

Amend **SB 288** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 824.602(a), Government Code, is amended to read as follows:

(a) Subject to 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; or

(5) in a position on as much as a full-time basis that is necessary, as determined by the board of trustees, for implementing a special education program under Subchapter A, Chapter 29, Education Code.

SECTION \_\_\_\_\_. Section 825.4092(e), Government Code, is amended to read as follows:

(e) The amounts required to be paid under Subsections (b) and (c) are not required to be paid by a reporting employer for a retiree who retired from the retirement system:

(1) before September 1, 2005; or

(2) on or after September 1, 2005, if:

(A) the reporting employer is located in an area subject to:

(i) a disaster declared by the president of the United States;

(ii) a state of disaster declared by the

governor under Chapter 418; or

(iii) a local state of disaster declared by the presiding officer of the governing body of a political subdivision under Chapter 418;

(B) the amounts to be paid are attributable to a payroll period that occurs in any of the following school years:

(i) a school year during which a disaster described by paragraph (A) is declared, beginning with the payroll period that occurs after the date the disaster is declared; and

(ii) the two school years following a school year described by subparagraph (i); and

(C) the retiree is employed in a position necessary, as determined by the board of trustees, for implementing a special education program under Subchapter A, Chapter 29, Education Code.

SECTION \_\_\_\_\_. (a) Subject to Subsection (b) of this section, the changes in law made by this Act to Sections 824.602 and 825.4092, Government Code, apply to a retiree of the Teacher Retirement System of Texas regardless of whether the person retired from employment before, on, or after the effective date of this Act.

(b) 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 \_\_\_\_\_. Section 825.4092, Government Code, as amended by this Act, applies beginning with the 2021-2022 school year.