

By: Homer

H.B. No. 3852

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the participation of certain retired employees of  
3 juvenile probation departments in the group benefits plan for state  
4 employees.

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

6 SECTION 1. Section 1551.002, Insurance Code, is amended to  
7 read as follows:

8 Sec. 1551.002. PURPOSES. The purposes of this chapter are  
9 to:

10 (1) provide uniformity in life, accident, and health  
11 benefit coverages for all state officers and employees and their  
12 dependents;

13 (2) enable the state to attract and retain competent  
14 and able employees by providing employees and their dependents with  
15 life, accident, and health benefit coverages at least equal to  
16 those commonly provided in private industry;

17 (3) foster, promote, and encourage employment by and  
18 service to the state as a career profession for individuals of high  
19 standards of competence and ability;

20 (4) recognize and protect the state's investment in  
21 each permanent employee by promoting and preserving economic  
22 security and good health among employees and their dependents;

23 (5) foster and develop high standards of  
24 employer-employee relationships between the state and its

1 employees;

2 (6) recognize the long and faithful service and  
3 dedication of state officers and employees and encourage them to  
4 remain in state service until eligible for retirement by providing  
5 health benefits for them and their dependents; ~~and~~

6 (7) recognize the service to the state by employees  
7 and retired employees of community supervision and corrections  
8 departments by extending to them and their dependents the same  
9 life, accident, and health benefit coverages as those provided  
10 under this chapter to state employees, retired state employees, and  
11 their dependents; and

12 (8) recognize the service to the state by retired  
13 employees of juvenile probation departments by extending to them  
14 the same life, accident, and health benefit coverages as those  
15 provided under this chapter to retired state employees.

16 SECTION 2. Section 1551.111(c), Insurance Code, is amended  
17 to read as follows:

18 (c) Except as provided by Section 1551.114 and 1551.115,  
19 participation in the group benefits program does not extend to:

20 (1) the governing body of either system;

21 (2) a municipality or subdivision participating in  
22 either system; or

23 (3) a trustee, officer, or employee, or a dependent of  
24 a trustee, officer, or employee, of a participating municipality or  
25 subdivision.

26 SECTION 3. Subchapter C, Chapter 1551, Insurance Code, is  
27 amended by adding Section 1551.115 to read as follows:

1       Sec. 1551.115. PARTICIPATION BY RETIRED EMPLOYEES OF  
2 CERTAIN JUVENILE PROBATION DEPARTMENTS. (a) In this section,  
3 "retired employee of juvenile probation department" means an  
4 employee of a department established under Chapter 142, Human  
5 Resources Code, that retires from that department.

6       (b) A retired employee of a juvenile probation department  
7 shall be treated as an annuitant for purposes of this chapter only  
8 as provided by this section.

9       (c) A retired employee of a juvenile probation department  
10 may participate in the group benefits program administered by the  
11 board of trustees under this chapter. Participation under this  
12 section is limited to retired employees of juvenile probation  
13 departments who are described by Subsections (d) and (e).

14       (d) For a retired employee of a juvenile probation  
15 department who is, on August 31, 2007, employed by a juvenile  
16 probation department, the retired employee may participate in the  
17 group benefits program if:

18               (1) the retired employee:

19                       (A) retires from the juvenile probation  
20 department on or after September 1, 2007;

21                       (B) has at least 10 years of creditable service  
22 earned for service at a juvenile probation department; and

23                       (C) meets all the requirements for retirement  
24 benefits prescribed by the Texas County and District Retirement  
25 System; and

26               (2) the juvenile probation department from which the  
27 retired employee of a juvenile probation department retires:

1           (A) does not provide retired employees access to  
2 a health benefit plan on or after the effective date of the  
3 employee's retirement; or

4           (B) provides retired employees access to a health  
5 benefit plan on or after the effective date of the employee's  
6 retirement that provides coverage that is less comprehensive than  
7 the coverage provided to annuitants under the basic coverage for  
8 annuitants.

9           (e) For a retired employee of a juvenile probation  
10 department who is not described by Subsection (d) and who is  
11 employed by the department on or after September 1, 2007, the  
12 retired employee may participate in the group benefits program if:

13           (1) the retired employee:

14           (A) retires from the juvenile probation  
15 department on or after September 1, 2017;

16           (B) has at least 10 years of creditable service  
17 earned for service at a juvenile probation department on or after  
18 September 1, 2007; and

19           (C) meets all the requirements for retirement  
20 benefits prescribed by the Texas County and District Retirement  
21 System; and

22           (2) the juvenile probation department from which the  
23 retired employee of a juvenile probation department retires:

24           (A) does not provide retired employees access to  
25 a health benefit plan on or after the effective date of the  
26 employee's retirement; or

27           (B) provides retired employees access to a health

1 benefit plan on or after the effective date of the employee's  
2 retirement that provides coverage that is less comprehensive than  
3 the coverage provided to annuitants under the basic coverage for  
4 annuitants.

5 (f) A retired employee of a juvenile probation department is  
6 eligible to participate in the group benefits program on  
7 application to the board of trustees. On application, a retired  
8 employee is automatically covered by the basic coverage for  
9 annuitants unless the retired employee is expelled from the  
10 program.

11 (g) A retired employee is eligible to receive a state  
12 contribution under Subchapter G for premiums to the same extent as  
13 an individual eligible to participate as an annuitant under Section  
14 1551.102.

15 (h) Each participating retired employee of a juvenile  
16 probation department shall pay that portion of the cost of group  
17 coverage selected by the retired employee that exceeds the amount  
18 of the state contribution. The retired employee shall pay  
19 contributions required from the retired employee in the manner  
20 prescribed by the board of trustees.

21 SECTION 4. Subchapter G, Chapter 1551, Insurance Code, is  
22 amended by adding Section 1551.325 to read as follows:

23 Sec. 1551.325. REQUIRED REPORTS OF JUVENILE PROBATION  
24 DEPARTMENTS. Not later than June 1 of each year, a juvenile  
25 probation department shall submit to the board of trustees a good  
26 faith estimate of the number of retired employees and active  
27 employees employed on June 1 but expected to retire before the next

1 June 1 that may elect to enroll in the group benefits program for  
2 the following fiscal year.

3 SECTION 5. (a) The Employees Retirement System of Texas  
4 shall develop a plan for the extension of benefits under the group  
5 benefits program to retired employees of juvenile probation  
6 departments eligible to participate in the group benefits program  
7 under Section 1551.115, Insurance Code, as added by this Act. The  
8 Employees Retirement System of Texas shall adopt rules necessary to  
9 implement this subsection not later than September 1, 2008.

10 (b) Coverage under Section 1551.115, Insurance Code, as  
11 added by this Act, shall become effective September 1, 2008.

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