

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 156

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE PERSONNEL SYSTEM; AMENDING SECTION 67-5342, IDAHO CODE, TO  
REVISE AND ESTABLISH ADDITIONAL PROVISIONS RELATING TO SEVERANCE PAY  
AND SETTLEMENT PAYMENTS FOR STATE EMPLOYEES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-5342, Idaho Code, be, and the same is hereby  
amended to read as follows:

67-5342. SEVERANCE PAY FOR STATE EMPLOYEES -- SETTLEMENT PAYMENTS FOR  
STATE EMPLOYEES. (1) Upon termination from state service, no classified or  
exempt employee shall be eligible for severance pay and no employer shall  
provide or pay severance pay to such an employee or former employee.

(2) As used in this section, "severance pay" shall mean money, ~~exclu-~~  
~~sive of~~ paid to a classified or exempt employee. "Severance pay" does not  
mean wages or salary, vacation leave payoff, compensatory time leave and  
earned administrative leave payoff, ~~paid to a classified or exempt employee~~  
~~who resigns from state service of his own volition and not under duress and~~  
~~settlement payments.~~ As used in this section, "settlement payments" means  
money paid to settle any claims made or anticipated to be made by the employee  
or former employee that arise out of his or her state service, and for which a  
release of claims has been executed by the employee or former employee.

(3) All settlement payments shall be:

(a) Pursuant to a written waiver by the employee or former employee of  
any and all claims against the state; and

(b) Contingent on the written approval of the state board of examiners.

The amount of all such settlement payments, the written waiver and any other  
terms or conditions pertaining to them shall be a matter of public record.

(4) Any employer that makes a settlement payment shall, during the next  
regular session of the legislature after making such payment:

(a) Report to the legislature as to the number of settlement payments  
made and the cost; and

(b) Request a supplemental appropriation from the legislature for the  
cost of such settlement payments.