

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

1 issue the retirement system's decision.

2 SECTION 3. (a) A person who resumed employment after
3 retirement and whose benefit payments were suspended under Section
4 824.601, Government Code, as that section existed before amendment
5 by this Act, is entitled to the resumption of monthly benefit
6 payments if the person meets the requirements of Section
7 824.601(b-1), Government Code, as amended by this Act.

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

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

17 SECTION 4. (a) As soon as practicable after the effective
18 date of this Act, the board of trustees of the Teacher Retirement
19 System of Texas shall adopt rules necessary to implement Section
20 825.521, Government Code, as added by this Act.

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

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