

1-1 By: Madden, et al. (Senate Sponsor - Shapiro) H.B. No. 3200  
1-2 (In the Senate - Received from the House May 10, 2005;  
1-3 May 12, 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 single employer benefit plans.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 810.001, Government Code, is amended by  
1-11 adding Subsection (j) to read as follows:

1-12 (j) A single governmental employer is not considered to be  
1-13 permitting a person who is a public employee, officer, or retiree of  
1-14 that employer to be receiving benefits from more than one system or  
1-15 program of retirement for the same service if:

1-16 (1) the employer participates in the Texas Municipal  
1-17 Retirement System or the Texas County and District Retirement  
1-18 System and also sponsors one or more supplemental plans:

1-19 (A) funded by the employer, the employee, or a  
1-20 combination of the employer and the employee; and

1-21 (B) established before January 1, 2005; and

1-22 (2) the amount of the combined benefits paid to the  
1-23 person by the Texas Municipal Retirement System or the Texas County  
1-24 and District Retirement System and all of the supplemental plans  
1-25 described by Subdivision (1) is in compliance with Section 415,  
1-26 Internal Revenue Code of 1986.

1-27 SECTION 2. All acts and proceedings of a political entity to  
1-28 establish, finance, or administer a supplemental plan established  
1-29 before January 1, 2005, that occurred before the effective date of  
1-30 this Act and that would have been authorized by Section 810.001,  
1-31 Government Code, as amended by this Act, are validated as of the  
1-32 dates the acts and proceedings occurred. The acts and proceedings  
1-33 may not be held invalid because they were not performed in  
1-34 accordance with law.

1-35 SECTION 3. This Act takes effect immediately if it receives  
1-36 a vote of two-thirds of all the members elected to each house, as  
1-37 provided by Section 39, Article III, Texas Constitution. If this  
1-38 Act does not receive the vote necessary for immediate effect, this  
1-39 Act takes effect September 1, 2005.

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