

1-1 By: Heflin (Senate Sponsor - Averitt) H.B. No. 3208
1-2 (In the Senate - Received from the House May 12, 2003;
1-3 May 13, 2003, read first time and referred to Committee on Finance;
1-4 May 23, 2003, reported favorably by the following vote: Yeas 10,
1-5 Nays 0, 1 present not voting; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the temporary provision of lump-sum payments to certain
1-9 retiring members of the Employees Retirement System of Texas.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 814, Government Code, is
1-12 amended by adding Section 814.1051 to read as follows:

1-13 Sec. 814.1051. LUMP-SUM PAYMENT IN ADDITION TO ANNUITY FOR
1-14 CERTAIN RETIREES. (a) A member who is eligible to retire and
1-15 receive a service retirement annuity on or after August 31, 2003,
1-16 and before September 1, 2005, is also eligible to receive a one-time
1-17 lump-sum payment as provided by this section.

1-18 (b) To receive a lump-sum payment under this section:

1-19 (1) a member who is eligible to retire on August 31,
1-20 2003, must retire on that date; and

1-21 (2) a member who becomes eligible to retire after
1-22 August 31, 2003, and before September 1, 2005, must retire in the
1-23 month in which the member first becomes eligible.

1-24 (c) The lump-sum payment under this section is an amount
1-25 equal to 25 percent of the member's total regular salary for the
1-26 12-month period preceding the month in which the member retires.
1-27 The lump sum shall be paid as a single payment at the time the first
1-28 monthly annuity payment is paid to the retiree, unless the
1-29 comptroller by rule specifies another date for payment.

1-30 (d) The retirement system shall report to the comptroller at
1-31 least once each month the number of retiring members who are
1-32 eligible to receive a lump-sum payment under this section.

1-33 (e) This section does not apply to a member who retires
1-34 under Subchapter C for a disability.

1-35 (f) The board of trustees and the comptroller may adopt
1-36 rules to implement this section.

1-37 (g) This section expires January 1, 2006.

1-38 SECTION 2. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2003.

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