

By: Van de Putte

S.B. No. 816

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the payment of retirement benefits to certain retirees  
3 of the Teacher Retirement System of Texas who are employed as  
4 faculty members at a college of education.

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

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

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

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

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

19 (3) in one or more positions on as much as a full-time  
20 basis, if the work occurs in not more than six months of a school  
21 year that begins after the retiree's effective date of retirement;

22 (4) in a position, other than as a substitute, on no  
23 more than a one-half time basis for no more than 90 days in the  
24 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 from  
7 service with all public schools for at least 12 months; ~~[or]~~

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

15           (7) ~~(6)~~ as a bus driver for a school district on as  
16 much as a full-time basis, if the retiree has retired under Section  
17 824.202(a); or

18           (8) in a position as a member of the faculty of a  
19 college of education within the institution, if the retiree has  
20 retired under Section 824.202(a) without reduction for retirement  
21 at an early age.

22           SECTION 2. Section 824.602(a), Government Code, as amended  
23 by this Act, applies beginning with the 2003-2004 school year.

24           SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2003.