

House Bill 3731
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

[(e)] A member who terminates employment or otherwise discontinues service after meeting an applicable length-of-service requirement for service retirement may not be required to pay to the retirement system contributions that become due after the date of

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Same as House version.

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termination or discontinuance.

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

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

Same as House version.

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

(h-1) [~~(h)~~] The fire fighters' pension commissioner shall prepare and maintain a written plan that describes how a person who does not speak English or who has a physical, mental, or developmental disability can be

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provided reasonable access to the programs administered by the commissioner.

No equivalent provision.

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

SENATE VERSION

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

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

Same as House version.

CONFERENCE