

By: Geren

H.B. No. 2471

A BILL TO BE ENTITLED

AN ACT

1
2 relating to eligibility for law enforcement officer service in the
3 Employees Retirement System of Texas by certain peace officers
4 commissioned by the comptroller.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 811.001(9), Government Code, is amended
7 to read as follows:

8 (9) "Law enforcement officer" means a member of the
9 retirement system who:

10 (A) has been commissioned as a law enforcement
11 officer by the Department of Public Safety, the Texas Alcoholic
12 Beverage Commission, the Parks and Wildlife Department, ~~[or]~~ the
13 office of inspector general at the Texas Juvenile Justice
14 Department, or the comptroller; and

15 (B) is recognized as a commissioned law
16 enforcement officer by the Texas Commission on Law Enforcement.

17 SECTION 2. Section 814.104(b), Government Code, is amended
18 to read as follows:

19 (b) A member who is at least 55 years old and who has at
20 least 10 years of service credit as a commissioned peace officer
21 engaged in criminal law enforcement activities of the Department of
22 Public Safety, the Texas Alcoholic Beverage Commission, the Parks
23 and Wildlife Department, ~~[or]~~ the office of inspector general at
24 the Texas Juvenile Justice Department, or the comptroller, or as a

1 custodial officer, is eligible to retire and receive a service
2 retirement annuity.

3 SECTION 3. Section 815.505, Government Code, is amended to
4 read as follows:

5 Sec. 815.505. CERTIFICATION OF NAMES OF LAW ENFORCEMENT AND
6 CUSTODIAL OFFICERS. Not later than the 12th day of the month
7 following the month in which a person begins or ceases employment as
8 a law enforcement officer or custodial officer, the Public Safety
9 Commission, the Texas Alcoholic Beverage Commission, the Parks and
10 Wildlife Commission, the office of inspector general at the Texas
11 Juvenile Justice Department, the Board of Pardons and Paroles, [~~or~~]
12 the Texas Board of Criminal Justice, or the comptroller, as
13 applicable, shall certify to the retirement system, in the manner
14 prescribed by the system, the name of the employee and such other
15 information as the system determines is necessary for the crediting
16 of service and financing of benefits under this subtitle.

17 SECTION 4. (a) The changes in law made to Subtitle B, Title
18 8, Government Code, by this Act apply to a member of the Employees
19 Retirement System of Texas who is employed as a commissioned peace
20 officer by the comptroller on or after the effective date of this
21 Act regardless of whether the member was hired by the comptroller
22 before, on, or after the effective date of this Act.

23 (b) Service credit established by a member described by
24 Subsection (a) of this section that was earned by the member in the
25 position of a commissioned peace officer before the effective date
26 of this Act is considered service credit established as a law
27 enforcement officer for purposes of determining the benefits

1 payable from the law enforcement and custodial officer supplemental
2 retirement fund.

3 (c) As soon as practicable after the effective date of this
4 Act, the board of trustees of the Employees Retirement System of
5 Texas, in consultation with the comptroller, may adopt rules
6 necessary to implement the changes in law made by this Act.

7 (d) The comptroller shall:

8 (1) as soon as practicable after the effective date of
9 this Act, certify to the Employees Retirement System of Texas, in
10 the form and manner prescribed by the board of trustees of the
11 retirement system:

12 (A) the name of each member who is employed as a
13 commissioned peace officer by the comptroller on the effective date
14 of this Act;

15 (B) the amount of service credit established by
16 the member as a commissioned peace officer before the effective
17 date of this Act; and

18 (C) any other information the retirement system
19 determines is necessary to credit law enforcement officer service
20 in accordance with the changes in law made by this Act; and

21 (2) beginning with the first pay period that occurs
22 after the effective date of this Act and with respect to each member
23 employed by the comptroller as a commissioned peace officer, begin
24 making deductions and collecting contributions for the law
25 enforcement and custodial officer supplemental retirement fund as
26 prescribed by Section [815.402\(h\)](#), Government Code.

27 SECTION 5. This Act takes effect September 1, 2023, but only

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1 if funds are appropriated for the purpose of providing benefits
2 under this Act. If funds are not appropriated for that purpose,
3 this Act does not take effect.