

AN ACT

relating to contributions to, benefits from, and the administration of the Judicial Retirement System of Texas Plan Two.

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

SECTION 1. Section 803.202, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A member of the Judicial Retirement System of Texas Plan Two who is subject to Chapter 840A is eligible to participate in the program provided by this chapter.

SECTION 2. Section 804.003, Government Code, is amended by amending Subsections (j) and (k) and adding Subsection (k-2) to read as follows:

(j) Except as provided by Subsection (k-2), if ~~if~~ a domestic relations order is determined to be a qualified domestic relations order, then the public retirement system (or applicable carrier, if under the optional retirement program) shall pay the segregated amounts without interest to the person or persons entitled thereto and shall thereafter pay benefits pursuant to the order.

(k) Except as provided by Subsection (k-2), if ~~if~~ a domestic relations order is determined not to be a qualified domestic relations order or if within 18 months of the date a domestic relations order is received by the public retirement system (or applicable carrier, if under the optional retirement

1 program) the issue as to whether such order is a qualified domestic  
2 relations order is not resolved, then the public retirement system  
3 (or applicable carrier, if under the optional retirement program)  
4 shall pay the segregated amounts without interest and shall  
5 thereafter pay benefits to the person or persons who would have been  
6 entitled to such amounts if there had been no order. This  
7 subsection shall not be construed to limit or otherwise affect any  
8 liability, responsibility, or duty of a party with respect to any  
9 other party to the action out of which the order arose.

10 (k-2) Payment of segregated amounts by a public retirement  
11 system, or applicable carrier if under the optional retirement  
12 program, under Subsections (j) and (k) related to a benefit payable  
13 with respect to a member or retiree subject to Chapter 840A must  
14 include annual interest provided by Section 840A.103 and gain  
15 sharing interest provided by Section 840A.104.

16 SECTION 3. Section 836.001, Government Code, is amended by  
17 adding Subdivision (3-a) and amending Subdivision (9) to read as  
18 follows:

19 (3-a) "Cash balance group member" means a member  
20 subject to Chapter 840A.

21 (9) "Service credit" means the amount of membership  
22 and, if applicable, military[7] and equivalent membership service  
23 ascribed by the retirement system to a person and for which the  
24 person has made required contributions.

25 SECTION 4. Section 837.102(a), Government Code, is amended  
26 to read as follows:

27 (a) A retiree who resumes service as a judicial officer

1 other than by [~~appointment or~~] assignment described in Section  
2 837.101 may not rejoin or receive credit in the retirement system  
3 for the resumed service, unless an election is made as provided by  
4 Section 837.103.

5 SECTION 5. Subchapter B, Chapter 837, Government Code, is  
6 amended by adding Section 837.103 to read as follows:

7 Sec. 837.103. RESUMPTION OF FULL-TIME JUDICIAL SERVICE BY  
8 CERTAIN RETIREES; OPTIONAL ELECTION TO REJOIN SYSTEM. (a) This  
9 section does not apply to a retiree receiving a cash balance annuity  
10 under Chapter 840A.

11 (b) Notwithstanding Sections 837.001(c) and 837.002(2) and  
12 subject to Subsection (d), a retiree described by Section  
13 837.102(a) may elect to rejoin the retirement system as a member and  
14 receive service credit in the system for resuming service as a  
15 judicial officer if, before taking the oath of office, the retiree  
16 has been separated from judicial service for at least six full  
17 consecutive months. The retiree shall provide notice of the  
18 election to the system in the manner prescribed by the system.

19 (c) For a person who makes an election under this section,  
20 on the resumption of annuity payments that have been suspended  
21 under Section 837.102, the retirement system shall recompute the  
22 annuity selected at the time of the person's original retirement to  
23 include the person's additional service credit established during  
24 membership under this section. If, at the time of the person's  
25 original retirement, the person selected an optional retirement  
26 annuity payable under Section 839.103(a)(3) or (4), the retirement  
27 system shall reduce the number of months of payments by the number

1 of months for which the annuity was paid before the person resumed  
2 service.

3 (d) A person may make an election under this section only  
4 once.

