| **House Bill 2974**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (IE) | CONFERENCE |
| SECTION 1. CREATION OF JOINT INTERIM COMMITTEE. (a) A joint interim committee is created to study and review the health benefit plans, including TRS-Care and TRS-ActiveCare, operated under Chapters 1575 and 1579, Insurance Code, and propose reforms to address issues described by Section 2 of this Act.  (b) The joint interim committee shall be composed of three senators appointed by the lieutenant governor and three members of the house of representatives appointed by the speaker of the house of representatives.  (c) The lieutenant governor and speaker of the house of representatives shall each designate a co-chair from among the joint interim committee members.  (d) The joint interim committee shall convene at the joint call of the co-chairs.  (e) The joint interim committee has all other powers and duties provided to a special or select committee by the rules of the senate and house of representatives, by Subchapter B, Chapter 301, Government Code, and by policies of the senate and house committees on administration. | SECTION 9.  (a) - (e) Same as House version. |  |
| SECTION 2. INTERIM STUDY REGARDING CERTAIN HEALTH BENEFIT PLANS.  The joint interim committee created by Section 1 of this Act shall study the health benefit plans, including TRS-Care and TRS-ActiveCare, operated under Chapters 1575 and 1579, Insurance Code, to examine and assess the following issues:  (1) the financial soundness of the plans;  (2) the cost and affordability of plan coverage to persons eligible for coverage under the plans; and  (3) the sufficiency of access to physicians and health care providers under the plans. | (f) The joint interim committee created by this section shall study the health benefit plans, including TRS-Care and TRS-ActiveCare, operated under Chapters 1575 and 1579, Insurance Code, to examine and assess the following issues:  (1) the financial soundness of the plans;  (2) the cost and affordability of plan coverage to persons eligible for coverage under the plans; and  (3) the sufficiency of access to physicians and health care providers under the plans. |  |
| No equivalent provision. | ( ) As part of the study of TRS-ActiveCare described under Subsection (f) of this section, the joint interim committee shall study:  (1) the impact of allowing school districts and other participating entities in the uniform group coverage program for active employees under Chapter 1579, Insurance Code, to opt out of that program;  (2) the impact, should participating entities be authorized to opt out of the program, of allowing or prohibiting future participation by previous participating entities that have opted out; and  (3) the impact of establishing a regional rating method for determining premiums charged in different regions of the state for the benefits provided under a group coverage plan established under the program. [FA1] |  |
| SECTION 3. COMMITTEE FINDINGS AND RECOMMENDATIONS. (a) Not later than January 15, 2017, the joint interim committee shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The joint interim committee shall include in its recommendations specific statutory and regulatory changes that appear necessary from the results of the committee's study under Section 2 of this Act.  (b) Not later than the 60th day after the effective date of this Act, the lieutenant governor and speaker of the house of representatives shall appoint the members of the joint interim committee created under Section 1 of this Act in accordance with that section. | (g) Not later than January 15, 2017, the joint interim committee created by this section shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The joint interim committee shall include in its recommendations specific statutory and regulatory changes that appear necessary from the results of the committee's study under Subsection (f) of this section.  (h) Not later than the 60th day after the effective date of this Act, the lieutenant governor and speaker of the house of representatives shall appoint the members of the joint interim committee created under this section. |  |
| SECTION 4. ABOLITION OF COMMITTEE. The joint interim committee created by this Act is abolished and this Act expires January 20, 2017. | (i) The joint interim committee created by this section is abolished and this section expires January 20, 2017. |  |
| No equivalent provision. | SECTION 1. Sections 821.001(4) and (6), Government Code, are amended to read as follows:  (4) "Annual compensation" means the compensation to a member of the retirement system for service during a 12-month period determined by the retirement system [~~school year~~] that is reportable and subject to contributions as provided by Section 822.201.  (6) "Employee" means a person who is employed, as determined by the retirement system, on other than a temporary basis by a single [~~an~~] employer for at least one-half time at a regular rate of pay comparable to that of other persons employed in similar positions. |  |
| No equivalent provision. | SECTION 2. Section 822.001, Government Code, is amended by adding Subsection (c) to read as follows:  (c) Membership in the retirement system may only be established through employment with a single employer on at least a half-time basis. |  |
