

1 AN ACT

2 relating to retirement under public retirement systems for
3 employees of certain municipalities.

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

5 SECTION 1. Sections 2(32) and (33), Chapter 451, Acts of the
6 72nd Legislature, Regular Session, 1991 (Article 6243n, Vernon's
7 Texas Civil Statutes), are amended to read as follows:

8 (32) "Normal retirement age" means:

9 (A) age 62; [~~or~~]

10 (B) 55 years of age with 20 years of creditable
11 service; or

12 (C) 23 years of creditable service, regardless of
13 years of age.

14 (33) "Normal retirement date" means the earlier of the
15 date a member attains a normal retirement age or the date on which
16 the member has completed 23 [~~25~~] years of creditable service or a
17 lesser number of years of creditable service established by the
18 retirement board under Section 10(g) of this Act.

19 SECTION 2. Section 9(p), Chapter 451, Acts of the 72nd
20 Legislature, Regular Session, 1991 (Article 6243n, Vernon's Texas
21 Civil Statutes), is amended to read as follows:

22 (p) A member who retires after reaching normal retirement
23 age and continues or resumes employment with the employer in a
24 position that is required to participate in another retirement

1 system is entitled to continue to receive the retirement allowance
2 paid under this Act. A retired member who resumes regular full-time
3 employment with an employer in a position that is not required to
4 participate in another retirement system sponsored by the employer
5 automatically resumes membership as an active contributory member,
6 and the retirement board shall terminate the person's retirement
7 allowance. The retirement allowance of a retired member shall be
8 suspended if the member is employed by an employer in a position in
9 which the employee is required to participate in the retirement
10 system for at least six months of any consecutive 12 calendar months
11 and works, is budgeted, or is compensated for more than 29 hours in
12 a calendar week. When the person again retires, the retirement
13 system shall compute the benefit based on service before and after
14 the initial retirement. The resulting benefit is reduced
15 actuarially to reflect the value of the benefits received before
16 the resumption of full-time employment.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect October 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 1979 was passed by the House on April 22, 2009, by the following vote: Yeas 149, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1979 was passed by the Senate on May 19, 2009, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor