

By: Uresti

H.B. No. 3236

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain members of the Employees Retirement System of  
3 Texas who retire and return to state employment.

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

5 SECTION 1. Section 814.1051, Government Code, is amended by  
6 adding Subsections (e-1) and (e-2) to read as follows:

7 (e-1) A member who receives the lump-sum payment under  
8 Subsection (a) and plans to return to work as a state employee:

9 (1) may not resume work as a state employee before the  
10 six-month anniversary of the date on which the member's retirement  
11 became effective; and

12 (2) must agree to continue state employment for at  
13 least two years after the resumption of that employment.

14 (e-2) The board of trustees may require that a member who  
15 violates Subsection (e-1) attend a hearing to determine whether the  
16 member must refund the amount of the lump-sum payment to the  
17 retirement system.

18 SECTION 2. (a) The change in law made by this Act applies  
19 only to a member of the Employees Retirement System of Texas who  
20 retires on or after the effective date of this Act.

21 (b) A member of the Employees Retirement System of Texas who  
22 retires before the effective date of this Act is governed by the law  
23 as it existed immediately before the effective date of this Act, and  
24 that law is continued in effect for that purpose.

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