

By: Herrero

H.B. No. 40

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to social security coverage for employees of public school  
3 districts.

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

5 SECTION 1. (a) Not later than May 31, 2006, each public  
6 school district in this state not currently participating in an  
7 agreement under Subchapter B, Chapter 606, Government Code, to  
8 provide social security coverage to all of the employees of the  
9 district, shall conduct a referendum by secret ballot of the  
10 employees of the district, as required by Section 218, Social  
11 Security Act (42 U.S.C. Section 418), to determine whether a  
12 majority of the employees are in favor of being included in the  
13 agreement of this state with the Commissioner of Social Security or  
14 the individual designated by the commissioner to administer  
15 coverage of the Social Security Act to employees of a state and its  
16 political subdivisions.

17 (b) If a majority of the employees of a school district vote  
18 in favor of entering into the agreement to provide social security  
19 coverage, the board of trustees of the school district shall as soon  
20 as practicable submit the necessary plan to the state social  
21 security administrator to effect the participation of the school  
22 district under Subchapter B, Chapter 606, Government Code.

23 SECTION 2. This Act expires January 1, 2007.

24 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect on the 91st day after the last day of the  
5 legislative session.