

BILL ANALYSIS

C.S.H.B. 3634
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Pensions, Investments & Financial Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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.

C.S.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.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3634 amends the Government Code to authorize a person who is 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 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. The bill provides that, for purposes of this authorization, "full-time employee" means an employee designated by the house of representatives as working 40 or more hours a week.

C.S.H.B. 3634 authorizes a person who is a member or retiree of the elected class who served in the Texas House of Representatives 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 law or as an employee designated by the house of representatives as an employee working 40 or more hours a week.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3634 removes a provision in the original conditioning the authority of a member or retiree of the elected class to accrue and transfer service credit on that person's legislative service consisting exclusively of service in the Texas House of Representatives. The substitute differs

from the original by authorizing such a member or retiree of the elected class to accrue service credit if that person holds a position as an employee of the house of representatives, rather than as either an employee or a member of the house of representatives as in the original.