

By: Herrero

H.B. No. 3261

A BILL TO BE ENTITLED

AN ACT

1
2 relating to preventing the loss of benefits by certain retirees of
3 the Teacher Retirement System of Texas who resume service during a
4 declared disaster.

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

6 SECTION 1. Section 824.602(a), Government Code, is amended
7 to read as follows:

8 (a) Subject to Section 825.506, the retirement system may
9 not, under Section 824.601, withhold a monthly benefit payment if
10 the retiree is employed in a Texas public educational institution:

11 (1) as a substitute only with pay not more than the
12 daily rate of substitute pay established by the employer and, if the
13 retiree is a disability retiree, the employment has not exceeded a
14 total of 90 days in the school year;

15 (2) in a position, other than as a substitute, on no
16 more than a one-half time basis for the month;

17 (3) in one or more positions on as much as a full-time
18 basis, if the retiree has been separated from service with all Texas
19 public educational institutions for at least 12 full consecutive
20 months after the retiree's effective date of retirement;

21 (4) in a position, other than as a substitute, on no
22 more than a one-half time basis for no more than 90 days in the
23 school year, if the retiree is a disability retiree; ~~or~~

24 (5) as a tutor under Section 33.913, Education Code;

1 or

2 (6) in a position in an area subject to a declaration
3 of disaster by the governor under Chapter 418 or a declaration of
4 local disaster under that chapter while the declaration is in
5 effect.

6 SECTION 2. Section 824.602, Government Code, as amended by
7 this Act, applies only to the employment of a retiree of the Teacher
8 Retirement System of Texas on or after the effective date of this
9 Act.

10 SECTION 3. As soon as practicable after the effective date
11 of this Act, the Teacher Retirement System of Texas shall adopt
12 rules as necessary to implement Section 824.602, Government Code,
13 as amended by this Act.

14 SECTION 4. This Act takes effect September 1, 2023.