

By: Smith of Tarrant

H.B. No. 3237

A BILL TO BE ENTITLED

1 AN ACT

2 relating to return-to-work provisions for retirees of the Teachers
3 Retirement System of Texas.

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

5 SECTION 1. Section 824.602(a), Government Code, is amended
6 to read as follows:

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

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

14 (2) in a position, other than as a substitute, on no
15 more than a one-half time basis for the month; (3) in one or more
16 positions on as much as a full-time basis, if the work occurs in not
17 more than six months of a school year that begins after the
18 retiree's effective date of retirement;

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

22 (5) in a position as a classroom teacher on as much as
23 a full-time basis, if the retiree has retired under Section
24 824.202(a), is certified under Subchapter B, Chapter 21, Education

1 Code, to teach the subjects assigned, is teaching in an acute
2 shortage area as determined by the board of trustees of a school
3 district as provided by Subsection (m), and has been separated from
4 service with all public schools for at least 12 months; or

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

12 (6) a bus driver for a school district on as much as a
13 full-time basis, if the retiree has retired under Section
14 824.202(a);i

15 (7) in any combination of positions listed in
16 Subsections (a)(1) and (a)(2) so long as the total number of hours
17 worked in a calendar month does not exceed one-half time employment
18 for that month. If the retiree is a disability retiree, employment
19 may not exceed the limitation in Subdivision (4).

20 SECTION 2. The change in law made by this Act applies only
21 to work performed under Section 824.602, Government Code, as
22 amended by this Act, on or after the effective date of this Act.
23 Work performed before the effective date of this Act is covered by
24 the law in effect when the work was performed, and the former law is
25 continued in effect for that purpose.

26 SECTION 3. This Act takes effect September 1, 2003.