

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

By: Armbrister

S.R. No. 1055

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, Regular Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill No. 2359, relating to the programs and systems administered by the Employees Retirement System of Texas, to consider and take action on the following matter:

Senate Rules 12.03(3) and (4) are suspended to permit the committee to add additional text not included in either the house or senate version of the bill, consisting of the following new SECTIONS to read as follows:

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

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

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

(f) A person who is reemployed or who again holds office after withdrawing contributions under Subchapter B for previous

service credited in the employee class begins membership in the employee class on the 91st day after the first day the person is reemployed or again holds office.

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

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

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

Sec. 813.514. CREDIT PURCHASE OPTION FOR CERTAIN SERVICE. (a) A member may establish service credit under this section in the employee class only for service performed during a 90-day waiting period to become a member after beginning employment or holding office.

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

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

(d) The retirement system shall deposit the amount of the actuarial present value of the service credit purchased in the

member's individual account in the employees saving account.

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

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

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

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President of the Senate

I hereby certify that the  
above Resolution was adopted by  
the Senate on June 1, 2003, by the  
following vote: Yeas 31, Nays 0.

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Secretary of the Senate