5 (e) The retirement system shall implement this section only  
6 if the system is considered actuarially sound. For purposes of this  
7 subsection, the system is considered actuarially sound if, based on  
8 an actuarial valuation of the system prepared under Section  
9 840.204(d) on or after September 1, 2023, the amount of  
10 contributions to the system are sufficient to cover the normal cost  
11 of the system and to amortize the unfunded actuarial accrued  
12 liability of the system within 30 years. Not later than the 30th  
13 day after the date an actuarial valuation is prepared showing the  
14 system is actuarially sound, the system shall implement this  
15 section. On September 1, 2025:

16 (1) if this section is implemented, this subsection  
17 expires; or

18 (2) if this section is not implemented, this section  
19 expires.

20 SECTION 6. Section 838.001, Government Code, is amended to  
21 read as follows:

22 Sec. 838.001. TYPES OF CREDITABLE SERVICE. The types of  
23 service creditable in the retirement system are[+]

24 [~~1~~] membership service and, as applicable:[+]

25 (1) [~~2~~] military service; and

26 (2) [~~3~~] equivalent membership service.

27 SECTION 7. Subchapter A, Chapter 838, Government Code, is

1 amended by adding Section 838.002 to read as follows:

2 Sec. 838.002. PROVISIONS INAPPLICABLE TO CASH BALANCE GROUP  
3 MEMBERS. Sections 838.102, 838.103, 838.1035, 838.105, 838.106,  
4 838.107, and 838.108 of this chapter do not apply to a cash balance  
5 group member.

6 SECTION 8. Subchapter A, Chapter 839, Government Code, is  
7 amended by adding Section 839.005 to read as follows:

8 Sec. 839.005. PROVISIONS INAPPLICABLE TO CASH BALANCE GROUP  
9 MEMBERS. The following provisions of this chapter do not apply to a  
10 cash balance group member:

- 11 (1) Section 839.002; and  
12 (2) Subchapters B and E.

13 SECTION 9. Section 839.201(a), Government Code, is amended  
14 to read as follows:

15 (a) A member, other than a member who is eligible to receive  
16 a service retirement annuity under Section 839.101 or a cash  
17 balance annuity under Section 840A.052, is eligible, regardless of  
18 age, to retire from regular active service for disability and  
19 receive a disability retirement annuity if the member has at least  
20 seven years of service credit in the retirement system.

21 SECTION 10. Subchapter A, Chapter 840, Government Code, is  
22 amended by adding Section 840.009 to read as follows:

23 Sec. 840.009. PROVISIONS INAPPLICABLE TO CASH BALANCE GROUP  
24 MEMBERS. Sections 840.102(g) and (h), 840.1025, and 840.1027 of  
25 this chapter do not apply to a cash balance group member.

26 SECTION 11. The heading to Section 840.102, Government  
27 Code, is amended to read as follows:

1           Sec. 840.102.   COLLECTION OF CERTAIN MEMBER CONTRIBUTIONS.

2           SECTION 12.   Section 840.102(a), Government Code, is amended  
3 to read as follows:

4           (a)   Except as provided by Subsections (g) and (h), each  
5 payroll period, a judicial officer who is a member of the retirement  
6 system other than a cash balance group member is required to  
7 contribute 9.5 percent of the officer's state compensation for  
8 service rendered after September 1, 2019.

9           SECTION 13.   Sections 840.105(a) and (c), Government Code,  
10 are amended to read as follows:

11           (a)   For all state compensation earned [~~after December 31,~~  
12 ~~1989,~~] by judicial officers who are members of the retirement  
13 system, the state shall pick up the member contributions required  
14 by Section 840.102 or 840A.101, as applicable. The state shall pay  
15 the picked-up contributions to the retirement system from the same  
16 source that is used in paying state compensation to the judicial  
17 officer members. These payments are in lieu of contributions by the  
18 members.   The state shall pick up these contributions by a  
19 corresponding reduction in the cash salaries of the members, by an  
20 offset against a future salary increase, or by a combination of a  
21 salary reduction and offset against a future salary increase.  
22 Members do not have the option of choosing to receive the  
23 contributed amounts directly instead of having them paid by the  
24 state to the retirement system.

25           (c)   Member contributions picked up as provided by  
26 Subsection (a) shall be transmitted to the retirement system in the  
27 manner required by Section 840.102. Member contributions picked up

1 by the state shall be credited to the members' individual accounts  
2 and treated for all other purposes as if the amounts were a part of  
3 the members' compensation and had been deducted as provided by  
4 Section 840.102 or 840A.101, as applicable.

