

1-1 By: Guillen (Senate Sponsor - Gallegos) H.B. No. 3731
1-2 (In the Senate - Received from the House May 3, 2007;
1-3 May 7, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 15, 2007, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 15, 2007, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the administration of retirement systems for paid,
1-10 partly paid, or volunteer firefighters.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 13, Texas Local Fire Fighters Retirement
1-13 Act (Article 6243e, Vernon's Texas Civil Statutes), is amended to
1-14 read as follows:

1-15 Sec. 13. (a) A member of a retirement system who meets an
1-16 applicable length-of-service requirement for service retirement
1-17 benefits but does not meet the applicable age requirement for
1-18 service retirement benefits may terminate employment with or
1-19 otherwise discontinue service for the fire department and remain
1-20 eligible to receive service retirement benefits from the retirement
1-21 system on attaining the applicable age, as long as the member does
1-22 not withdraw contributions in the retirement system.

1-23 (b) ~~[On termination of employment or other discontinuance~~
1-24 ~~of service of a person described by Subsection (a) of this section,~~
1-25 ~~the board of trustees of the retirement system of which the person~~
1-26 ~~is a member shall issue to the member a certificate of service,~~
1-27 ~~stating the completion of the service requirement and certifying~~
1-28 ~~that the member is entitled to applicable service retirement~~
1-29 ~~benefits on attaining the applicable age, whether or not the member~~
1-30 ~~performs service after the date of the issuance of the certificate.~~
1-31 ~~The certificate also shall state that the entitlement is~~
1-32 ~~conditioned on the member's leaving contributions in the retirement~~
1-33 ~~system.~~

1-34 [(c)] A member who terminates employment or otherwise
1-35 discontinues service after meeting an applicable length-of-service
1-36 requirement for service retirement may not be required to pay to the
1-37 retirement system contributions that become due after the date of
1-38 termination or discontinuance.

1-39 SECTION 2. Section 19(b), Texas Local Fire Fighters
1-40 Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), is
1-41 amended to read as follows:

1-42 (b) During each period that begins on December 1 of one year
1-43 and ends on January 31 of the following year, the participating
1-44 members of a fire fighters' retirement system in a municipality or
1-45 other political subdivision subject to this section shall elect by
1-46 secret ballot and certify to the governing body of the municipality
1-47 or other political subdivision a member to the board of trustees to
1-48 serve a term of three years. To be elected a member of a board of
1-49 trustees under this subsection, a person must be a participating
1-50 member of the retirement system and receive a majority of the votes
1-51 cast in the election, and at least 50 percent of all participating
1-52 members of the retirement system must vote in the election.

1-53 SECTION 3. Section 21A(h), Texas Local Fire Fighters
1-54 Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), as
1-55 added by Chapter 327, Acts of the 77th Legislature, Regular
1-56 Session, 2001, is redesignated as Subsection (h-1) to read as
1-57 follows:

1-58 (h-1) [(h)] The fire fighters' pension commissioner shall
1-59 prepare and maintain a written plan that describes how a person who
1-60 does not speak English or who has a physical, mental, or
1-61 developmental disability can be provided reasonable access to the
1-62 programs administered by the commissioner.

1-63 SECTION 4. This Act takes effect immediately if it receives
1-64 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2007.

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