

By: Martinez

H.B. No. 2892

A BILL TO BE ENTITLED

AN ACT

relating to the resumption of service by certain retirees under the Teacher Retirement System of Texas.

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

SECTION 1. Section 824.602, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Subject to Section 825.506, the retirement system may not, under Section 824.601, withhold a monthly benefit payment if the retiree is employed by the same school district from which the person retired.

SECTION 2. Section 824.603, Government Code, is amended to read as follows:

Sec. 824.603. EXCLUSION FROM CREDIT. (a) Employment of a retiree described by Section 824.602(a) or (a-1) does not entitle a retiree to additional service credit, and, except as provided by Subsection (b), the retiree so employed is not required to make contributions to the system from compensation for that employment.

(b) A retiree described by Section 824.602(a-1) who is not otherwise described by Subsection (a) of that section and who receives a monthly benefit payment in an amount greater than \$1,000:

(1) shall contribute to the retirement system from the retiree's compensation for the employment as if the retiree were a member of the system;

1 (2) notwithstanding Section 822.005, may not withdraw
2 the contributions the retiree makes under Subdivision (1); and
3 (3) is not entitled to any benefit from the
4 contributions the retiree makes under Subdivision (1).

5 SECTION 3. Section 825.308, Government Code, is amended to
6 read as follows:

7 Sec. 825.308. STATE CONTRIBUTION ACCOUNT. The retirement
8 system shall deposit in the state contribution account:

9 (1) all state contributions to the retirement system
10 required by Section 825.404;

11 (2) amounts from the interest account as provided by
12 Section 825.313(b)(2);

13 (3) retirement annuities waived or forfeited in
14 accordance with Section 824.601 or 824.004;

15 (4) fees collected under Section 825.403(h);

16 (5) fees and interest for reinstatement of service
17 credit or establishment of membership service credit as provided by
18 Section 823.501; and

19 (6) the portion of a deposit required by Section
20 823.302 to establish military service credit that represents a
21 fee[, ~~and~~

22 ~~[(7) employer contributions required under Section~~
23 ~~825.4092].~~

24 SECTION 4. The following provisions are repealed:

25 (1) Sections 824.6022 and 825.4092, Government Code;
26 and

27 (2) Section 1575.204(b), Insurance Code.

1 SECTION 5. This Act takes effect immediately and applies
2 beginning with the 2009-2010 school year if this Act receives a vote
3 of two-thirds of all the members elected to each house, as provided
4 by Section 39, Article III, Texas Constitution. If this Act does
5 not receive the vote necessary for immediate effect, this Act takes
6 effect September 1, 2009, and applies beginning with the 2009-2010
7 school year.