

## **BILL ANALYSIS**

Senate Research Center  
79R10446 DLF-F

H.B. 1079  
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State Affairs  
5/14/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Under current law, the retirement benefits extend to most judges, but exclude many elder judges with a smaller amount of service. These judges should be eligible to receive full retirement benefits. H.B. 1079 changes the language of the current law in order to enable a judge who has served at least two terms and whose age and years of service meet or exceed 70 to receive a base service retirement annuity. This bill also restricts the ability to receive service retirement from two full terms to all or part of three terms being required for qualification.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 834.101(a), Government Code, to provide that a member is eligible to retire and receive a base service retirement annuity [under the Judicial Retirement System of Texas Plan One] if the member has served at least two full terms on an appellate court and the sum of the member's age and amount of service credited in the retirement system equals or exceeds the number 70, regardless of whether the member currently holds a judicial office.

SECTION 2. Amends Section 839.101(a), Government Code, to provide that a member is eligible to retire and receive a service retirement annuity [under the Judicial Retirement System of Texas Plan Two] if the member has served all or part of at least three, rather than two full, terms on an appellate court and the sum of the member's age and amount of service credited in the retirement system equals or exceeds the number 70, regardless of whether the member currently holds a judicial office.

SECTION 3. Effective date: September 1, 2005.