

Amend SB 423, immediately following the enacting clause (house committee printing, page 1, between lines 4 and 5), by inserting the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 615.041, Government Code, is amended to read as follows:

Sec. 615.041. PROOF OF CLAIM. As soon as practicable after [~~Proof of~~] the death of an individual listed under Section 615.003 that is claimed to meet the requirements of Section 615.021(1), the individual's employing entity shall furnish [~~be furnished~~] to the board of trustees of the Employees Retirement System of Texas proof of the death in the form and with additional evidence and information required by the board.

SECTION \_\_\_\_\_. Subchapter C, Chapter 615, Government Code, is amended by adding Section 615.046 to read as follows:

Sec. 615.046. LIMITED ELIGIBILITY OF CERTAIN SURVIVORS TO FILE CLAIM. (a) Notwithstanding any other law, an eligible survivor of an individual described by Section 615.071 whose claim was denied or who otherwise did not receive payment on a claim under Section 615.022 because the individual's employing entity did not timely furnish proof of the individual's death to the board of trustees of the Employees Retirement System of Texas, may furnish the proof of death and file a claim not later than September 30, 2011. An eligible survivor who files a claim under this section is entitled to receive the payment under Section 615.022 that would have been received had proof of death been timely furnished.

(b) This section expires October 1, 2011.