

SECOND REGULAR SESSION

# HOUSE BILL NO. 2662

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MORRIS (140).

5638H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 105, RSMo, by adding thereto seven new sections relating to a voluntary identity theft protection plan for state employees.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 105, RSMo, is amended by adding thereto seven new sections, to be  
2 known as sections 105.1030, 105.1032, 105.1034, 105.1036, 105.1038, 105.1040, and 105.1042,  
3 to read as follows:

**105.1030. As used in sections 105.1030 to 105.1042, the term "employee" means any  
2 person, including elected or appointed officials, receiving compensation from the state, city,  
3 county, or other political subdivision for services rendered, including salaried persons.**

**105.1032. Any voluntary identify theft protection plan established under sections  
2 105.1030 to 105.1042 shall exist and serve in addition to any insurance, retirement, pension,  
3 and benefit systems established by the state or political subdivision. Any compensation  
4 withheld under such a plan shall continue to be included as regular compensation for the  
5 purpose of computing the retirement and pension benefits earned by any employee.**

**105.1034. Notwithstanding any other provision of law to the contrary, the state of  
2 Missouri, or any city, county, or other political subdivision may enter into a written  
3 contract with any of its employees to withhold, in whole or in part, any part of their gross  
4 compensation and invest such funds in any such manner as prescribed by the voluntary  
5 identity theft protection plan of the state, or its cities, counties, or other political  
6 subdivisions and as permitted under sections 105.1030 to 105.1042.**

**105.1036. 1. All funds withheld from employees of the state of Missouri under  
2 section 105.1034 shall be transferred to the director of revenue for deposit in the state**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

3 treasury to the credit of the "Missouri State Employees Voluntary Identity Theft  
4 Protection Fund" created in subsection 2 of this section.

5       2. There is hereby created in the state treasury the "Missouri State Employees  
6 Voluntary Identity Theft Protection Fund", which shall consist of moneys collected under  
7 section 105.1034. The commissioner of administration shall be custodian of the fund. The  
8 fund shall be a dedicated fund and moneys in the fund shall be used solely for the  
9 administration of sections 105.1030 to 105.1042.

10       3. Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
11 remaining in the fund at the end of the biennium shall not revert to the credit of the  
12 general revenue fund.

13       4. The commissioner shall approve any voluntary life insurance agreement entered  
14 into by the state and shall oversee the orderly administration of the fund in compliance  
15 with sections 105.1030 to 105.1042.

      105.1038. 1. The office of administration shall establish and administer a voluntary  
2 identity theft protection plan for the employees of the state of Missouri. Participation in  
3 such plan shall be by a specific written agreement between such employees and the state  
4 which shall provide for the payroll deduction of such amount of compensation as requested  
5 by the employee. Participating employees shall authorize that such deferrals be made  
6 from their wages for the purpose of participation in such plan.

7       2. Funds held for the state under a written payroll deduction agreement between  
8 the state and participating employees may be invested in such identity theft protection  
9 contracts as are approved by the commissioner of administration. All identity theft  
10 protection to be offered under this plan shall be provided by the company IDShield.

      105.1040. 1. Any city, county, institution of the state of Missouri, or other political  
2 subdivision may establish for its employees a voluntary identity theft protection plan with  
3 IDSheild. Participation shall be by written agreement between such employees and the  
4 governing body of the city, county, institution, or other political subdivision providing for  
5 the payroll deduction and the subsequent administration of such funds.

6       2. For the purposes of funding such agreements between the city, county,  
7 institution, or other such political subdivisions and the participating employees, the agency  
8 or department designated by the department to establish and administer such plans may  
9 deposit the funds, with the consent of the participating employee, with IDShield.

      105.1042. Notwithstanding any provision of law to the contrary, this section and  
2 sections 105.1038 and 105.1040 do not limit the power or authority of any city, county,  
3 municipal corporation, political subdivision, or any institution supported in whole or in  
4 part by public funds to establish and administer any other such identity theft protection

5 **plans as might be deemed appropriate by the officials of such political subdivisions or**  
6 **institutions.**

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