5 SECTION 14. Section 840.306(a), Government Code, is amended  
6 to read as follows:

7 (a) Except as provided by Section 840A.103 or 840A.104,  
8 interest [~~Interest~~] on money in a member's individual account in  
9 the retirement system is earned monthly and is computed at the rate  
10 of five percent a year on the mean balance of the member's account  
11 for the fiscal year.

12 SECTION 15. Subchapter E, Chapter 840, Government Code, is  
13 amended by adding Section 840.407 to read as follows:

14 Sec. 840.407. EXCESS BENEFIT ARRANGEMENT. (a) A separate,  
15 nonqualified, unfunded excess benefit arrangement is created  
16 outside the trust fund of the retirement system. This excess  
17 benefit arrangement shall be administered as a governmental excess  
18 benefit arrangement under Section 415(m) of the Internal Revenue  
19 Code of 1986 (26 U.S.C. Section 415(m)). The purpose of the excess  
20 benefit arrangement is to pay to annuitants of the retirement  
21 system benefits otherwise payable by the retirement system that  
22 exceed the limitations on benefits imposed by Section 415(b)(1)(A)  
23 of the Internal Revenue Code of 1986 (26 U.S.C. Section  
24 415(b)(1)(A)).

25 (b) The board of trustees is responsible for the  
26 administration of this arrangement. Except as otherwise provided  
27 by this section, the board has the same rights, duties, and

1 responsibilities concerning the excess benefit arrangement as it  
2 has to the trust fund.

3 (c) Benefits under this section are exempt from execution to  
4 the same extent as provided by Section 836.004, except that the  
5 benefits are completely unassignable. Contributions to this  
6 arrangement are not held in trust and may not be commingled with  
7 other funds of the retirement system.

8 (d) An annuitant is entitled to a monthly benefit under this  
9 section in an amount equal to the amount by which the benefit  
10 otherwise payable by the retirement system has been reduced by the  
11 limitation on benefits imposed by Section 415(b)(1)(A) of the  
12 Internal Revenue Code of 1986 (26 U.S.C. Section 415(b)(1)(A)).  
13 The benefit payable by this arrangement is payable at the times and  
14 in the form that the benefit payable under the trust fund is paid.

15 (e) The benefit payable under this section shall be paid  
16 from state contributions that otherwise would be made to the trust  
17 fund under Section 840.103. In lieu of deposit in the state  
18 accumulation account, an amount determined by the retirement system  
19 to be necessary to pay benefits under this section shall be paid  
20 monthly to the credit of a dedicated account in the general revenue  
21 fund maintained only for the excess benefit arrangement. The  
22 account may include amounts needed to pay reasonable and necessary  
23 expenses of administering this arrangement. The monthly amount to  
24 be paid to the credit of the account shall be transferred to the  
25 account at least 15 days before the date of a monthly disbursement  
26 under this section.

27 (f) The board of trustees may adopt rules governing the



1 excess benefit arrangement that are necessary for the efficient  
2 administration of the arrangement in compliance with Section 415(m)  
3 of the Internal Revenue Code of 1986 (26 U.S.C. Section 415(m)).

4 SECTION 16. Subtitle E, Title 8, Government Code, is  
5 amended by adding Chapter 840A to read as follows:

6 CHAPTER 840A. CASH BALANCE BENEFIT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 840A.001. DEFINITION. In this chapter, "accumulated  
9 account balance" means the total of amounts in a member's  
10 individual account in the retirement system, including:

11 (1) amounts deducted from the compensation of the  
12 member;

13 (2) other member deposits required to be placed in the  
14 member's individual account; and

15 (3) interest credited to amounts in the member's  
16 individual account, including interest and gain sharing interest  
17 credited in accordance with Sections 840A.103 and 840A.104,  
18 respectively.

19 Sec. 840A.002. APPLICABILITY. This chapter applies only to  
20 a member who:

21 (1) took office on or after September 1, 2024; and

22 (2) was not a member on the date the member took  
23 office.

24 Sec. 840A.003. CONFLICT OF LAW. To the extent of a conflict  
25 between this chapter, including a rule adopted by the retirement  
26 system under authority of this chapter, and any other law, this  
27 chapter prevails.

1       Sec. 840A.004. RULES. The board of trustees may adopt rules  
2 necessary to implement this chapter.

3                   SUBCHAPTER B. CASH BALANCE BENEFITS

4       Sec. 840A.051. APPLICATION FOR CASH BALANCE BENEFIT.

5       (a) A member may apply for a cash balance annuity by filing an  
6 application for retirement with the board of trustees.

