

Amend CSHB 1579 by inserting the following new SECTION, appropriately numbered, and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1575.004, Insurance Code, is amended to read as follows:

Sec. 1575.004. DEFINITION OF RETIREE. (a) In this chapter, "retiree" means:

(1) an individual not eligible for coverage under a plan provided under Chapter 1551 or 1601 who:

(A) ~~[is at least 65 years of age and]~~ has taken a service retirement under the Teacher Retirement System of Texas after September 1, 2005, with at least 10 years of service credit in the system, which may include up to five years of military service credit, but which may not include any other service credit purchased for equivalent or special service credit, and either:

(i) the sum of the retiree's age and years of service credit in the retirement system equals or exceeds 80 at the time of retirement, regardless of whether the retiree had a reduction in the retirement annuity for early age; or

(ii) the retiree has 30 or more years of service credit in the retirement system at the time of retirement;

(B) has taken a service retirement under the Teacher Retirement System of Texas after September 1, 2004, but on or before August 31, 2005, and on September 1, 2005, either:

(i) ~~[was employed in actual service in public schools in this state during or before the 2003-2004 school year and at the time of retirement]~~ meets the requirements for eligibility for the group program for coverage as a retiree as those requirements existed on August 31, 2004;

(ii) meets the requirements of Paragraph (A); or

(iii) is enrolled in the group program and was enrolled in the group program on August 31, 2005; or

(C) ~~[purchased equivalent or special service credit, and:~~

~~[(i) had that service credited on or before August 31, 2003,~~

~~[(ii) retires on or before August 31, 2009,~~

~~[(iii) at the time of retirement, meets the requirements for eligibility for the group program for coverage as a retiree as those requirements existed on August 31, 2004, including using up to five years of out-of-state service toward retiree eligibility, and~~

~~[(iv) has taken a service retirement under the Teacher Retirement System of Texas without reduction for early age,~~

~~[(D) has taken a service retirement under the Teacher Retirement System of Texas and who has at least 10 years of service credit in the system, which may include up to five years of military service credit but which may not include any other service credit purchased for equivalent or special service credit, and the sum of the individual's age and amount of service credit described by this paragraph equals or exceeds the number 80, or~~

~~[(E)]~~ has taken a service retirement under the Teacher Retirement System of Texas on or before August 31, 2004, and who is enrolled in the group program on August 31, 2005 ~~[2004]~~; or

(2) an individual who:

(A) has taken a disability retirement under the Teacher Retirement System of Texas; and

(B) is entitled to receive monthly benefits from the Teacher Retirement System of Texas.

(b) ~~[Each year of service credit in the system that an individual would have received but for the individual's participation in the deferred retirement option plan under Subchapter I, Chapter 824, Government Code, is considered a year of service credit solely for the purpose of meeting the definition of "retiree" under Subsection (a)(1)(A) or (D).]~~

~~[(e)]~~ In this section, "public school" has the meaning assigned by Section 821.001, Government Code.

(c) For purposes of this section, to meet the requirements for eligibility that existed on August 31, 2004, for a service retiree, an individual must not have been eligible to be covered by a plan provided under Chapter 1551 or 1601 and must have taken a service retirement under the Teacher Retirement System of Texas

with either:

(1) at least 10 years of service credit in the retirement system for actual service in public schools in this state; or

(2) at least five years of service credit for actual service in the public schools in this state and five years of out-of-state service credit in the Teacher Retirement System of Texas.