

By: Isaac

H.B. No. 3084

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the retirement benefits for certain members and
3 annuitants of the employee class of the Employees Retirement System
4 of Texas.

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

6 SECTION 1. Section 813.201(b), Government Code, is amended
7 to read as follows:

8 (b) A member may not accrue or establish service credit in
9 the employee class of membership when the total amount of service
10 credit, multiplied by the percentage in effect for computing
11 annuities under Section 814.103, 814.105, 814.106, or 814.107 would
12 exceed the number 100. When the maximum amount of service credit is
13 accrued or established by a member in the employee or elected class,
14 member and state contributions cease, although the member retains
15 membership subject to Section 812.005.

16 SECTION 2. Subchapter B, Chapter 814, Government Code, is
17 amended by adding Section 814.106 to read as follows:

18 Sec. 814.106. SERVICE RETIREMENT BENEFITS FOR CERTAIN
19 MEMBERS TRANSFERRING SERVICE CREDIT TO EMPLOYEE CLASS FROM ELECTED
20 CLASS. (a) This section only applies to a member who establishes or
21 transfers service credit from the elected class to the employee
22 class under Section 813.503.

23 (b) Notwithstanding Section 814.105 or any other law, the
24 standard service retirement annuity for a member subject to this

1 section is an amount computed as the member's average monthly
2 compensation for service performed as a member of the retirement
3 system multiplied by 2.3 percent for each year of service credit in
4 the system.

5 (c) For purposes of Subsection (b), with respect to the
6 service credit established or transferred from the elected class, a
7 member is assumed to have received the state salary, excluding
8 longevity pay payable under Section 659.0445 and as adjusted from
9 time to time, being paid a district judge.

10 (d) The standard service retirement annuity for service
11 credited in the employee class may not be less than \$150 a month nor
12 more than 100 percent of the average monthly compensation computed
13 under Subsection (b).

14 SECTION 3. Section 814.108(a), Government Code, is amended
15 to read as follows:

16 (a) Instead of the standard service retirement annuity
17 payable under Section 814.103, ~~[or]~~ 814.105, or 814.106, the
18 standard combined service retirement annuity payable under Section
19 814.107, or an annuity actuarially reduced because of age under
20 Section 814.107, a retiring member may elect to receive an optional
21 service retirement annuity under this section.

22 SECTION 4. (a) The change in law made by this Act applies
23 only to a member of the Employees Retirement System of Texas who
24 retires on or after the effective date of this Act.

25 (b) A member of the Employees Retirement System of Texas who
26 retires before the effective date of this Act is governed by the law
27 as it existed immediately before the effective date of this Act, and

1 that law is continued in effect for that purpose.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2011.