

By: Murphy

H.B. No. 1502

A BILL TO BE ENTITLED

AN ACT

relating to certain local public retirement systems.

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

SECTION 1. Chapter 810, Government Code, is amended by adding Section 810.004 to read as follows:

Sec. 810.004. MUNICIPAL CONTROL OF RETIREMENT SYSTEM PROVISIONS. (a) In this section:

(1) "Agreement" means a jointly arrived at decision affecting the plan provisions of a public retirement system and includes any mutually agreed upon changes made by a public retirement system, the system's sponsoring municipality, and an employee group, regardless of whether the agreement is achieved through collective bargaining, meet and confer arrangements, or any other procedure applicable to the retirement system under its enabling statute.

(2) "Public retirement system" has the meaning assigned by Section 802.001.

(b) This section applies to only the following public retirement systems:

(1) the City of Austin Employees' Retirement System under Chapter 451 (S.B. 737), Acts of the 72nd Legislature, Regular Session, 1991 (Article 6243n, Vernon's Texas Civil Statutes);

(2) the Austin Fire Fighters Relief and Retirement Fund under Chapter 183 (S.B. 598), Acts of the 64th Legislature,

1 Regular Session, 1975 (Article 6243e.1, Vernon's Texas Civil  
2 Statutes);

3 (3) the Austin Police Retirement System under Chapter  
4 452 (S.B. 738), Acts of the 72nd Legislature, Regular Session, 1991  
5 (Article 6243n-1, Vernon's Texas Civil Statutes);

6 (4) the Dallas Police and Fire Pension System under  
7 Article 6243a-1, Revised Statutes;

8 (5) the El Paso Firemen and Policemen's Pension Fund  
9 under Chapter 101 (H.B. 31), Acts of the 43rd Legislature, 1st  
10 Called Session, 1933 (Article 6243b, Vernon's Texas Civil  
11 Statutes);

12 (6) the Fort Worth Employees' Retirement Fund under  
13 Article 6243i, Revised Statutes;

14 (7) the Galveston Employees' Retirement Plan for  
15 Police under Chapter 325 (H.B. 2259), Acts of the 75th Legislature,  
16 Regular Session, 1997 (Article 6243p, Vernon's Texas Civil  
17 Statutes);

18 (8) the Houston Firefighters' Relief and Retirement  
19 Fund under Article 6243e.2(1), Revised Statutes;

20 (9) the Houston Municipal Employees Pension System  
21 under Chapter 88 (H.B. 1573), Acts of the 77th Legislature, Regular  
22 Session, 2001 (Article 6243h, Vernon's Texas Civil Statutes);

23 (10) the Houston Police Officers' Pension System under  
24 Article 6243g-4, Revised Statutes; and

25 (11) the San Antonio Fire and Police Pension Fund  
26 under Chapter 824 (S.B. 817), Acts of the 73rd Legislature, Regular  
27 Session, 1993 (Article 6243o, Vernon's Texas Civil Statutes).

1       (c) Except as provided by Subsection (e) of this section and  
2 Sections 66 and 67, Article XVI, Texas Constitution, and  
3 notwithstanding any other law, a municipality that is the  
4 sponsoring authority of a public retirement system may adopt by  
5 ordinance or resolution, as applicable, provisions that supplement  
6 or supersede the operative provisions of the public retirement  
7 system's statute, including any provision relating to the benefits,  
8 participation and eligibility requirements, funding source or  
9 amount, and administration of the system.

10       (d) Except as provided by Subsection (e), to the extent of a  
11 conflict between a statute adopted before the effective date of the  
12 Act enacting this section that applies to a public retirement  
13 system described by Subsection (b) and a municipal ordinance or  
14 resolution adopted by the governing body of the sponsoring  
15 municipality of that retirement system under this section, the  
16 municipal ordinance or resolution prevails.

17       (e) An agreement entered into before September 1, 2017,  
18 remains in effect until the earlier of:

- 19               (1) the expiration date provided by the agreement; or  
20               (2) August 31, 2027.

21       SECTION 2. This Act takes effect September 1, 2017.