

AN ACT

relating to audits of certain public retirement system actuarial valuations, studies, and reports.

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

SECTION 1. Subchapter B, Chapter 802, Government Code, is amended by adding Section 802.1012 to read as follows:

Sec. 802.1012. AUDITS OF ACTUARIAL VALUATIONS, STUDIES, AND REPORTS. (a) In this section, "governmental entity" means a unit of government that is the employer of active members of a public retirement system.

(b) Except as provided by Subsection (k), this section applies only to a public retirement system with total assets the book value of which, as of the last day of the preceding fiscal year, is at least \$100 million.

(c) Every five years, the actuarial valuations, studies, and reports of a public retirement system most recently prepared for the retirement system as required by Section 802.101 or other law under this title or under Title 109, Revised Statutes, must be audited by an independent actuary who:

(1) is engaged for the purpose of the audit by the governmental entity; and

(2) has the credentials required for an actuary under Section 802.101(d).

(d) Before beginning an audit under this section, the

1 governmental entity and the independent actuary must agree in  
2 writing to maintain the confidentiality of any nonpublic  
3 information provided by the public retirement system for the audit.

4 (e) Before beginning an audit under this section, the  
5 independent actuary must meet with the manager of the pension fund  
6 for the public retirement system to discuss the appropriate  
7 assumptions to use in conducting the audit.

8 (f) Not later than the 30th day after completing the audit  
9 under Subsection (c), the independent actuary shall submit to the  
10 public retirement system for purposes of discussion and  
11 clarification a preliminary draft of the audit report that is  
12 substantially complete.

13 (g) The independent actuary shall:

14 (1) discuss the preliminary draft of the audit report  
15 with the governing body of the public retirement system; and

16 (2) request in writing that the retirement system, on  
17 or before the 30th day after the date of receiving the preliminary  
18 draft, submit to the independent actuary any response that the  
19 retirement system wants to accompany the final audit report.

20 (h) The independent actuary shall submit to the  
21 governmental entity the final audit report that includes the audit  
22 results and any response received from the public retirement  
23 system:

24 (1) not earlier than the 31st day after the date on  
25 which the preliminary draft is submitted to the retirement system;  
26 and

27 (2) not later than the 60th day after the date on which

1 the preliminary draft is submitted to the retirement system.

2 (i) At the first regularly scheduled open meeting after  
3 receiving the final audit report, the governing body of the  
4 governmental entity shall:

5 (1) include on the posted agenda for the meeting the  
6 presentation of the audit results;

7 (2) present the final audit report and any response  
8 from the public retirement system; and

9 (3) provide printed copies of the final audit report  
10 and the response from the public retirement system for individuals  
11 attending the meeting.

12 (j) The governmental entity shall:

13 (1) maintain a copy of the final audit report at its  
14 main office for public inspection;

15 (2) submit a copy of the final audit report to the  
16 public retirement system and the State Pension Review Board not  
17 later than the 30th day after the date the final audit report is  
18 received by the governmental entity; and

19 (3) pay all costs associated with conducting the audit  
20 and preparing and distributing the report under this section.

21 (k) This section does not apply to the Employees Retirement  
22 System of Texas, the Teacher Retirement System of Texas, the Texas  
23 County and District Retirement System, the Texas Municipal  
24 Retirement System, or the Judicial Retirement System of Texas Plan  
25 Two.

26 SECTION 2. The first audit required under Section 802.1012,  
27 Government Code, as added by this Act:

1                   (1) shall be conducted not later than September 1,  
2 2008; and

3                   (2) must include an audit of each actuarial valuation,  
4 study, and report of the public retirement system that was prepared  
5 for that retirement system in the preceding five years.

6                   SECTION 3. This Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2664 was passed by the House on May 4, 2007, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2664 was passed by the Senate on May 22, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor