

By: Griggs

H.B. No. 514

A BILL TO BE ENTITLED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

relating to the payment of retirement benefits to certain retirees of the Teacher Retirement System of Texas who are employed as classroom teachers.

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

SECTION 1. Section 824.602(a), Government Code, as amended by Section 1, Chapter 567, Acts of the 77th Legislature, Regular Session, 2001, and Section 12, Chapter 1229, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(a) Subject to Section 825.506, the retirement system may not, under Section 824.601, withhold a monthly benefit payment if the retiree is employed in a Texas public educational institution:

(1) as a substitute only with pay not more than the daily rate of substitute pay established by the employer and, if the retiree is a disability retiree, the employment has not exceeded a total of 90 days in the school year;

(2) in a position, other than as a substitute, on no more than a one-half time basis for the month;

(3) 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;

(4) in a position, other than as a substitute, on no more than a one-half time basis for no more than 90 days in the school year, if the retiree is a disability retiree;

1 (5) in a position as a classroom teacher on as much as
2 a full-time basis, if the retiree has retired under Section
3 824.202(a), is certified under Subchapter B, Chapter 21, Education
4 Code, to teach the subjects assigned, [~~is teaching in an acute~~
5 ~~shortage area as determined by the board of trustees of a school~~
6 ~~district as provided by Subsection (m),~~] and has been separated
7 from service with all public schools for at least two [~~12~~] months;
8 [~~or~~]

9 (6) in a position as a principal, including as an
10 assistant principal, on as much as a full-time basis, if the retiree
11 has retired under Section 824.202(a) without reduction for
12 retirement at an early age, is certified under Subchapter B,
13 Chapter 21, Education Code, to serve as a principal, and has been
14 separated from service with all public schools for at least 12
15 months; or [~~-~~]

16 (7) [~~(6)~~] as a bus driver for a school district on as
17 much as a full-time basis, if the retiree has retired under Section
18 824.202(a).

19 SECTION 2. Section 824.602(m), Government Code, is
20 repealed.

21 SECTION 3. Section 824.602(a), Government Code, as amended
22 by this Act, applies beginning with the 2003-2004 school year.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2003.