

By: Guillen

H.B. No. 5632

A BILL TO BE ENTITLED

AN ACT

relating to a change of beneficiary by a retiree of the Employees Retirement System of Texas.

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

SECTION 1. Sec. 814.008, Government Code, is amended to read as follows:

Sec. 814.008. CHANGE OF BENEFICIARY AFTER RETIREMENT.

(a) A retiree receiving an optional service or disability retirement annuity approved by the board of trustees or described by Section 814.108(c)(1), (c)(2), or (c)(5) or receiving an optional cash balance annuity described by Section 820.0535(c)(1), (c)(2), or (c)(5) may change the designated beneficiary as provided by this section for the benefits payable after the retiree's death.

(b) If the beneficiary designated at the time of the retiree's retirement is the current spouse ~~or former spouse~~ of the retiree:

(1) the current spouse ~~or former spouse~~ must give written, notarized consent to the change; or

(2) a court with jurisdiction over the marriage must have ordered the change.

(c) A beneficiary designated under this section is entitled on the retiree's death to receive monthly payments of the survivor's portion of the retiree's optional retirement annuity for the shorter of:

1 (1) the remainder of the life expectancy of the
2 beneficiary designated as of the effective date of the retiree's
3 retirement; or

4 (2) the remainder of the new beneficiary's life.

5 (d) A retiree may not change a beneficiary under this
6 section after retirement if the retiree has previously changed
7 after retirement a beneficiary for optional retirement annuity
8 payments under this subtitle.

9 SECTION 2. This Act applies to a retiree who makes a change
10 of beneficiary under this section on, before or after the effective
11 date of this Act regardless of the date on which the previous
12 annuity selection was made.

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