

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 1, 2003

TO: Honorable Allan Ritter, Chair, House Committee on Pensions & Investments

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB280 by Moreno, Paul (Relating to the overpayment of benefits by a public retirement system in reliance on an audit.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill states that if a public retirement system makes an overpayment of benefits to a person entitled to receive payments and the overpayment was made by the system in reliance on an audit, the system may not take action against the recipient of the overpayment for reimbursement. Also, the person is entitled to reimbursement for the overpayment from the auditor whose audit was relied on in making the overpayment. According to the Employees Retirement System of Texas, there would not be an impact on the agency's strategic plan.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 327 Employees Retirement System

LBB Staff: JK, RR, MS, ZS