

BILL ANALYSIS

Senate Research Center

H.B. 3634
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a former member of the legislature may continue to accrue service credit while employed in the employee class. Currently, there is no weekly hour requirement for the former elected class member to accrue service credit as an employee member.

H.B. 3634 authorizes a member or retiree of the elected class in the Employees Retirement System of Texas who served in the Texas House of Representatives and who is an employee of the house to accrue further service credit for that position only if the member or retiree is a full-time employee and to transfer service credit between the employee class and the elected class only if, with respect to employee service credit, the person provides documentation that the person performed service in the employee class as a full-time employee designated by an employer or by the house of representatives as an employee working 40 or more hours a week.

H.B. 3634 amends current law relating to creditable service in the Employees Retirement System of Texas and the transfer of that credit between classes of membership for certain state employees.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 813.201, Government Code, by adding Subsection (d), to authorize a person who is a member or retiree of the elected class who served in the house of representatives of this state and who holds a position as an employee of the house of representatives to accrue service credit for that position only if the person is a full-time employee. Defines "full-time employee."

SECTION 2. Amends Section 813.503, Government Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Authorizes a member or retiree, subject to the requirements of Subsection (e), who has, or had at the time of retirement, at least eight years of service credit in the elected class of membership, exclusive of military service, to transfer service credit between classes before or after retirement. Makes a nonsubstantive change.

(e) Authorizes a person who is a member or retiree of the elected class who served in the house of representatives of this state to transfer service credit between the employee class and the elected class only if, with respect to service credited in the employee class, the person provides documentation that the person performed the service as a full-time employee as that term is defined by Section 1551.003 (General Definitions), Insurance Code, or as an employee designated by the house of representatives as an employee working 40 or more hours a week.

SECTION 3. Makes application of Section 813.201(d), Government Code, as added by this Act, prospective.

SECTION 4. Makes application of Section 813.503(e), Government Code, as added by this Act, prospective.

SECTION 5. Effective date: upon passage or September 1, 2009.