

## **BILL ANALYSIS**

Senate Research Center  
79R15540 HLT-D

C.S.S.B. 751  
By: Van de Putte  
State Affairs  
5/6/2005  
Committee Report (Substituted)

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

Under current law, law enforcement officers and custodial officers are eligible for state retirement and disability after 20 years. This benefit was extended in order to compensate officers for the dangerous nature of their jobs.

C.S.S.B. 751 extends this benefit by giving these special disability and retirement benefits to rescue specialists. Rescue specialists are state-employed firefighters who work for the Texas Adjutant General's Office and fight aircraft fires at a Texas National Guard installation. This bill brings the benefits available to rescue specialist firefighters in line with all other firefighters in the state.

This bill also extends to rescue specialists the same disability benefits that are currently available to law enforcement officers and custodial officers, and this benefit cannot be less than half their normal pay, regardless of years of service. It also extends to rescue specialists the death benefit due to law enforcement and custodial officers with 20 or more years of service.

### **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 811.001, Government Code, by adding Subdivision (13-a), to define "rescue specialist."

SECTION 2. Amends Section 811.006, Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Prohibits a rate of member or state contributions to or a rate of interest required for the establishment of credit in the retirement system from being reduced or eliminated, prohibits a type of service from being made creditable in the retirement system, prohibits a limit on the maximum permissible amount of a type of creditable service from being removed or raised, prohibits a new monetary benefit payment by the retirement system from being established, and prohibits the determination of the amount of a monetary benefit from the system from being increased, if, as a result of the particular action, the time, as determined by an actuarial valuation, required to amortize the unfunded actuarial liabilities of the retirement system would be increased to a period that exceeds 30 years by one or more years, except as provided by Subsection (c).

(c) Provides that this section does not apply to any action described by Subsection (a) that affects only a member for whom the federal government fully pays any applicable member or state contributions to the retirement system and retirement system benefits.

SECTION 3. Amends the heading to Section 814.107, Government Code, to read as follows:

Sec. 814.107. SERVICE RETIREMENT BENEFITS FOR CERTAIN PEACE OFFICERS AND RESCUE SPECIALISTS.

SECTION 4. Amends Sections 814.107(a)-(c) and (e)-(g), Government Code, to provide that a member who has at least 20 years of service credit as a law enforcement officer, custodial officer, or rescue specialist, is eligible to retire regardless of age and receive a standard service retirement annuity in an amount and to be funded as provided by this section. Makes conforming changes.

SECTION 5. Amends the heading to Section 814.207, Government Code, to read as follows:

Sec. 814.207. DISABILITY RETIREMENT BENEFITS FOR CERTAIN PEACE OFFICERS AND RESCUE SPECIALISTS.

SECTION 6. Amends Sections 814.207(a)-(d), Government Code, to provide that an annuity payable for an occupied disability resulting from a risk to which law enforcement officers, custodial officers, or rescue specialists are exposed is payable under certain terms and conditions. Makes conforming changes.

SECTION 7. Amends Section 814.305, Government Code, as follows:

Sec. 814.305. New heading: ANNUITY FOR SURVIVOR OF LAW ENFORCEMENT OR CUSTODIAL OFFICER OR RESCUE SPECIALIST. Makes conforming changes.

SECTION 8. Effective date: upon passage or September 1, 2005.