

Suspending limitations on conference committee
jurisdiction, H.B. No. 3347 (Truitt/Duncan)

By: Duncan

S.R. No. 1092

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 81st
2 Legislature, Regular Session, 2009, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on House
5 Bill 3347 (plan qualification provisions for and certain
6 supplemental payments and health insurance deductions under the
7 Teacher Retirement System of Texas) to consider and take action on
8 the following matter:

9 Senate Rule 12.03(4) is suspended to permit the committee to
10 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.