

By: Edwards

H.B. No. 122

A BILL TO BE ENTITLED

AN ACT

relating to the benefits of, and participation as a retiree in, the Teacher Retirement System of Texas.

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

SECTION 1. Subchapter A, Chapter 821, Government Code, is amended by adding Section 821.010 to read as follows:

Sec. 821.010. MINIMUM LEVEL OF BENEFITS GUARANTEED; RIGHT TO RETIRE. (a) In this section:

(1) "Benefits" includes the availability of coverage offered under the Texas Public School Employees Group Insurance Program or any successor to that program.

(2) "Qualifications for retirement" includes any matter that is considered to determine whether a member is eligible to retire or to receive benefits. The term includes service credit.

(b) It is the policy of this state that benefits provided by the retirement system in accordance with this subtitle on January 1, 2006, establish the minimum benefits for retirees.

(c) The retirement system may not reduce a retiree's benefits to an amount below the amount to which the retiree is entitled on the date the retiree retires. After retirement, the retiree:

(1) has the same rights to benefits as the retiree had on the date the retiree retired; and

(2) may not be required to contribute any amount to

1 obtain a benefit that exceeds the percentage cost to the retirement  
2 system of that benefit, as determined by the board of trustees,  
3 required to be contributed by the retiree on the date the retiree  
4 retired.

5 (d) A retiree who retires after January 1, 2006, is entitled  
6 to at least the same amount of benefits as a retiree with the same  
7 qualifications for retirement who retired on January 1, 2006. A  
8 member of the retirement system is eligible to retire if a person  
9 with the same qualifications for retirement would have been  
10 eligible to retire on January 1, 2006. A retiree who retires after  
11 January 1, 2006:

12 (1) has the same rights to benefits as a retiree who  
13 retired with the same qualifications for retirement on January 1,  
14 2006; and

15 (2) may not be required to contribute any amount to  
16 obtain a benefit that exceeds the percentage cost to the retirement  
17 system of that benefit, as determined by the board of trustees,  
18 required to be contributed by a retiree who retired with the same  
19 qualifications for retirement on January 1, 2006.

20 (e) In the event of a conflict between this section and  
21 another law, this section prevails unless the other law expressly:

22 (1) references this section; and

23 (2) states that the other law prevails.

24 SECTION 2. 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

H.B. No. 122

1 Act takes effect on the 91st day after the last day of the  
2 legislative session.