| No equivalent provision. | SECTION 3. Section 822.003(c), Government Code, is amended to read as follows:  (c) A person does not terminate membership under Subsection (a)(4) if the person:  (1) is performing military service creditable in the retirement system;  (2) is on leave of absence from employment in a public school; [~~or~~]  (3) is earning service credit in another retirement system covered by Chapter 803 or 805; or  (4) is employed by an employer covered by the retirement system and is not eligible for membership in the retirement system because the person is employed on less than a half-time basis. |  |
| No equivalent provision. | SECTION 4. Section 822.005(c), Government Code, is amended to read as follows:  (c) A person is not entitled to withdraw contributions if the person [~~who~~] is employed, has applied for employment, or has received a promise of employment with an employer [~~, in a position~~] covered by the retirement system. |  |
| No equivalent provision. | SECTION 5. Section 823.401, Government Code, is amended by amending Subsection (f) and adding Subsection (f-1) to read as follows:  (f) Except as provided by Subsection (f-1), the [~~The~~] amount of service credit a member may establish under this section may not exceed the lesser of the number of years of membership service credit the member has in the retirement system for actual service in public schools or 15 years.  (f-1) A member may not purchase more than five years of service credit under this section for service credit considered nonqualified service credit under Section 415(n)(3), Internal Revenue Code of 1986. |  |
| No equivalent provision. | SECTION 6. Section 825.115, Government Code, is amended by adding Subsection (f) to read as follows:  (f) Notwithstanding any other law, Chapter 551 does not apply to an assembly of the board of trustees or one of the board's committees while attending a summit, conference, convention, workshop, or other event held for educational purposes if the assembly or committee does not deliberate, vote, or take action on a specific matter of public business or public policy over which the board of trustees or a committee of the board has supervision or control. This subsection does not apply to a regular, special, or emergency meeting of the board of trustees scheduled or called under the board's bylaws. |  |
| No equivalent provision. | SECTION 7. Section 825.4092(c), Government Code, is amended to read as follows:  (c) Except as provided by Subsection (e), each payroll period, for each retiree who is enrolled in the Texas Public School Employees Group Insurance Program under Chapter 1575, Insurance Code, the employer who reports the employment of a retiree shall contribute to the trust fund established under that chapter an amount established by the retirement system. In determining the amount to be contributed by the employer under this subsection, the retirement system shall consider [~~any difference between~~] the amount a [~~the~~] retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the [~~full~~] cost of the retiree's and enrolled dependents' participation in the group program[~~, as determined by the retirement system~~]. If more than one employer reports the retiree to the retirement system during a month, the amount of the required payment shall be prorated among the employers. |  |
| No equivalent provision. | SECTION 8. Section 1575.204(b), Insurance Code, is amended to read as follows:  (b) Each state fiscal year, each employer who reports to the retirement system under Section 824.6022, Government Code, the employment of a retiree who is enrolled in and receiving coverage under the group program shall contribute to the fund an amount established by the trustee. In determining the amount to be contributed by the employer under this subsection, the trustee shall consider the [~~difference, if any, between the contribution~~] amount a [~~that the reported~~] retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the [~~full~~] cost of all retirees' [~~the retiree's~~] and enrolled dependents' participation in the group program [~~, as determined by the trustee~~]. If more than one employer reports the retiree to the retirement system during a month, the amount of the contribution required by this subsection shall be prorated among the employers. The amounts required to be paid under this subsection are not required to be paid by a reporting employer for a retiree who retired from the retirement system before September 1, 2005. |  |
| No equivalent provision. | SECTION 10. Section 821.001(4), Government Code, as amended by this Act, applies only to a member of the Teacher Retirement System of Texas who retires or dies on or after the effective date of this Act. |  |
| No equivalent provision. | SECTION 11. Section 825.4092(c), Government Code, as amended by this Act, applies to a retiree of the Teacher Retirement System of Texas regardless of whether the person retired from employment before, on, or after the effective date of this Act. |  |
| SECTION 5. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015. | SECTION 12. This Act takes effect September 1, 2015. |  |