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By:  Meza H.B. No. 2542

A BILL TO BE ENTITLED

AN ACT

relating to the administration of and benefits payable under the Teacher Retirement System of Texas.

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

SECTION 1.  Sections 824.601(b-1) and (f), Government Code, are amended to read as follows:

(b-1)  Subsection (b) does not apply to a retiree:

(1)  under Section 824.202 whose effective date of retirement is on or before August 31, 2018; or

(2)  who commits a minor violation of a provision of this subchapter, including a minor violation of an exception provided by Section 824.602, unless the violation occurs frequently [~~January 1, 2011~~].

(f)  The system shall [~~may~~] adopt rules necessary for administering this subchapter, including rules necessary to implement Subsection (b-1)(2).

SECTION 2.  Subchapter F, Chapter 825, Government Code, is amended by adding Section 825.521 to read as follows:

Sec. 825.521.  DEADLINE TO APPEAL FINAL ADMINISTRATIVE DECISION. In adopting rules governing the appeal of a final administrative decision made by the retirement system, the board of trustees shall ensure that rules establishing deadlines for the filing of an appeal afford a member or retiree at least the same amount of time to file an appeal as the retirement system had to issue the retirement system's decision.

SECTION 3.  (a) A person who resumed employment after retirement and whose benefit payments were suspended under Section 824.601, Government Code, as that section existed before amendment by this Act, is entitled to the resumption of monthly benefit payments if the person meets the requirements of Section 824.601(b-1), Government Code, as amended by this Act.

(b)  The Teacher Retirement System of Texas shall resume making monthly benefit payments to a person described by Subsection (a) of this section on the first payment date occurring on or after the effective date of this Act.

(c)  A person who is entitled to the resumption of monthly benefit payments under this section is not entitled to recover benefit payments not made during the period the person's benefit was suspended under Section 824.601, Government Code, as that section existed before amendment by this Act.

SECTION 4.  (a) As soon as practicable after the effective date of this Act, the board of trustees of the Teacher Retirement System of Texas shall adopt rules necessary to implement Section 825.521, Government Code, as added by this Act.

(b)  The change in law made by Section 825.521, Government Code, as added by this Act, applies only to the appeal of an administrative decision of the Teacher Retirement System of Texas made on or after January 1, 2020. An appeal of a decision made before January 1, 2020, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 5.  This Act takes effect September 1, 2019.