

By: Swanson

H.B. No. 4203

Substitute the following for H.B. No. 4203:

By: Alonzo

C.S.H.B. No. 4203

A BILL TO BE ENTITLED

AN ACT

1
2 relating to rights to certain benefits accrued in the Texas County
3 and District Retirement System.

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

5 SECTION 1. Sections 841.0091(b) and (c), Government Code,
6 are amended to read as follows:

7 (b) Following a division described by Subsection (a), the
8 portion of the accrued benefit awarded the alternate payee is
9 considered the alternate payee's sole and separate property in
10 which the member has no interest. The board of trustees by rule
11 shall ensure that [~~define and specify~~] the rights and
12 responsibilities of the alternate payee and the terms and features
13 of the benefit awarded the alternate payee under the order are equal
14 to the rights attained by the member or the member's beneficiary,
15 but in no event may the alternate payee vest in the accrued benefit
16 before the member vests or attain greater rights than are attained
17 by the member or the member's beneficiary.

18 (c) Notwithstanding Section 804.101, the board of trustees
19 by rule shall [~~may~~] prescribe terms, equal to the terms prescribed
20 for a member, on which the interest awarded the alternate payee
21 under a qualified domestic relations order described by this
22 section may be transferred at the alternate payee's death.

23 SECTION 2. For purposes of this Act, rules adopted under
24 Chapter 109, Title 34, Texas Administrative Code, effective January

1 1, 2018, are considered to comply with the changes in law made by
2 this Act.

3 SECTION 3. The change in law made by this Act to Section
4 [841.0091](#), Government Code, applies only to a qualified domestic
5 relations order entered or amended on or after January 1, 2018. A
6 qualified domestic relations order entered or amended before
7 January 1, 2018, is governed by the law as it existed immediately
8 before the effective date of this Act, and that law is continued in
9 effect for that purpose.

10 SECTION 4. This Act takes effect September 1, 2017.