

AN ACT

relating to the eligibility of certain judges to retire with full benefits.

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

SECTION 1. Section 839.101(a), Government Code, is amended to read as follows:

(a) A member is eligible to retire and receive a service retirement annuity if the member:

(1) is at least 65 years old, currently holds a judicial office, and has at least 10 years of service credited in the retirement system;

(2) is at least 65 years old and has at least 12 years of service credited in the retirement system, regardless of whether the member currently holds a judicial office;

(3) is at least 55 years old and has at least 20 years of service credited in the retirement system, regardless of whether the member currently holds a judicial office; or

(4) has served at least 12 years [~~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. Section 834.101(a), Government Code, is amended to read as follows:

1 (a) A member is eligible to retire and receive a base
2 service retirement annuity if the member:

3 (1) is at least 65 years old, currently holds a
4 judicial office, and has at least 10 years of service credited in
5 the retirement system;

6 (2) is at least 65 years old and has at least 12 years
7 of service credited in the retirement system, regardless of whether
8 the member currently holds a judicial office; ~~or~~

9 (3) has at least 20 years of service credited in the
10 retirement system, regardless of whether the member currently holds
11 a judicial office; or

12 (4) has served at least 12 years on an appellate court
13 and the sum of the member's age and amount of service credited in
14 the retirement system equals or exceeds the number 70, regardless
15 of whether the member currently holds a judicial office.

16 SECTION 3. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 831 was passed by the House on April 29, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 831 on May 27, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 831 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor