

By: Stephenson

H.B. No. 2877

A BILL TO BE ENTITLED

AN ACT

relating to peace officers who are members of the Teacher Retirement System of Texas.

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

SECTION 1. Section 824.202, Government Code, is amended as follows:

Sec. 824.202. ELIGIBILITY FOR SERVICE RETIREMENT. (a) Except as provided by Subsections (a-1), ~~and (a-2)~~, and (a-3), a member is eligible to retire and receive a standard service retirement annuity if:

(1) the member is at least 65 years old and has at least five years of service credit in the retirement system;

(2) the member is at least 60 years old and has at least 20 years of service credit in the retirement system;

(3) the member is at least 50 years old and has at least 30 years of service credit in the retirement system; or

(4) the member has at least five years of service credit in the retirement system and the sum of the member's age and amount of service credit in the retirement system equals the number 80.

(a-1) This subsection applies only to a person who becomes a member of the retirement system on or after September 1, 2007, and who is not subject to Subsection (a-2). A member subject to this subsection is eligible to retire and receive a standard service

1 retirement annuity if:

2 (1) the member is at least 65 years old and has at
3 least five years of service credit in the retirement system; or

4 (2) the member is at least 60 years old and has at
5 least five years of service credit in the retirement system and the
6 sum of the member's age and amount of service credit in the
7 retirement system equals the number 80.

8 (a-2) This subsection applies only to a person who does not
9 have at least five years of service credit in the retirement system
10 on or before August 31, 2014, or who becomes a member of the
11 retirement system on or after September 1, 2014. A member subject to
12 this subsection is eligible to retire and receive a standard
13 service retirement annuity if:

14 (1) the member is at least 65 years old and has at
15 least five years of service credit in the retirement system; or

16 (2) the member is at least 62 years old and has at
17 least five years of service credit in the retirement system and the
18 sum of the member's age and amount of service credit in the
19 retirement system equals the number 80.

20 (a-3) Subsection (a-2) does not apply to a member who is a
21 peace officer licensed under Subchapter G, Chapter 1701,
22 Occupations Code, and who employed and commissioned as a peace
23 officer under Section 37.081 or 51.203, Education Code, and
24 assigned to the duty of a peace officer at the time the member
25 retires. A person described by this subsection is subject to
26 Subsection (a) or (a-1), as appropriate. This subsection does not
27 apply to a member who is employed as security personnel under

1 Section 37.081, Education Code, and assigned to the duty of
 2 security personnel at the time the member retires.

3 (b) This subsection applies only to a person who is not
 4 subject to Subsection (b-1), (b-2), (b-3), (d), (d-1), or
 5 (d-2). If a member subject to this subsection is at least 55 years
 6 old and has at least five years of service credit in the retirement
 7 system, the member is eligible to retire and receive a service
 8 retirement annuity reduced from the standard service retirement
 9 annuity available under Subsection (a)(1), to a percentage derived
 10 from the following table:

11 Age at date of	55	56	57	58	59	60	61	62	63	64	65
12 retirement											
13 Percentage of	47%	51%	55%	59%	63%	67%	73%	80%	87%	93%	100%
14 standard annuity											
15 receivable											

16 (b-1) This subsection applies only to a person who becomes a
 17 member of the retirement system on or after September 1, 2007, and
 18 who is not subject to Subsection (b-2). If a member subject to this
 19 subsection is at least 55 years old and has at least five years of
 20 service credit in the retirement system, but does not meet the
 21 requirements under Subsection (d-1), the member is eligible to
 22 retire and receive a service retirement annuity reduced from the
 23 standard service retirement annuity available under Subsection
 24 (a-1)(1), to a percentage derived from the following table:

25 Age at date of	55	56	57	58	59	60	61	62	63	64	65
26 retirement											

1 Percentage of 47% 51% 55% 59% 63% 67% 73% 80% 87% 93% 100%
 2 standard annuity
 3 receivable

4 (b-2) This subsection applies only to a person who does not
 5 have at least five years of service credit in the retirement system
 6 on or before August 31, 2014, or who becomes a member of the
 7 retirement system on or after September 1, 2014. If a member subject
 8 to this subsection is at least 55 years old and has at least five
 9 years of service credit in the retirement system, but does not meet
 10 the requirements under Subsection (d-2), the member is eligible to
 11 retire and receive a service retirement annuity reduced from the
 12 standard service retirement annuity available under Subsection
 13 (a-2)(1), to a percentage derived from the following table:

14 Age at date of	55	56	57	58	59	60	61	62	63	64	65
15 retirement											
16 Percentage of	47%	51%	55%	59%	63%	67%	73%	80%	87%	93%	100%
17 standard annuity											
18 receivable											

19 (b-3) Subsection (b-2) does not apply to a member who is a
 20 peace officer licensed under Subchapter G, Chapter 1701,
 21 Occupations Code, and who employed and commissioned as a peace
 22 officer under Section 37.081 or 51.203, Education Code, and
 23 assigned to the duty of a peace officer at the time the member
 24 retires. A person described by this subsection is subject to
 25 Subsection (a) or (a-1), as appropriate. This subsection does not
 26 apply to a member who is employed as security personnel under
 27 Section 37.081, Education Code, and assigned to the duty of

1 security personnel at the time the member retires.

2 (c) Repealed by Acts 2005, 79th Leg., Ch. 1359, Sec.
3 55(a)(1), eff. September 1, 2005.

4 (d) This subsection applies only to a person who is not
5 subject to Subsection (d-1), ~~or~~ (d-2), or (d-3). If a member
6 subject to this subsection has at least 30 years of service credit
7 in the retirement system, the member is eligible to retire
8 regardless of age and receive a service retirement annuity
9 consisting of the standard service retirement annuity available
10 under Subsection (a) decreased by two percent for each year of age
11 under 50 years.

12 (d-1) This subsection applies only to a person who becomes a
13 member of the retirement system on or after September 1, 2007, and
14 who is not subject to Subsection (d-2), or (d-3). If the sum of the
15 member's age and amount of service credit in the retirement system
16 equals the number 80, with at least five years of service credit, or
17 if the member has at least 30 years of service credit in the
18 retirement system, the member is eligible to retire regardless of
19 age and receive a service retirement annuity consisting of the
20 standard service retirement annuity available under Subsection
21 (a-1)(2) decreased by five percent for each year of age under 60
22 years.

23 (d-2) This subsection applies only to a person who does not
24 have at least five years of service credit in the retirement system
25 on or before August 31, 2014, or who becomes a member of the
26 retirement system on or after September 1, 2014. If the sum of the
27 member's age and amount of service credit in the retirement system

1 equals the number 80, with at least five years of service credit, or
2 if the member has at least 30 years of service credit in the
3 retirement system, the member is eligible to retire regardless of
4 age and receive a service retirement annuity consisting of the
5 standard service retirement annuity available under Subsection
6 (a-2)(2) decreased by five percent for each year of age under 62
7 years.

8 (d-3) Subsection (d-2) does not apply to a member who is a
9 peace officer licensed under Subchapter G, Chapter 1701,
10 Occupations Code, and who employed and commissioned as a peace
11 officer under Section 37.081 or 51.203, Education Code, and
12 assigned to the duty of a peace officer at the time the member
13 retires. A person described by this subsection is subject to
14 Subsection (a) or (a-1), as appropriate. This subsection does not
15 apply to a member who is employed as security personnel under
16 Section 37.081, Education Code, and assigned to the duty of
17 security personnel at the time the member retires.

18 SECTION 2. This Act takes effect September 1, 2015.