

By: McCall, Gallego

H.B. No. 617

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to contributions made by and the service retirement  
3 annuity paid to certain members of the Judicial Retirement System  
4 of Texas Plan Two.

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

6 SECTION 1. Section 840.102, Government Code, is amended by  
7 amending Subsection (a) and adding Subsection (h) to read as  
8 follows:

9 (a) Except as provided by Subsections [~~Subsection~~] (g) and  
10 (h), each payroll period, a judicial officer who is a member of the  
11 retirement system is required to contribute six percent of the  
12 officer's state compensation for the period to the retirement  
13 system.

14 (h) If a member has served at least 12 years on an appellate  
15 court and the sum of the member's age and amount of service credited  
16 in the retirement system equals or exceeds the number 70, the member  
17 ceases making contributions under this section. A member described  
18 by this subsection is considered a contributing member for all  
19 other purposes under this subtitle.

20 SECTION 2. Subchapter B, Chapter 840, Government Code, is  
21 amended by adding Section 840.1027 to read as follows:

22 Sec. 840.1027. CONTRIBUTIONS AFTER ATTAINING RULE OF 70.

23 (a) Notwithstanding Section 840.102(h), a judicial officer who is  
24 a member of the retirement system and who has served at least 12

1 years on an appellate court and the sum of the member's age and  
2 amount of service credited in the retirement system equals or  
3 exceeds the number 70 may elect to make contributions for each  
4 subsequent year of service credit that the member accrues by filing  
5 an application with the retirement system.

6 (b) A member who elects to make contributions under  
7 Subsection (a) shall contribute six percent of the member's state  
8 compensation for each payroll period in the manner provided by  
9 Sections 840.102(b)-(f). Section 840.105 does not apply to a  
10 contribution under this section.

11 (c) A member may not make contributions under this section  
12 for more than 10 years of subsequent service credit that the member  
13 accrues.

14 SECTION 3. Section 839.102, Government Code, is amended by  
15 amending Subsection (a) and adding Subsection (f) to read as  
16 follows:

17 (a) Except as provided by Subsections (b), ~~(c)~~ (c), and  
18 (f), the standard service retirement annuity is an amount equal to  
19 50 percent of the state salary being paid at the time the member  
20 retires to a judge of a court of the same classification as the last  
21 court to which the retiring member was elected or appointed.

22 (f) The service retirement annuity of a member qualifying  
23 for retirement under Section 839.101(a)(4) is the applicable state  
24 salary under Subsection (a) multiplied by a percentage amount that  
25 is the sum of 50 percent plus the product of two percent multiplied  
26 by the number of years of subsequent service credit the member  
27 accrues under Section 840.1027. After including any increase under

1 Subsection (b), the service retirement annuity under this  
2 subsection may not be an amount that is greater than 80 percent of  
3 the applicable salary under Subsection (a).

4 SECTION 4. This Act takes effect September 1, 2005.