

By: Madden, McCall, Laubenberg

H.B. No. 3200

A BILL TO BE ENTITLED

AN ACT

relating to single employer benefit plans.

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

SECTION 1. Section 810.001, Government Code, is amended by adding Subsection (j) to read as follows:

(j) A single governmental employer is not considered to be permitting a person who is a public employee, officer, or retiree of that employer to be receiving benefits from more than one system or program of retirement for the same service if:

(1) the employer participates in the Texas Municipal Retirement System or the Texas County and District Retirement System and also sponsors one or more supplemental plans:

(A) funded by the employer, the employee, or a combination of the employer and the employee; and

(B) established before January 1, 2005; and

(2) the amount of the combined benefits paid to the person by the Texas Municipal Retirement System or the Texas County and District Retirement System and all of the supplemental plans described by Subdivision (1) is in compliance with Section 415, Internal Revenue Code of 1986.

SECTION 2. All acts and proceedings of a political entity to establish, finance, or administer a supplemental plan established before January 1, 2005, that occurred before the effective date of this Act and that would have been authorized by Section 810.001,

1 Government Code, as amended by this Act, are validated as of the  
2 dates the acts and proceedings occurred. The acts and proceedings  
3 may not be held invalid because they were not performed in  
4 accordance with law.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2005.