

Fifty-eighth  
Legislative Assembly  
of North Dakota

Introduced by

(At the request of the Public Employees Retirement System)

1 A BILL for an Act to amend and reenact subsection 4 of section 54-52.1-01, subsection 3 of  
2 section 54-52.1-03, and section 54-52.1-03.1 of the North Dakota Century Code, relating to  
3 eligibility for and employee payments to the uniform group insurance program.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 4 of section 54-52.1-01 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 4. "Eligible employee" means every permanent employee who is employed by a  
8 governmental unit, as that term is defined in section 54-52-01. "Eligible employee"  
9 includes members of the legislative assembly, judges of the supreme court, paid  
10 members of state or political subdivision boards, commissions, or associations,  
11 full-time employees of political subdivisions, elective state officers as defined by  
12 subsection 2 of section 54-06-01, and disabled permanent employees who are  
13 receiving compensation from the North Dakota workers' compensation fund. As  
14 used in this subsection, "permanent employee" means one whose services are not  
15 limited in duration, who is filling an approved and regularly funded position in a  
16 governmental unit, and who is employed at least seventeen and one-half hours per  
17 week and at least five months each year or for those first employed after August 1,  
18 2003, is employed at least twenty hours per week and at least five months each  
19 year. For purposes of sections 54-52.1-04.1, 54-52.1-04.7, 54-52.1-04.8, and  
20 54-52.1-11, "eligible employee" includes retired and terminated employees who  
21 remain eligible to participate in the uniform group insurance program pursuant to  
22 applicable state or federal law.

23 **SECTION 2. AMENDMENT.** Subsection 3 of section 54-52.1-03 of the North Dakota  
24 Century Code is amended and reenacted as follows:

3. A retiree who has accepted a periodic distribution from the defined contribution retirement plan pursuant to section 54-52.6-13 who the board determines is eligible for participation in the uniform group insurance program or has accepted a retirement allowance from the public employees retirement system, the highway patrolmen's retirement system, the teachers' insurance and annuity association of America - college retirement equities fund (TIAA-CREF) for service credit earned while employed by North Dakota institutions of higher education, the retirement system established by job service North Dakota under section 52-11-01, the judges' retirement system established under chapter 27-17, or the teachers' fund for retirement may elect to participate in the uniform group under this chapter without meeting minimum requirements at age sixty-five, when the member's spouse reaches age sixty-five, upon the receipt of a benefit, or when the spouse terminates employment. If a retiree or surviving spouse does not elect to participate at the times specified in this subsection, the retiree or surviving spouse must meet the minimum requirements established by the board. Subject to sections 54-52.1-03.2 and 54-52.1-03.3, each retiree or surviving spouse shall pay directly to the board the premiums in effect for the coverage then being provided. A retiree who has met the initial eligibility requirements of this subsection to begin participation in the uniform group insurance program remains eligible as long as the retiree maintains the retiree's participation in the program by paying the required premium pursuant to rules adopted by the board.

**SECTION 3. AMENDMENT.** Section 54-52.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**54-52.1-03.1. Certain political subdivisions authorized to join uniform group insurance program - Employer contribution.** A political subdivision may extend the benefits of the uniform group insurance program under this chapter to its permanent employees, subject to minimum requirements established by the board and a minimum period of participation of sixty months. If the political subdivision withdraws from participation in the uniform group insurance program, before completing sixty months of participation, the political subdivision shall make payment to the board in an amount equal to any expenses incurred in the uniform group insurance program that exceed income received on behalf of the political subdivision's

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- 1 employees as determined under rules adopted by the board. ~~The political subdivision may~~
- 2 ~~determine the amount of the employer's monthly contribution toward the total monthly premium~~
- 3 ~~amount required of each eligible participating employee.~~