7       (b) An application for a cash balance annuity may not be  
8 made:

9                   (1) after the date the member wishes to retire; or

10                   (2) more than 90 days before the date the member wishes  
11 to retire.

12       Sec. 840A.052. ELIGIBILITY FOR CASH BALANCE BENEFIT. A  
13 member is eligible to retire and receive a cash balance annuity if  
14 the member:

15                   (1) is at least 60 years old and has at least eight  
16 years of service credited in the retirement system; or

17                   (2) is at least 50 years old and has at least 12 years  
18 of service credited in the retirement system.

19       Sec. 840A.053. STANDARD CASH BALANCE BENEFITS FOR MEMBERS.

20       (a) The state match for the cash balance benefit is an amount  
21 computed by multiplying the member's accumulated account balance by  
22 150 percent.

23       (b) The retirement system shall compute a member's standard  
24 cash balance annuity under this section by taking the sum of the  
25 member's accumulated account balance and the state match computed  
26 under Subsection (a) and annuitizing that amount over the life  
27 expectancy of the member as of the effective date of the member's

1 retirement using mortality and other tables adopted by the board of  
2 trustees for that purpose under Section 840.005.

3 Sec. 840A.054. OPTIONAL CASH BALANCE BENEFITS. (a)  
4 Instead of the standard cash balance annuity payable under Section  
5 840A.053, a retiring member may elect to receive an optional cash  
6 balance annuity under this section.

7 (b) A person who selects an optional lifetime cash balance  
8 annuity must designate, before the selection becomes effective, one  
9 beneficiary to receive the annuity on the death of the person making  
10 the selection. A person who selects an optional cash balance  
11 annuity payable for a guaranteed period may designate, before or  
12 after retirement, one or more beneficiaries to receive the annuity  
13 on the death of the person making the selection.

14 (c) A person eligible to select an optional cash balance  
15 annuity under this section may select an option which provides  
16 that:

17 (1) after the retiree's death, the reduced annuity is  
18 payable in the same amount throughout the life of the beneficiary  
19 designated by the retiree before retirement;

20 (2) after the retiree's death, one-half of the reduced  
21 annuity is payable throughout the life of the beneficiary  
22 designated by the retiree before retirement;

23 (3) if the retiree dies before 60 monthly annuity  
24 payments have been made, the remainder of the 60 payments are  
25 payable to one or more beneficiaries or, if one does not exist, to  
26 the retiree's estate;

27 (4) if the retiree dies before 120 monthly annuity

1 payments have been made, the remainder of the 120 payments are  
2 payable to one or more beneficiaries or, if one does not exist, to  
3 the retiree's estate; or

4 (5) after the retiree's death, three-fourths of the  
5 reduced annuity is payable throughout the life of the beneficiary  
6 designated by the retiree before retirement.

7 (d) If a beneficiary designated by a retiree under  
8 Subsection (b) predeceases the retiree and the retiree has elected  
9 an optional lifetime annuity, the reduced annuity shall be  
10 increased to the standard cash balance annuity that the retiree  
11 would have been entitled to receive if the retiree had not selected  
12 the optional annuity. The standard cash balance annuity shall be  
13 adjusted as appropriate for post-retirement increases in  
14 retirement benefits authorized by law since the date of retirement.

15 (e) Any increase in an annuity under Subsection (d) begins  
16 with the payment for the month following the month in which the  
17 designated beneficiary dies, and the increased annuity is payable  
18 to the retiree for the remainder of the retiree's life.

19 (f) The computation of an optional cash balance annuity must  
20 be made without regard to the gender of the annuitant or designated  
21 beneficiary.

22 (g) Except as provided by Section 840A.055, a person who  
23 selected an optional cash balance annuity described by Subsection  
24 (c)(1), (2), or (5) may not change or revoke a beneficiary  
25 designation after the person's effective date of retirement.

26 (h) A beneficiary designation that names a former spouse as  
27 a beneficiary for a guaranteed optional cash balance annuity

1 described by Subsection (c)(3) or (4) is invalid unless the  
2 designation is made after the date of the divorce.

