

Suspending limitations on conference committee
jurisdiction, H.B. No. 2359 (Ritter)

By: Ritter

H.R. No. 1937

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 78th Legislature, Regular Session, 2003, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 2359, relating to the
6 programs and systems administered by the Employees Retirement
7 System of Texas, to consider and take action on the following
8 matter:

9 House Rule 13, Section 9(a)(4), is suspended to permit the
10 committee to add the following new sections to the bill to read as
11 follows:

12 SECTION ____ . Section 812.003, Government Code, is amended by
13 amending Subsection (d) and adding Subsections (e) through (h) to
14 read as follows:

15 (d) For persons whose employment or office holding begins on
16 or after September 1, 2005, membership [~~Membership~~] in the employee
17 class begins on the first day the [~~a~~] person is employed or holds
18 office.

19 (e) For persons whose employment or office holding begins
20 before September 1, 2005, membership in the employee class begins
21 on the 91st day after the first day a person is employed or holds
22 office.

23 (f) A person who is reemployed or who again holds office
24 after withdrawing contributions under Subchapter B for previous
25 service credited in the employee class begins membership in the

1 employee class on the 91st day after the first day the person is
2 reemployed or again holds office.

3 (g) Notwithstanding any other provision of law, a member may
4 establish service credit only as provided by Section 813.514 for
5 service performed during the 90-day waiting period provided by
6 Subsection (e) or (f).

7 (h) Subsections (e), (f), and (g) and this subsection expire
8 September 1, 2005.

9 SECTION ____ . Subchapter F, Chapter 813, Government Code, is
10 amended by adding Section 813.514 to read as follows:

11 Sec. 813.514. CREDIT PURCHASE OPTION FOR CERTAIN SERVICE.

12 (a) A member may establish service credit under this section in the
13 employee class only for service performed during a 90-day waiting
14 period to become a member after beginning employment or holding
15 office.

16 (b) A member may establish service credit under this section
17 by depositing with the retirement system, for each month of service
18 credit, the actuarial present value, at the time of deposit, of the
19 additional standard retirement annuity benefits that would be
20 attributable to the purchase of the service credit under this
21 section based on rates and tables recommended by the retirement
22 system's actuary and adopted by the board of trustees.

23 (c) After a member makes the deposits required by this
24 section, the retirement system shall grant the member one month of
25 equivalent membership service credit for each month of credit
26 approved. A member may establish not more than three months of
27 equivalent membership service credit under this section.

1 (d) The retirement system shall deposit the amount of the
2 actuarial present value of the service credit purchased in the
3 member's individual account in the employees saving account.

4 (e) The board of trustees may adopt rules to administer this
5 section, including rules that impose restrictions on the
6 application of this section as necessary to cost-effectively
7 administer this section.

8 SECTION _____. Section 812.003, Government Code, as amended
9 by this Act, and Section 813.514, Government Code, as added by this
10 Act, apply only to a person who is first employed by or begins to
11 hold an office of the state on or after the effective date of this
12 Act and to a former employee or office holder who has withdrawn
13 retirement contributions under Subchapter B, Chapter 812,
14 Government Code, and is reemployed by or begins to again hold an
15 office of the state on or after the effective date of this Act.

16 Explanation: The added text is needed to provide that a new
17 state employee or a reemployed state employee who has withdrawn
18 contributions for previous service does not begin to receive
19 service credit until the 91st day of employment. Such employees
20 have the option to purchase service credit for the 90-day period at
21 the actuarial value. This is a temporary change that expires
22 September 1, 2005.