86R1838 TSR-D

By:  Zaffirini S.B. No. 48

A BILL TO BE ENTITLED

AN ACT

relating to the service retirement annuity for certain members of the Judicial Retirement System of Texas Plan Two who resume service.

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

SECTION 1.  Section 837.102, Government Code, is amended by amending Subsection (a) and adding Subsections (e), (f), and (g) to read as follows:

(a)  A retiree who resumes service as a judicial officer other than by appointment or assignment described in Section 837.101 may not rejoin or receive credit in the retirement system for the resumed service, unless an election is made as provided by Subsection (e).

(e)  A retiree described by Subsection (a) may elect to rejoin and receive service credit in the retirement system for resuming service as a judicial officer if, before taking the oath of office, the retiree has been separated from judicial service for at least 12 full consecutive months. The retiree shall provide notice of the election to the retirement system in a manner prescribed by the retirement system.

(f)  Notwithstanding Section 840.106, for a retiree who makes an election under Subsection (e), on the resumption of annuity payments that have been suspended under this section, the retirement system shall recompute the service retirement annuity of the retiree to include the retiree's additional service credit. On retirement from the retiree's subsequent service, the retiree may elect a service retirement annuity as if the retiree were retiring for the first time.

(g)  If a retiree under Subsection (f) elects an optional service retirement annuity payable under Section 839.103(a)(3) or (4), the retirement system shall reduce the number of months of payments by the number of months for which the annuity was paid before the retiree resumed service.

SECTION 2.  Section 837.102, Government Code, as amended by this Act, applies to a retiree of the Judicial Retirement System of Texas Plan Two who resumes service as a judicial officer before, on, or after the effective date of this Act.

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