

1-1 By: Rodriguez (Senate Sponsor - Watson) H.B. No. 1979
1-2 (In the Senate - Received from the House April 23, 2009;
1-3 May 1, 2009, read first time and referred to Committee on State
1-4 Affairs; May 11, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 11, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to retirement under public retirement systems for
1-9 employees of certain municipalities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 2(32) and (33), Chapter 451, Acts of the
1-12 72nd Legislature, Regular Session, 1991 (Article 6243n, Vernon's
1-13 Texas Civil Statutes), are amended to read as follows:

1-14 (32) "Normal retirement age" means:

1-15 (A) age 62; [~~64~~]

1-16 (B) 55 years of age with 20 years of creditable
1-17 service; or

1-18 (C) 23 years of creditable service, regardless of
1-19 years of age.

1-20 (33) "Normal retirement date" means the earlier of the
1-21 date a member attains a normal retirement age or the date on which
1-22 the member has completed 23 [~~25~~] years of creditable service or a
1-23 lesser number of years of creditable service established by the
1-24 retirement board under Section 10(g) of this Act.

1-25 SECTION 2. Section 9(p), Chapter 451, Acts of the 72nd
1-26 Legislature, Regular Session, 1991 (Article 6243n, Vernon's Texas
1-27 Civil Statutes), is amended to read as follows:

1-28 (p) A member who retires after reaching normal retirement
1-29 age and continues or resumes employment with the employer in a
1-30 position that is required to participate in another retirement
1-31 system is entitled to continue to receive the retirement allowance
1-32 paid under this Act. A retired member who resumes regular full-time
1-33 employment with an employer in a position that is not required to
1-34 participate in another retirement system sponsored by the employer
1-35 automatically resumes membership as an active contributory member,
1-36 and the retirement board shall terminate the person's retirement
1-37 allowance. The retirement allowance of a retired member shall be
1-38 suspended if the member is employed by an employer in a position in
1-39 which the employee is required to participate in the retirement
1-40 system for at least six months of any consecutive 12 calendar months
1-41 and works, is budgeted, or is compensated for more than 29 hours in
1-42 a calendar week. When the person again retires, the retirement
1-43 system shall compute the benefit based on service before and after
1-44 the initial retirement. The resulting benefit is reduced
1-45 actuarially to reflect the value of the benefits received before
1-46 the resumption of full-time employment.

1-47 SECTION 3. This Act takes effect immediately if it receives
1-48 a vote of two-thirds of all the members elected to each house, as
1-49 provided by Section 39, Article III, Texas Constitution. If this
1-50 Act does not receive the vote necessary for immediate effect, this
1-51 Act takes effect October 1, 2009.

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