86R6562 TSR-D

By:  Wu H.B. No. 2227

A BILL TO BE ENTITLED

AN ACT

relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service.

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

SECTION 1.  Section 824.602, Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a)  Subject to Subsection (c) and Section 825.506, the retirement system may not, under Section 824.601, withhold a monthly benefit payment if the retiree is employed in a Texas public educational institution:

(1)  as a substitute only with pay not more than the daily rate of substitute pay established by the employer and, if the retiree is a disability retiree, the employment has not exceeded a total of 90 days in the school year;

(2)  in a position, other than as a substitute, on no more than a one-half time basis for the month;

(3)  in one or more positions on as much as a full-time basis, if the retiree has been separated from service with all Texas public educational institutions for at least 12 full consecutive months after the retiree's effective date of retirement; or

(4)  in a position, other than as a substitute, on no more than a one-half time basis for no more than 90 days in the school year, if the retiree is a disability retiree.

(c)  An exception provided by Subsection (a)(2) or (4) continues to apply to a retiree who exceeds a limitation prescribed by the subsection because of an event or other circumstance that is beyond the retiree's control, including a weather-related event. The board of trustees shall adopt rules necessary to implement this subsection.

SECTION 2.  Section 824.602, Government Code, as amended by this Act, applies only to a benefit payment made by the Teacher Retirement System of Texas that becomes payable on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2019.