

## **BILL ANALYSIS**

C.S.H.B. 3237  
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Pensions & Investments  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently a retiree of the Teachers Retirement System of Texas may return-to-work without losing monthly benefits as long as they stay within the following guidelines: they return as a substitute only if the employment does not exceed a total of 90 days in a school year; they work in a position other than as a substitute on no more than a one-half time basis; they work in one or more positions on as much as a full-time basis, if the work occurs in not more than six months of a school year that begins after the retiree's effective date of retirement; they work in a position other than as a substitute on no more than one-half time basis for no more than 90 days in the school year if the retiree is a disability retiree; they work in a position as a classroom teacher on as much as a full-time basis, if the retiree has retired under Section 824.202 (A), is certified under Subchapter B, Chapter 21, Education Code, to teach subjects assigned, is teaching in an acute shortage area and has been separated from service with all public schools for at least 12 months; they work in a position as a principal or assistant principal, on as much as a full-time basis if the retiree has retired under Section 824.202(A); they work as a bus driver for a school district on as much as a full time basis if retired under 824.202(a). Statute does not allow for retirees to return to work in one or more of these positions within the same month.

CSHB 3237 allows for a retiree to return-to-work in any combination of positions listed in this Subsection as long as the total number of hours worked in a calendar month does not exceed one-half time employment for that month.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

SECTION 1. Amends Section 824.602, Government code Subsection (e) and adds Subsections (n) and (o) as follows:

(e) States that except as provided by Subsections (n) and (o) the exception provided by Subsection (a) does not apply to a retiree working as a substitute under Subsection (a) (1) who also works in another position described by Subsection (a) in the same month.

(n) States that the exception provided by Subsection (a) applies to a retiree employed in positions under Subsections (a) (1) and (a) (2) in the same month only if the total number of days that the retiree works in those positions in that month do not exceed the number of days per month for work on a one-half-time basis.

(o) Provides that the exception in Subsection (a) applies to a disability retiree employed in positions under Subsections (a) (1) and (a) (4) in the same month only if the total number of days that the disability retiree works in those positions in that month do not exceed the number of days per month for work on a one-half-time basis.

SECTION 2. Section 824.602, Government Code, as amended by the Act applies beginning with the 2003-2004 school year.

SECTION 3. Provides that this bill takes effect upon passage or if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.

**EFFECTIVE DATE**

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

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original bill is not a Legislative Council draft, whereas, the Substitute is a Legislative Council draft. The Substitute accomplishes the same purpose as the original, but affects a different section. The original bill affected Government Code Section 824.602 (a) by adding 824.602 (a) (7), the Substitute amends Section 824.602 Subsection (e) and adds Subsections (n) and (o).