3 Sec. 840A.055. CHANGE IN OPTIONAL CASH BALANCE ANNUITY  
4 SELECTION. (a) A person who retired and selected an optional cash  
5 balance annuity described by Section 840A.054(c)(1), (2), or (5)  
6 may change the optional annuity to a standard cash balance annuity  
7 only if:

8 (1) pursuant to a divorce decree, a court orders the  
9 change in the annuity to a standard cash balance annuity; or

10 (2) the retiree files with the retirement system a  
11 request to change the annuity and, in connection with a divorce  
12 between the retiree and the beneficiary designated by the retiree  
13 under Section 840A.054(b), the beneficiary has executed a written,  
14 notarized instrument that:

15 (A) releases the system from any claim to the  
16 annuity by the beneficiary; and

17 (B) transfers all of the beneficiary's interest  
18 in the annuity to the retiree.

19 (b) If a retiree files a request as provided by Subsection  
20 (a), the retirement system shall recompute the annuity as a  
21 standard cash balance annuity. The increase in the annuity under  
22 this section begins with the monthly payment made to the retiree for  
23 the month following the month in which a request is filed as  
24 provided by Subsection (a).

25 Sec. 840A.056. PARTIAL LUMP-SUM CASH BALANCE OPTION. (a) A  
26 member who is eligible for a cash balance annuity may select a  
27 standard cash balance annuity under Section 840A.053 or an optional

1 cash balance annuity under Section 840A.054, together with a  
2 partial lump-sum distribution.

3 (b) The amount of the lump-sum distribution under this  
4 section may not exceed the sum of 36 months of a standard cash  
5 balance annuity computed without regard to this section.

6 (c) The cash balance annuity selected by the member shall be  
7 actuarially reduced to reflect the lump-sum option selected by the  
8 member and shall be actuarially equivalent to a standard or  
9 optional cash balance annuity, as applicable, without the partial  
10 lump-sum distribution. The annuity and lump sum shall be computed  
11 to result in no actuarial loss to the retirement system.

12 (d) The lump-sum distribution shall be made as a single  
13 payment payable at the time that the first monthly annuity payment  
14 is paid.

15 (e) The amount of the lump-sum distribution shall be  
16 deducted from any amount otherwise payable under this chapter.

17 (f) The partial lump-sum option under this section may be  
18 elected only once by a member and may not be elected by a retiree. A  
19 member retiring under the proportionate retirement program under  
20 Chapter 803 is not eligible for the partial lump-sum option.

21 (g) Before a retiring member selects a partial lump-sum  
22 distribution under this section:

23 (1) the retirement system shall provide written notice  
24 to the member of the amount by which the member's annuity will be  
25 reduced because of the selection; and

26 (2) the member must acknowledge receipt of the notice  
27 in writing.

1       (h) The board of trustees may adopt rules for the  
2 implementation of this section and may authorize the option to be  
3 used for a death benefit annuity. This section does not apply to a  
4 disability retirement annuity.

5       Sec. 840A.057. DEATH AND DISABILITY BENEFITS. (a)  
6 Notwithstanding any other law, a member subject to this chapter, a  
7 retiree receiving a cash balance annuity under this chapter, or the  
8 beneficiary of a member or retiree described by this subsection,  
9 who qualifies for a death or survivor benefit annuity or a  
10 disability retirement annuity under Chapter 839 is entitled to a  
11 cash balance annuity under this subchapter instead of the annuity  
12 otherwise provided under Chapter 839.

13       (b) The board of trustees may enter into contracts to  
14 provide additional death and disability benefits under this  
15 chapter.

16               SUBCHAPTER C. CONTRIBUTIONS AND INTEREST

17       Sec. 840A.101. COLLECTION OF MEMBER CONTRIBUTIONS. Each  
18 payroll period, each department or agency of the state shall cause  
19 to be deducted from the compensation of a member subject to this  
20 chapter a contribution of six percent of the compensation of the  
21 member.

22       Sec. 840A.102. STATE CONTRIBUTIONS FOR MILITARY SERVICE.  
23 (a) The state shall contribute for military service established  
24 under Section 838.1031 an amount in the same ratio to the member's  
25 contribution for the service as the state's contribution bears to  
26 the contribution for current service required of a member of the  
27 retirement system who is subject to this chapter at the time the

1 service is established under this subchapter.

2 (b) The state's contribution under Subsection (a) shall be  
3 paid from the fund from which the member receives compensation at  
4 the time the service is established or, if the member does not hold  
5 a position at the time the service is established, from the fund  
6 from which the member received compensation when the member most  
7 recently held a position.

