

R E S O L U T I O N

1           BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 81st Legislature, Regular Session, 2009, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 3347 (plan qualification  
6 provisions for and certain supplemental payments and health  
7 insurance deductions under the Teacher Retirement System of Texas)  
8 to consider and take action on the following matter:

9           House Rule 13, Section 9(a)(4), is suspended to permit the  
10 committee to add the following new SECTION 5 to the bill:

11           SECTION 5. (a) The Teacher Retirement System of Texas  
12 shall make a one-time supplemental payment of a retirement or death  
13 benefit as provided by this section.

14           (b) The supplemental payment is payable to each eligible  
15 annuitant not later than January 2010 and, to the extent  
16 practicable, on a date or dates that coincide with the regular  
17 annuity payment payable to each eligible annuitant.

18           (c) The amount of the supplemental payment is equal to the  
19 lesser of:

20               (1) the gross amount of the regular annuity payment to  
21 which the eligible annuitant is otherwise entitled for the month of  
22 December 2009; or

23               (2) \$500.

24           (d) The supplemental payment is payable without regard to

1 any forfeiture of benefits under Section 824.601, Government Code.  
2 The Teacher Retirement System of Texas shall make applicable tax  
3 withholding and other legally required deductions before  
4 disbursing the supplemental payment. A supplemental payment under  
5 this section is in addition to and not in lieu of the regular  
6 monthly annuity payment to which the eligible annuitant is  
7 otherwise entitled.

8 (e) Subject to Subsection (f) of this section, to be  
9 eligible for the supplemental payment, a person must be, for the  
10 month of December 2009, and disregarding any forfeiture of benefits  
11 under Section 824.601, Government Code, an annuitant eligible to  
12 receive:

- 13 (1) a standard retirement annuity payment;  
14 (2) an optional retirement annuity payment as either a  
15 retiree or beneficiary;  
16 (3) a life annuity payment under Section  
17 824.402(a)(4), Government Code;  
18 (4) an annuity for a guaranteed period of 60 months  
19 under Section 824.402(a)(3), Government Code; or  
20 (5) an alternate payee annuity payment under Section  
21 804.005, Government Code.

22 (f) If the annuitant is a retiree or if the annuitant is a  
23 beneficiary of a retiree who selected an optional retirement  
24 payment plan, to be eligible for the supplemental payment, the  
25 effective date of the retirement of the member of the Teacher  
26 Retirement System of Texas must have been on or before December 31,  
27 2008. If the annuitant is a beneficiary under Section

1 824.402(a)(3) or (4), Government Code, to be eligible for the  
2 supplemental payment, the date of death of the member of the  
3 retirement system must have been on or before December 31, 2008.  
4 The supplemental payment shall be made to an alternate payee who is  
5 an annuitant under Section 804.005, Government Code, only if the  
6 annuity payment to the alternate payee commenced on or before  
7 December 31, 2008. The supplemental payment is in addition to the  
8 guaranteed number of payments under Section 824.402(a)(3),  
9 Government Code, Section 824.204(c)(3) or (4), Government Code, or  
10 Section 824.308(c)(3) or (4), Government Code, and may not be  
11 counted as one of the guaranteed monthly payments.

12 (g) The supplemental payment does not apply to payments  
13 under:

14 (1) Section 824.304(a), Government Code, relating to  
15 disability retirees with less than 10 years of service credit;

16 (2) Section 824.804(b), Government Code, relating to  
17 participants in the deferred retirement option plan with regard to  
18 payments from their deferred retirement option plan accounts;

19 (3) Section 824.501(a), Government Code, relating to  
20 retiree survivor beneficiaries who receive a survivor annuity in an  
21 amount fixed by statute; or

22 (4) Section 824.404(a), Government Code, relating to  
23 active member survivor beneficiaries who receive a survivor annuity  
24 in an amount fixed by statute.

25 (h) Except as provided by this section, the board of  
26 trustees of the Teacher Retirement System of Texas shall determine  
27 the eligibility for and the amount and timing of a supplemental

1 payment and the manner in which the payment is made.

2 (i) The supplemental payment is contingent on sufficient  
3 funds being appropriated from general revenue to the Teacher  
4 Retirement System of Texas for this purpose and may not be paid from  
5 trust funds.

6 Explanation: This addition is necessary to provide a  
7 supplemental payment to eligible retirees and beneficiaries who  
8 receive payments from the Teacher Retirement System of Texas.

Truitt

H.R. No. 2947

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Speaker of the House

I certify that H.R. No. 2947 was adopted by the House on May 31, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

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Chief Clerk of the House