

By: Lucio III

H.B. No. 2683

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the adoption or implementation of certain optional
3 provisions by municipalities participating in the Texas Municipal
4 Retirement System.

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

6 SECTION 1. Subchapter A, Chapter 852, Government Code, is
7 amended by adding Section 852.0021 to read as follows:

8 Sec. 852.0021. ADOPTION AND IMPLEMENTATION OF CERTAIN
9 OPTIONAL PROVISIONS. (a) In this section, "covered employee" means
10 an employee or retiree of a participating municipality who is
11 covered or who, at the time of retirement, was covered by:

12 (1) a meet and confer agreement adopted under
13 Subchapter B, Chapter 142, Local Government Code; or

14 (2) a collective bargaining agreement adopted under
15 Chapter 174, Local Government Code.

16 (b) Before the governing body of a participating
17 municipality by ordinance or other means adopts or implements an
18 optional provision permitted under this subtitle, including an
19 optional increase in retirement annuities under Section 854.203 or
20 an optional increase in the rate of member contributions under
21 Section 855.401(b), that applies to covered employees, the
22 municipality may negotiate and reach an agreement with the
23 appropriate associations representing the covered employees
24 regarding whether or how the proposed provision will apply to the

1 covered employees. Notwithstanding any other law, changes
2 negotiated under this section with respect to the adoption or
3 implementation of an optional provision under this subtitle may
4 only apply to covered employees.

5 SECTION 2. The change in law made by this Act applies only
6 to an optional provision permitted under Subtitle G, Title 8,
7 Government Code, that is adopted or implemented by a municipality
8 participating in the Texas Municipal Retirement System on or after
9 the effective date of this Act. An optional provision adopted or
10 implemented before the effective date of this Act is governed by the
11 law as it existed immediately before that date, and the former law
12 is continued in effect for that purpose.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2011.