8 Sec. 840A.103. ANNUAL INTEREST ADJUSTMENT. Each fiscal  
9 year, the retirement system shall deposit for a member subject to  
10 this chapter an amount equal to four percent of the member's  
11 accumulated account balance deposited into the member's individual  
12 account in the retirement system.

13 Sec. 840A.104. GAIN SHARING INTEREST ADJUSTMENT. (a) Each  
14 fiscal year and subject to Subsection (b), the retirement system  
15 shall compute the gain sharing interest rate by:

16 (1) determining the average return on the investment  
17 of the system's cash and securities during the preceding five  
18 fiscal years, expressed as a percentage rate;

19 (2) subtracting four percentage points from the  
20 percentage rate determined under Subdivision (1); and

21 (3) multiplying the resulting difference under  
22 Subdivision (2) by 50 percent.

23 (b) Subject to Subsection (c), each fiscal year, the  
24 retirement system shall:

25 (1) in addition to the amount deposited under Section  
26 840A.103, deposit into each member's individual account in the  
27 retirement system an amount equal to the gain sharing interest rate



1 determined under Subsection (a) for the fiscal year multiplied by  
2 the member's accumulated account balance as of the end of the  
3 preceding fiscal year; and

4 (2) recalculate the annuity payment of a retiree or  
5 annuitant under this chapter by:

6 (A) multiplying the annuity payment amount as of  
7 the end of the preceding fiscal year by the gain sharing interest  
8 rate determined under Subsection (a); or

9 (B) if the retiree or annuitant was not entitled  
10 to an annuity payment as of the end of the preceding fiscal year,  
11 multiplying the retiree's or annuitant's first annuity payment  
12 amount by the gain sharing interest rate determined under  
13 Subsection (a).

14 (c) The gain sharing interest rate applied under Subsection  
15 (b) may not be less than zero or more than three percent.

16 (d) Subsection (b) applies only to a retiree or annuitant  
17 who is receiving a cash balance annuity under Section 840A.053 or  
18 840A.054, including an alternate payee under Section 804.005.

19 SECTION 17. Section [1551.102\(b\)](#), Insurance Code, is amended  
20 to read as follows:

21 (b) An individual is eligible to participate in the group  
22 benefits program as provided by Subsection (a) if:

23 (1) the individual retires under the jurisdiction of  
24 the Employees Retirement System of Texas; and

25 (2) the individual:

26 (A) receives or is eligible to receive an annuity  
27 under Section [814.104\(a\)\(2\)](#), Government Code, and has at least 10

1 years of eligible service credit;

2 (B) receives or is eligible to receive an annuity  
3 under Chapter 803 or Section 814.104(a)(1), Government Code, has at  
4 least 10 years of eligible service credit, and is at least 65 years  
5 of age;

6 (C) receives or is eligible to receive an annuity  
7 that is based on eligibility under Section 814.002, 814.102,  
8 814.104(b), 814.107(a), 834.101, or 839.101 or Subchapter B,  
9 Chapter 840A, Government Code; or

10 (D) receives or is eligible to receive an annuity  
11 under Subchapter B, Chapter 820, Government Code, and has at least  
12 10 years of eligible service credit.

13 SECTION 18. Section 1551.3196(c), Insurance Code, is  
14 amended to read as follows:

15 (c) This section does not apply to an individual who:

16 (1) receives or is eligible to receive an annuity that  
17 is based on eligibility under Section 814.002, 814.102, 834.101,  
18 [~~or~~] 839.101, or 840A.052, Government Code; or

19 (2) is eligible to participate in the group benefits  
20 program under:

21 (A) Section 1551.102(d) because of a disability;  
22 or

23 (B) Section 1551.102(f).

24 SECTION 19. Section 837.103, Government Code, as added by  
25 this Act, if implemented, applies to a retiree of the Judicial  
26 Retirement System of Texas Plan Two who resumes service as a  
27 judicial officer before, on, or after the date that section is

1 implemented.

2 SECTION 20. This Act takes effect immediately if it  
3 receives a vote of two-thirds of all the members elected to each  
4 house, as provided by Section 39, Article III, Texas Constitution.  
5 If this Act does not receive the vote necessary for immediate  
6 effect, this Act takes effect September 1, 2023.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1245 passed the Senate on April 12, 2023, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 22, 2023, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1245 passed the House, with amendment, on May 18, 2023, by the following vote: Yeas 144, Nays 1, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor