

By: Wilson

H.B. No. 245

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the treatment of military service credit in the
3 Employees Retirement System of Texas as law enforcement or
4 custodial officer service.

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

6 SECTION 1. Subchapter D, Chapter 813, Government Code, is
7 amended by adding Section 813.3035 to read as follows:

8 Sec. 813.3035. MILITARY SERVICE CREDITABLE AS LAW
9 ENFORCEMENT OR CUSTODIAL OFFICER SERVICE. (a) Military service is
10 creditable as law enforcement or custodial officer service only if:

11 (1) either:

12 (A) the member was not a member of the retirement
13 system at any time before the military service for which credit as a
14 law enforcement or custodial officer is sought; or

15 (B) the member's employment immediately
16 preceding the military service for which credit as a law
17 enforcement or custodial officer is sought was in a position for
18 which the service was creditable as law enforcement or custodial
19 officer service; and

20 (2) the member otherwise has credit in the retirement
21 system for membership service that is:

22 (A) attributable to the member's first
23 employment occurring after the military service for which credit as
24 a law enforcement or custodial officer is sought; and

1 (B) creditable as law enforcement or custodial
2 officer service.

3 (b) The board of trustees shall adopt rules necessary to
4 implement this section, including a rule defining "immediately" for
5 purposes of Subsection (a)(1)(B).

6 SECTION 2. Subchapter A-1, Chapter 820, Government Code, is
7 amended by adding Section 820.023 to read as follows:

8 Sec. 820.023. MILITARY SERVICE CREDITABLE AS LAW
9 ENFORCEMENT OR CUSTODIAL OFFICER SERVICE. (a) Military service is
10 creditable as law enforcement or custodial officer service under
11 this chapter only if:

12 (1) either:

13 (A) the member was not a member of the retirement
14 system at any time before the military service for which credit as a
15 law enforcement or custodial officer is sought; or

16 (B) the member's employment immediately
17 preceding the military service for which credit as a law
18 enforcement or custodial officer is sought was in a position for
19 which the service was creditable as law enforcement or custodial
20 officer service; and

21 (2) the member otherwise has credit in the retirement
22 system for membership service that is:

23 (A) attributable to the member's first
24 employment occurring after the military service for which credit as
25 a law enforcement or custodial officer is sought; and

26 (B) creditable as law enforcement or custodial
27 officer service.

1 (b) The board of trustees shall adopt rules necessary to
2 implement this section, including a rule defining "immediately" for
3 purposes of Subsection (a)(1)(B).

4 SECTION 3. This Act takes effect September 1, 2025.