

By: Hegar

H.B. No. 2976

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the benefits and compensation of retired state  
3 employees who return to state employment.

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

5 SECTION 1. Section 659.042, Government Code, is amended to  
6 read as follows:

7 Sec. 659.042. EXCLUSIONS. The following are not entitled  
8 to longevity pay under this subchapter:

9 (1) a member of the legislature;

10 (2) an individual who holds a statewide office that is  
11 normally filled by vote of the people;

12 (3) an independent contractor or an employee of an  
13 independent contractor;

14 (4) a temporary employee;

15 (5) an officer or employee of a public junior college;

16 [~~or~~]

17 (6) an academic employee of a state institution of  
18 higher education; or

19 (7) a state employee who receives an annuity based  
20 wholly or partly on service as a state officer or state employee in  
21 a public retirement system, as defined by Section 802.001, that was  
22 credited to the state employee.

23 SECTION 2. Section 659.126, Government Code, is amended by  
24 adding Subsection (c) to read as follows:

1       (c) An eligible state employee who receives an annuity based  
2 wholly or partly on service as a state officer or state employee in  
3 a public retirement system, as defined by Section 802.001, that was  
4 credited to the state employee is ineligible to receive benefit  
5 replacement pay.

6       SECTION 3. Section 661.152, Government Code, is amended by  
7 adding Subsection (1) to read as follows:

8       (1) For purposes of computing vacation leave under  
9 Subsection (d) for a state employee who receives an annuity based  
10 wholly or partly on service as a state officer or state employee in  
11 a public retirement system, as defined by Section 802.001, that was  
12 credited to the state employee, years of total state employment  
13 includes only the length of state employment after the date the  
14 state employee retired.

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