

By: Madden

H.J.R. No. 1

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow supplemental
2 retirement programs offered by a single employer of a municipality.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 67(a)(2), Article XVI, Texas
5 Constitution, is amended to read as follows:

6 (a)(2) A person may not receive benefits from more than one
7 system for the same service, but the legislature may provide by law
8 that a person with service covered by more than one system or
9 program is entitled to a fractional benefit from each system or
10 program based on service rendered under each system or program
11 calculated as to amount upon the benefit formula used in that system
12 or program. Transfer of service credit between the Employees
13 Retirement System of Texas and the Teacher Retirement System of
14 Texas also may be authorized by law. A person is not receiving
15 benefits under more than one public retirement system if, a single
16 employer participates in a state wide public retirement system and
17 also provides:

18 (a) benefits established by the employer subsequent to the
19 employer's withdrawal from the social security program; or

20 (b) benefits provided under supplemental retirement
21 programs including those funded by the employer, employee, or a
22 combination thereof which are uniformly available to all qualified
23 employees.

24 The additional benefits under (a) and (b) above shall not be

1 credited to another public retirement system.

2 SECTION 2. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 8, 2005.
4 The ballot shall be printed to permit voting for or against the
5 proposition: "The constitutional amendment to allow supplement
6 retirement programs offered by a single employer."