

By: Swinford

H.B. No. 6

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain governmental retirees to participate in certain group benefit plans.

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

SECTION 1. Section 1551.102, Insurance Code, is amended by adding Subsection (i) to read as follows:

(i) Subject to Section 1551.323, an individual is eligible to participate in the group benefits program as an annuitant if the individual:

(1) served in a position for which the individual was eligible to participate in the group benefits program under Section 1551.101 on or before August 31, 2003; and

(2) at the time of retirement meets the requirements for eligibility for participation in the program as an annuitant as those requirements existed on August 31, 2003.

SECTION 2. Section 1551.111, Insurance Code, is amended by adding Subsection (e) to read as follows:

(e) An individual is eligible to participate in the group benefits program as an annuitant as described under this section if the individual:

(1) served as an officer or employee as described by Subsection (b)(1) on or before August 31, 2003; and

(2) at the time of retirement meets the requirements for eligibility for participation in the program as an annuitant as

1 those requirements existed on August 31, 2003.

2 SECTION 3. Section 1551.112, Insurance Code, is amended by
3 adding Subsection (c) to read as follows:

4 (c) An individual is eligible to participate in the group
5 benefits program as an annuitant as described under this section if
6 the individual:

7 (1) served in a position described by Subsection (a)
8 on or before August 31, 2003; and

9 (2) at the time of retirement meets the requirements
10 for eligibility for participation in the program as an annuitant as
11 those requirements existed on August 31, 2003.

12 SECTION 4. Subchapter G, Chapter 1551, Insurance Code, is
13 amended by adding Section 1551.323 to read as follows:

14 Sec. 1551.323. COST OF CERTAIN ANNUITANTS. (a) An
15 annuitant eligible to participate under Section 1551.102(i) may be
16 required to pay the total cost attributable to the participation of
17 that individual and the dependents of that individual until the
18 date the individual is 65 years of age.

19 (b) This section applies only to an individual who is
20 eligible to participate as an annuitant under Section 1551.102(i)
21 and who is not eligible to participate under another provision of
22 Section 1551.102.

23 SECTION 5. Section 1575.004, Insurance Code, as amended by
24 S.B. No. 1369, H.B. No. 3459, and H.B. No. 3507, Acts of the 78th
25 Legislature, Regular Session, 2003, is reenacted and amended to
26 read as follows:

27 Sec. 1575.004. DEFINITION OF RETIREE. In this chapter,

"retiree" means:

(1) an individual not eligible for coverage under a plan provided under Chapter 1551 or 1601 who:

(A) is at least 65 years of age and has taken a service retirement under the Teacher Retirement System of Texas with at least 10 years of service credit in the system for actual service in public schools in this state; ~~[or]~~

(B) was employed in actual service in public schools in this state during or before the 2002-2003 school year, is at least 55 years of age, and has taken a service retirement under the Teacher Retirement System of Texas with at least 10 years of service credit in the system for actual service in public schools in this state; or

(C) has taken a service retirement under the Teacher Retirement System of Texas and who has at least 10 years of service credit for actual public service in the public schools in this state or has at least five years of service credit for actual public service in the public schools in this state and has five years of military service credited in the Teacher Retirement System of Texas, and the sum of the individual's age and amount of service credit earned for service in the public schools of this state equals or exceeds the number 80; or

(2) an individual who:

(A) has taken a disability retirement under the Teacher Retirement System of Texas; and

(B) is entitled to receive monthly benefits from the Teacher Retirement System of Texas.

1 SECTION 6. Section 1575.211, Insurance Code, as added by
2 S.B. No. 1369 and H.B. No. 3459, Acts of the 78th Legislature,
3 Regular Session, 2003, is amended by adding Subsection (c) to read
4 as follows:

5 (c) A retiree eligible to participate under Section
6 1575.004(1)(B) may be required to pay the total cost attributable
7 to the participation of that individual and the dependents of that
8 individual until the date the individual is 65 years of age. The
9 General Appropriations Act or other similar legislation may specify
10 a different allocation of total costs for retirees eligible to
11 participate under Section 1575.004(1)(B) and the dependents of
12 those retirees. This subsection applies only to an individual who
13 is eligible to participate as an annuitant under Section
14 1575.004(1)(B) and who is not eligible to participate under another
15 provision of Section 1575.004.

16 SECTION 7. This Act takes effect immediately if this Act
17 receives a vote of two-thirds of all the members elected to each
18 house, as provided by Section 39, Article III, Texas Constitution.
19 If this Act does not receive the vote necessary for immediate
20 effect, this Act takes effect December 1, 2003.