

By: King, Pena, Jones of Bexar, Capelo,
Swinford

H.J.R. No. 54

A JOINT RESOLUTION

1 proposing a constitutional amendment providing that benefits in
2 certain public retirement systems may not be reduced or impaired.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 67, Article XVI, Texas Constitution, is
5 amended by adding Subsections (h) and (i) to read as follows:

6 (h) This subsection applies only to a public retirement
7 system that is not a statewide system and that provides service and
8 disability retirement benefits and death benefits to public
9 officers and employees and to a statewide public retirement system
10 that provides service and disability retirement benefits and death
11 benefits to volunteer emergency services personnel. Income
12 benefits under a retirement system to which this subsection applies
13 may not be reduced or impaired for service performed before the
14 effective date of any change in the benefit structure, and benefits
15 granted to any retiree or other annuitant before the effective date
16 of this subsection and in effect on that effective date may not be
17 reduced or impaired. The obligation to not reduce or impair
18 benefits is the joint responsibility of the active members of a
19 retirement system and the state or the political subdivision or
20 subdivisions that finance the retirement system. This subsection
21 does not apply to a member of a retirement system who has not
22 qualified to receive benefits under the requirements of the
23 retirement system.

24 (i) A political subdivision and a public retirement system

1 described by Subsection (h) are exempt from the application of
2 Subsection (h) if the political subdivision holds an election on
3 the date in May 2004 that political subdivisions are required to use
4 for the election of their officers and the majority of the voters of
5 the political subdivision voting at the election favor exempting
6 the political subdivision and the public retirement system from the
7 application of Subsection (h).

8 SECTION 2. This constitutional amendment shall be submitted
9 to the voters at an election to be held November 4, 2003. The ballot
10 shall be printed to allow for voting for or against the proposition:
11 "The constitutional amendment to guarantee benefits earned in local
12 public retirement systems and certain statewide public retirement
13 systems."