREAS, Utah Code Section [49-20-402](#) directs the Public Employees' Benefit and
25 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.