

By: Guillen

H.B. No. 3731

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the administration of retirement systems for paid,  
3 partly paid, or volunteer fire fighters.

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

5 SECTION 1. Section 13, Texas Local Fire Fighters Retirement  
6 Act (Article 6243e, Vernon's Texas Civil Statutes), is amended to  
7 read as follows.

8 Sec. 13. (a) A member of a retirement system who meets an  
9 applicable length-of-service requirement for service retirement  
10 benefits but does not meet the applicable age requirement for  
11 service retirement benefits may terminate employment with or  
12 otherwise discontinue service for the fire department and remain  
13 eligible to receive service retirement benefits from the retirement  
14 system on attaining the applicable age, as long as the member does  
15 not withdraw contributions in the retirement system.

16 (b) ~~On termination of employment or other discontinuance of~~  
17 ~~service of a person described by Subsection (a) of this section, the~~  
18 ~~board of trustees of the retirement system of which the person is a~~  
19 ~~member shall issue to the member a certificate of service, stating~~  
20 ~~the completion of the service requirement and certifying that the~~  
21 ~~member is entitled to applicable service retirement benefits on~~  
22 ~~attaining the applicable age, whether or not the member performs~~  
23 ~~service after the date of the issuance of the certificate. The~~  
24 ~~certificate also shall state that the entitlement is conditioned on~~

1 ~~the member's leaving contributions in the retirement system.~~

2       (c) A member who terminates employment or otherwise  
3 discontinues service after meeting an applicable length-of-service  
4 requirement for service retirement may not be required to pay to the  
5 retirement system contributions that become due after the date of  
6 termination or discontinuance.

7       SECTION 2. Section 19 (b), Texas Local Fire Fighters  
8 Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), is  
9 amended to read as follows:

10       (b) During each period that begins on December 1 of one year  
11 and ends on January 31 of the following year, the participating  
12 members of a fire fighters' retirement system in a municipality or  
13 other political subdivision subject to this section shall elect by  
14 secret ballot and certify to the governing body of the municipality  
15 or other political subdivision a member to the board of trustees to  
16 serve a term of three years. To be elected a member of a board of  
17 trustees under this subsection, a person must be a participating  
18 member of the retirement system and receive a majority of the votes  
19 cast in the election, and at least 50 percent of all participating  
20 members of the retirement system must vote in the election.

21       SECTION 3. Section 21A, Texas Local Fire Fighters  
22 Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), as  
23 enacted by Acts 2001, 77th Leg., ch. 327, §2, is amended to read as  
24 follows.

25       (h-1) The fire fighters' pension commissioner shall prepare  
26 and maintain a written plan that describes how a person who does not  
27 speak English or who has a physical, mental, or developmental

1 disability can be provided reasonable access to the programs  
2 administered by the commissioner.

3 SECTION 4. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2007.