

By: Hughes

S.B. No. 1184

A BILL TO BE ENTITLED

1 AN ACT
2 relating to financial assistance paid to the survivors of certain
3 law enforcement officers, firefighters, and other public employees
4 killed in the line of duty.

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

6 SECTION 1. Section 615.022, Government Code, is amended to
7 read as follows:

8 Sec. 615.022. PAYMENT TO SURVIVORS. (a) If there is an
9 eligible surviving spouse, the state shall pay the benefits
10 described by Subsections (d) and (e) [~~\$500,000~~] to the eligible
11 surviving spouse.

12 (b) If there is no eligible surviving spouse, the state
13 shall pay the benefits described by Subsections (d) and (e)
14 [~~\$500,000~~] in equal shares to surviving children.

15 (c) If there is no eligible surviving spouse or child, the
16 state shall pay the benefits described by Subsection (d) [~~\$500,000~~]
17 in equal shares to surviving parents.

18 (d) An eligible survivor, or eligible survivors in equal
19 shares, are entitled to receive a lump sum payment in the amount
20 provided by this subsection. The lump sum payment amount payable to
21 an eligible survivor during the 12 months beginning September 1,
22 2017, is \$500,000. Effective September 1 of each following year,
23 the board of trustees of the Employees Retirement System of Texas by
24 rule shall adjust the amount of the lump sum payment required under

1 this subsection by an amount equal to the percentage change in the
2 Consumer Price Index for All Urban Consumers, published by the
3 Bureau of Labor Statistics of the United States Department of Labor
4 for the preceding year.

5 (e) In addition to the lump sum payment under Subsection
6 (d), an eligible survivor, or eligible survivors in equal shares,
7 are entitled to receive a total amount paid as a monthly annuity
8 over 30 years as provided by this subsection. The total amount
9 payable to an eligible survivor during the 12 months beginning
10 September 1, 2017, as a monthly annuity over 30 years is \$500,000.
11 Effective September 1 of each following year, the board of trustees
12 of the Employees Retirement System of Texas by rule shall adjust the
13 amount of the total amount paid as a monthly annuity over 30 years
14 under this subsection by an amount equal to the percentage change in
15 the Consumer Price Index for All Urban Consumers, published by the
16 Bureau of Labor Statistics of the United States Department of Labor
17 for the preceding year.

18 SECTION 2. Section 615.121(a), Government Code, is amended
19 to read as follows:

20 (a) The state shall pay the following benefits to an
21 eligible surviving spouse of a peace officer, a jailer, a county
22 jailer or guard, or an employee of the Texas Department of Criminal
23 Justice, as described by Section 615.003(1), (4), ~~(6)~~, or (7),
24 who was killed in the line of duty and who had not qualified for an
25 annuity under an employees' retirement plan:

26 (1) funeral expenses related to the deceased person
27 ~~[officer or employee]~~; and

1 (2) monthly payments that equal the greater of:

2 (A) the monthly annuity payment the deceased
3 person [~~officer or employee~~] would have received if the deceased
4 person [~~officer or employee~~] had survived, had retired on the last
5 day of the month in which the person [~~officer or employee~~] died, and
6 had been eligible to receive an annuity under an employees'
7 retirement plan; or

8 (B) the minimum monthly annuity payment the
9 deceased person [~~officer or employee~~] would have received if the
10 person [~~officer or employee~~] had been employed by the state for 10
11 years, had been paid a salary at the lowest amount provided by the
12 General Appropriations Act for a position of peace officer, jailer,
13 county jailer or guard, or employee of the Texas Department of
14 Criminal Justice, as described by Section 615.003(1), (4), [~~or~~]
15 (6), or (7), and had been eligible to retire under the Employees
16 Retirement System of Texas.

17 SECTION 3. The changes in law made by this Act apply to a
18 payment of assistance to survivors of certain public employees on
19 or after the effective date of this Act regardless of the date the
20 public employee died.

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