

By: Weber

H.B. No. 3217

A BILL TO BE ENTITLED

AN ACT

relating to the resumption of service by certain retirees under the Teacher Retirement System of Texas.

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

SECTION 1. Section 824.602(a), Government Code, as amended by Chapters 674 (S.B. 132) and 1359 (S.B. 1691), Acts of the 79th Legislature, Regular Session, 2005, is reenacted and amended to read as follows:

(a) Subject to Section 825.506, the retirement system may not, under Section 824.601, withhold a monthly benefit payment if the retiree is employed in a Texas public educational institution:

(1) as a substitute only with pay not more than the daily rate of substitute pay established by the employer and, if the retiree is a disability retiree, the employment has not exceeded a total of 90 days in the school year;

(2) in a position, other than as a substitute, on no more than a one-half time basis for the month;

(3) in one or more positions on as much as a full-time basis, if the work occurs in not more than six months of a school year that begins after the retiree's effective date of retirement;

or

(4) in a position, other than as a substitute, on no more than a one-half time basis for no more than 90 days in the school year, if the retiree is a disability retiree[+]

1           ~~[(5) in a position as a classroom teacher on as much as~~  
2 ~~a full-time basis, if the retiree has retired under Section~~  
3 ~~824.202(a) or (a-1), is certified under Subchapter B, Chapter 21,~~  
4 ~~Education Code, to teach the subjects assigned, is teaching in an~~  
5 ~~acute shortage area as determined by the board of trustees of a~~  
6 ~~school district as provided by Subsection (m), and has been~~  
7 ~~separated from service with all public schools for at least 12~~  
8 ~~months;~~

9           ~~[(6) in a position as a principal, including as an~~  
10 ~~assistant principal, on as much as a full-time basis, if the retiree~~  
11 ~~has retired under Section 824.202(a) or (a-1) without reduction for~~  
12 ~~retirement at an early age, is certified under Subchapter B,~~  
13 ~~Chapter 21, Education Code, to serve as a principal, and has been~~  
14 ~~separated from service with all public schools for at least 12~~  
15 ~~months;~~

16           ~~[(7) as a bus driver for a school district on as much~~  
17 ~~as a full-time basis, if the retiree has retired under Section~~  
18 ~~824.202(a) or (a-1), and the retiree's primary employment is as a~~  
19 ~~bus driver; or~~

20           ~~[(8) as a faculty member, during the period beginning~~  
21 ~~with the 2005 fall semester and ending on the last day of the 2015~~  
22 ~~spring semester, in an undergraduate professional nursing program~~  
23 ~~or graduate professional nursing program, as defined by Section~~  
24 ~~54.221, Education Code, and if the retiree has been separated from~~  
25 ~~service with all public schools for at least 12 months].~~

26           SECTION 2. Section 824.602(m), Government Code, is  
27 repealed.

1           SECTION 3. The change in law made by this Act applies  
2 beginning with the 2012-2013 school year.

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