

By: Zaffirini

S.B. No. 48

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the service retirement annuity for certain members of
3 the Judicial Retirement System of Texas Plan Two who resume
4 service.

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

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

9 (a) A retiree who resumes service as a judicial officer
10 other than by appointment or assignment described in Section
11 837.101 may not rejoin or receive credit in the retirement system
12 for the resumed service, unless an election is made as provided by
13 Subsection (e).

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

21 (f) Notwithstanding Section 840.106, for a retiree who
22 makes an election under Subsection (e), on the resumption of
23 annuity payments that have been suspended under this section, the
24 retirement system shall recompute the service retirement annuity of

1 the retiree to include the retiree's additional service credit. On
2 retirement from the retiree's subsequent service, the retiree may
3 elect a service retirement annuity as if the retiree were retiring
4 for the first time.

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

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

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