

BILL ANALYSIS

C.S.H.B. 1079
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Pensions & Investments
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the retirement benefits extend to most judges, but exclude many elder judges with not as much service. These judges should be eligible to receive full retirement benefits. This legislation will change 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 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, department, agency, or institution.

ANALYSIS

Section 1: Amends Section 834.101 (a), Government Code to change the requirements by striking the word "or" from between (2) adding it to (3), and adding a section (4), which allows a judge to retire with full benefits if he 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 allow members to retire and receive service retirement annuity if the member has served all or part of three terms rather than two full terms and whose service credit and age meet or exceed 70.

Section 3. Effective date.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Adds the word "or" to Section 1 in order to set the subsections as options. The substitute also adds Section 2, which allows a member to retire and receive service retirement annuity if the member has served all or part of three terms rather than two full terms.