

SENATE AMENDMENTS

2nd Printing

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 firefighters.

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

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

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

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

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

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

27 (h-1) [~~(h)~~] The fire fighters' pension commissioner shall

1 prepare and maintain a written plan that describes how a person who
2 does not speak English or who has a physical, mental, or
3 developmental disability can be provided reasonable access to the
4 programs administered by the commissioner.

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

ADOPTED

MAY 22 2007

FLOOR AMENDMENT NO. 1

Atty. Gen.
Secretary of the Senate
BY:

J. J. King

1 Amend H.B. No. 3731 (senate committee printing) by inserting
2 the following new SECTION to the bill, numbered appropriately, and
3 renumbering SECTIONS of the bill accordingly:

4 SECTION __. Subsection (b), Section 29, Texas Local Fire
5 Fighters Retirement Act (Article 6243e, Vernon's Texas Civil
6 Statutes), is amended to read as follows:

7 (b) A municipality or other political subdivision that has
8 employees who are participating members of a retirement system
9 shall make contributions to the system each payroll period. Except
10 as provided by Subsection (d) of this section, contributions
11 required under this subsection are computed on the total
12 compensation paid to the employees who are participating members of
13 the system. A municipality or other political subdivision is
14 required to make contributions under this subsection at the same
15 rate paid by employees or 12 [~~nine~~] percent, whichever is the
16 smaller rate. The governing body of a municipality or other
17 political subdivision by ordinance may adopt a rate of employer
18 contributions that is greater than the rate required by this
19 subsection.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 10, 2007

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3731** by Guillen (Relating to the administration of retirement systems for paid, partly paid, or volunteer firefighters.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 325 Fire Fighters' Pension Commissioner

LBB Staff: JOB, DB, KJG, JW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 29, 2007

TO: Honorable Vicki Truitt, Chair, House Committee on Pensions & Investments

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3731 by Guillen (Relating to the administration of retirement systems for paid, partly paid, or volunteer fire fighters.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 325 Fire Fighters' Pension Commissioner

LBB Staff: JOB, KJG, JW

LEGISLATIVE BUDGET BOARD
Austin, Texas

ACTUARIAL IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 2, 2007

TO: Honorable Vicki Truitt, Chair, House Committee on Pensions & Investments

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3731 by Guillen (Relating to the administration of retirement systems for paid, partly paid, or volunteer fire fighters.), **As Introduced**

HB 3731 would apply to paid, part paid, and volunteer fire departments that operate under the Texas Local Firefighter's Act. The bill would remove the provision that requires the board of trustees of a retirement plan to issue a certificate of service to a terminated member. The bill stipulates that to be an elected member to the board of trustees a person must be a participating member of the retirement system. The bill, if enacted, will have no material actuarial effect because it does not propose to change the funding or obligations of any public retirement system.

Source Agencies: 338 Pension Review Board

LBB Staff: JOB, WM

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