

BILL ANALYSIS

H.B. 1253
By: Crossover
Public Education
Committee Report (Unamended)

BACKGROUND

Under current law, a school district must pay each classroom teacher, full-time librarian, or school nurse a minimum monthly salary. Because there is no exemption from the state minimum salary schedule, districts must pay rehired retirees salaries for their past years of service . Without a specific exemption for retirees, districts assume they are obligated to pay all teachers on the same local salary schedule.

PURPOSE

House Bill 1253 amends the Education Code contract entitlement provisions to clarify that a district may employ a Teacher Retirement System retiree under a non-Chapter 21 contract or at-will. The purpose of this bill is to give retired teachers and independent school districts greater latitude in determining the salary for retired teachers who are rehired.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency or institution.

ANALYSIS

House Bill 1253 amends the Education Code to provide that a school district is not required to employ under a probationary, continuing, or term contract an educator who receives a service retirement annuity, and such an employee is an at-will employee. The bill stipulates that a school district is not required to pay the minimum salary determined by the minimum salary schedule for certain professional staff formula (Section 21.402, Education Code) to an educator who receives a service retirement annuity.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.