

1-1 By: McCall, Gallego (Senate Sponsor - Duncan) H.B. No. 617
1-2 (In the Senate - Received from the House April 14, 2005;
1-3 April 18, 2005, read first time and referred to Committee on State
1-4 Affairs; May 17, 2005, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 17, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to contributions made by and the service retirement
1-9 annuity paid to certain members of the Judicial Retirement System
1-10 of Texas Plan Two.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 840.102, Government Code, is amended by
1-13 amending Subsection (a) and adding Subsection (h) to read as
1-14 follows:

1-15 (a) Except as provided by Subsections [Subsection] (g) and
1-16 (h), each payroll period, a judicial officer who is a member of the
1-17 retirement system is required to contribute six percent of the
1-18 officer's state compensation for the period to the retirement
1-19 system.

1-20 (h) If a member has served at least 12 years on an appellate
1-21 court and the sum of the member's age and amount of service credited
1-22 in the retirement system equals or exceeds the number 70, the member
1-23 ceases making contributions under this section. A member described
1-24 by this subsection is considered a contributing member for all
1-25 other purposes under this subtitle.

1-26 SECTION 2. Subchapter B, Chapter 840, Government Code, is
1-27 amended by adding Section 840.1027 to read as follows:

1-28 Sec. 840.1027. CONTRIBUTIONS AFTER ATTAINING RULE OF 70.

1-29 (a) Notwithstanding Section 840.102(h), a judicial officer who is
1-30 a member of the retirement system and who has served at least 12
1-31 years on an appellate court and the sum of the member's age and
1-32 amount of service credited in the retirement system equals or
1-33 exceeds the number 70 may elect to make contributions for each
1-34 subsequent year of service credit that the member accrues by filing
1-35 an application with the retirement system.

1-36 (b) A member who elects to make contributions under
1-37 Subsection (a) shall contribute six percent of the member's state
1-38 compensation for each payroll period in the manner provided by
1-39 Sections 840.102(b)-(f). Section 840.105 does not apply to a
1-40 contribution under this section.

1-41 (c) A member may not make contributions under this section
1-42 for more than 10 years of subsequent service credit that the member
1-43 accrues.

1-44 SECTION 3. Section 839.102, Government Code, is amended by
1-45 amending Subsection (a) and adding Subsection (f) to read as
1-46 follows:

1-47 (a) Except as provided by Subsections (b), ~~and~~ (c), and
1-48 (f), the standard service retirement annuity is an amount equal to
1-49 50 percent of the state salary being paid at the time the member
1-50 retires to a judge of a court of the same classification as the last
1-51 court to which the retiring member was elected or appointed.

1-52 (f) The service retirement annuity of a member qualifying
1-53 for retirement under Section 839.101(a)(4) is the applicable state
1-54 salary under Subsection (a) multiplied by a percentage amount that
1-55 is the sum of 50 percent plus the product of two percent multiplied
1-56 by the number of years of subsequent service credit the member
1-57 accrues under Section 840.1027. After including any increase under
1-58 Subsection (b), the service retirement annuity under this
1-59 subsection may not be an amount that is greater than 80 percent of
1-60 the applicable salary under Subsection (a).

1-61 SECTION 4. This Act takes effect September 1, 2005.

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