

By: Naishtat

H.B. No. 1934

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the powers of certain hospital districts and to the  
3 retirement benefits of employees of the districts and related  
4 entities.

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

6 SECTION 1. Section 803.203, Government Code, is amended by  
7 amending Subsections (a), (c), and (e) and adding Subsection (h) to  
8 read as follows:

9 (a) Except as provided by Subsection (g), a person who is a  
10 member of a retirement system participating in the program provided  
11 by this chapter may reestablish service credit, including prior  
12 service credit if applicable, previously canceled in another  
13 retirement system that is participating in the program provided by  
14 this chapter if the person:

15 (1) is not a current member of the system under which  
16 the service was performed; ~~or~~

17 (2) in the case of the Texas County and District  
18 Retirement System, does not have an open account with the  
19 subdivision for which the person performed the service for which  
20 the credit is sought; or

21 (3) in the case of an employee to whom Section 803.204  
22 applies, does not have an open account with the employing hospital  
23 district, charitable organization, or administrative agency, as  
24 applicable, for which the person performed the service for which

1 the credit is sought.

2 (c) Except as provided by Subsection (f), the retirement  
3 system in which the service credit was originally credited shall  
4 grant the service credit after receiving an application and a  
5 certification required by Subsection (b) and:

6 (1) to reestablish service credit other than in the  
7 Texas County and District Retirement System, ~~[or]~~ the Texas  
8 Municipal Retirement System, or the retirement system in which a  
9 hospital district, charitable organization, or administrative  
10 agency described by Section 803.204 participates, a contribution in  
11 the amount generally required to reestablish service credit in the  
12 system, including any applicable interest and membership fees;

13 (2) to reestablish service credit in the Texas County  
14 and District Retirement System, ~~[or]~~ the Texas Municipal Retirement  
15 System, or the retirement system in which a hospital district,  
16 charitable organization, or administrative agency described by  
17 Section 803.204 participates, a statement that the applicant does  
18 not wish to make a contribution for the service credit; or

19 (3) at the applicant's option, to reestablish current  
20 service credit in the Texas County and District Retirement System,  
21 the actuarial present value of the additional standard service  
22 benefits that would be attributable to the credit based on rates and  
23 tables recommended by the actuary and adopted by the board of  
24 trustees of the system.

25 (e) Service credit [~~reestablished~~] in the Texas County and  
26 District Retirement System, ~~[or]~~ the Texas Municipal Retirement  
27 System, or the retirement system in which a hospital district,

1 charitable organization, or administrative agency described by  
2 Section 803.204 participates that is reestablished under  
3 Subsection (c)(2) may be used only to meet eligibility requirements  
4 for benefits. Service credit reestablished in the Texas County and  
5 District Retirement System or the Texas Municipal Retirement System  
6 ~~[either system]~~ under Subsection (c)(3) or (d) has the same value as  
7 service credit performed for the particular subdivision or  
8 municipality at the time of deposit. The credit is creditable to  
9 the member's and employer's accounts in each subdivision or  
10 municipality for which the service was performed.

11 (h) This section applies to an employee described by Section  
12 803.204 on the date the federal government establishes as the  
13 effective date of the transfer of federally qualified health center  
14 status from a municipality described by Section 803.0021(1) to a  
15 hospital district, charitable organization, or administrative  
16 agency described by Section 803.204.

17 SECTION 2. Section 803.204, Government Code, is amended by  
18 adding Subsection (d) to read as follows:

19 (d) For purposes of this section, a charitable organization  
20 created by a hospital district or an administrative agency created  
21 under Section 791.013 is an agency or instrumentality of a  
22 governmental unit.

23 SECTION 3. Section 61.056, Health and Safety Code, is  
24 amended by adding Subsection (d) to read as follows:

25 (d) A hospital district created in a county with a  
26 population of more than 800,000 that was not included in the  
27 boundaries of a hospital district before September 1, 2003, may

1 provide health care services for eligible residents through the  
2 purchase of health coverage or other health benefits, including  
3 benefits described by Chapter 75. For purposes of this subsection,  
4 the board of managers of the district has the powers and duties  
5 provided to the commissioners court of a county under Chapter 75.

6 SECTION 4. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2009.