

By: Pitts, Luna

H.B. No. 31

Substitute the following for H.B. No. 31:

By: Pitts

C.S.H.B. No. 31

A BILL TO BE ENTITLED

AN ACT

relating to certain provisions regarding teachers and retired teachers.

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

SECTION 1. Section 1575.004, Insurance Code, as amended by Chapters 201, 1231, and 1276, Acts of the 78th Legislature, Regular Session, 2003, is reenacted and amended to read as follows:

Sec. 1575.004. DEFINITION OF RETIREE. (a) 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, which may include up to five years of military service credit, but which may not include any other service credit purchased for equivalent or special service credit; ~~[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 2003-2004 school year and at the time of retirement meets the requirements for eligibility as a retiree as those requirements existed on August 31, 2004;

(C) purchased out-of-state service credit and:

(i) had that service credited on or before

1 August 31, 2003;

2 (ii) retires on or before August 31, 2009,
3 and, at the time of retirement; and

4 (iii) at the time of retirement, meets the
5 requirements for eligibility as a retiree as those requirements
6 existed on August 31, 2004, including using up to five years of
7 out-of-state service toward retiree eligibility;

8 (D) has taken a service retirement under the
9 Teacher Retirement System of Texas and who has at least 10 years of
10 service credit in the system, which may include up to ~~[for actual~~
11 ~~public service in the public schools in this state or has at least~~
12 ~~five years of service credit for actual public service in the public~~
13 ~~schools in this state and has]~~ five years of military service
14 credit, but which may not include any other service credit
15 purchased for equivalent or special service credit, [credited in
16 ~~the Teacher Retirement System of Texas,~~] and the sum of the
17 individual's age and amount of service credit in the system ~~[earned~~
18 ~~for service in the public schools of this state]~~ equals or exceeds
19 the number 80; or

20 (E) has take a service retirement under the
21 Teacher Retirement System of Texas on or before August 31, 2004, and
22 who is enrolled in the group program on August 31, 2004; or

23 (2) an individual who:

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

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

1 (b) In this section, "public school" has the meaning
2 assigned by Section 821.001, Government Code.

3 SECTION 2. Section 1575.211, Insurance Code, as added by
4 Chapters 201 and 1231, Acts of the 78th Legislature, Regular
5 Session, 2003, is amended by adding Subsection (c) to read as
6 follows:

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

19 SECTION 3. Subchapter E, Chapter 3, Insurance Code, is
20 amended by adding Article 3.50-8A to read as follows:

21 Art. 3.50-8A. ADMINISTRATION OF ACTIVE EMPLOYEE HEALTH
22 COVERAGE OR COMPENSATION SUPPLEMENTATION. (a) In administering
23 the program for active employee health coverage or compensation
24 supplementation established under Article 3.50-8 of this code
25 before September 1, 2004, in accordance with Article 3, Chapter
26 313, Acts of the 78th Legislature, Regular Session, 2003, each
27 year, the Teacher Retirement System of Texas, as trustee, shall

deliver to each school district, including a school district that is ineligible for state aid under Chapter 42, Education Code, each other education district that is a member of the Teacher Retirement System of Texas, each participating charter school, and each regional education service center, state funds in an amount, as determined by the trustee, equal to:

(1) the product of the number of full-time active employees employed by the district, school, or service center, other than in the capacity of administrators, multiplied by \$500 or a greater amount as provided by the General Appropriations Act for purposes of Article 3.50-8 of this code; and

(2) the product of the number of part-time active employees employed by the district, school, or service center, other than in the capacity of administrators, multiplied by \$250 or a greater amount as provided by the General Appropriations Act for purposes of Article 3.50-8 of this code.

(b) An administrator of a district, charter school, or service center described by Subsection (a) of this article is not eligible to receive state funds under the program for active employee health coverage or compensation supplementation.

(c) For purposes of this article, an individual is an administrator of a district, charter school, or service center described by Subsection (a) of this article if:

(1) 50 or more percent of the individual's time is reported under any combination of the following role identifications in the Public Education Information Management System (PEIMS), or under any subsequently created role

identifications that describe roles that are substantially similar to the ones identified in this subdivision:

(A) central administrators:

(i) assistant or associate superintendent (004);

(ii) instructional officer (central office, 012);

(iii) superintendent, CAO, CEO, or president (027);

(iv) teacher supervisor (central office, 028);

(v) vocational education coordinator (central office, 032);

(vi) athletic director (central office, 040);

(vii) business manager (043);

(viii) tax assessor or collector (044);

(ix) director--personnel/human resources (045); or

(x) registrar (central office, 055); or

(B) campus administrators:

(i) assistant principal (003);

(ii) instructional officer (not central office, 012);

(iii) principal (020);

(iv) teacher supervisor (not central office, 028);

1 (v) vocational education coordinator (not
2 central office, 032);

3 (vi) athletic director (not central office,
4 040); or

5 (vii) registrar (not central office, 055);

6 (2) the individual is employed by a regional education
7 service center and 50 or more percent of the individual's time is
8 reported under any combination of the following role
9 identifications in the Public Education Information Management
10 System (PEIMS), or under any subsequently created role
11 identifications that describe roles that are substantially similar
12 to the ones identified in this subdivision:

13 (A) executive director (60);

14 (B) assistant, associate, or deputy executive
15 director (61);

16 (C) component or department director (62); or

17 (D) coordinator, manager, or supervisor (63); or

18 (3) regardless of how or whether the individual's time
19 is reported in the Public Education Information Management System
20 (PEIMS), 50 or more percent of the individual's time is either
21 reported or spent in a role that is substantially similar to a role
22 described by Subdivision (1) or (2) of this subsection, as
23 determined by the reporting entity or combination of entities.

24 (d) This article applies notwithstanding Section 2(a),
25 Article 3.50-8, of this code, as that subsection existed before
26 amendment by Chapter 313, Acts of the 78th Legislature, Regular
27 Session, 2003, or as that subsection was amended by Section 57,

1 Chapter 201, Acts of the 78th Legislature, Regular Session, 2003.

2 (e) Sections 2(b), (c), and (d), Article 3.50-8, of this
3 code, as those sections existed before amendment by Chapter 313,
4 Acts of the 78th Legislature, Regular Session, 2003, apply to the
5 delivery of state funds under Subsection (a) of this article.

6 (f) The terms used in this article have the meanings
7 assigned by Section 1, Article 3.50-8 of this code.

8 (g) This article expires September 1, 2004.

9 SECTION 4. Sections 2(e) and (f), Article 3.50-8, Insurance
10 Code, as added by Section 57, Chapter 201, Acts of the 78th
11 Legislature, Regular Session, 2003, are repealed.

12 SECTION 5. (a) Except as otherwise provided by this
13 section, this Act takes effect immediately if this Act receives a
14 vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect on the 91st day after the last day of the
18 legislative session.

19 (b) Sections 1 and 2 of this Act take effect September 1,
20 2004.