

## **BILL ANALYSIS**

C.S.H.B. 3929  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

According to the National Center for Learning Disabilities, approximately nine percent of Texas students receive special education services for a specific learning disability in any given year, and that number may be even higher given that students with dyslexia are covered under a plan that only qualifies them for specific services. Due to these numbers, there is a high demand for special educators and teachers specializing in students with learning differences. Currently, a retired educator is subject to losing their monthly benefit payment if they choose to reenter the public school workforce full-time. C.S.H.B. 3929 seeks to provide an exception for retired special educators wishing to return to a public school full-time to implement a special education program.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3929 amends the Government Code to prohibit the Teacher Retirement System of Texas (TRS) from withholding a monthly benefit payment based on a retiree's resumption of service if the retiree is employed in a Texas public educational institution in a position on as much as a full-time basis that is necessary, as determined by the TRS board of trustees, for implementing a special education program.

C.S.H.B. 3929 establishes that employer contributions to TRS and, if applicable, the TRS-CARE trust fund for employed retirees are not required to be paid by a reporting employer for a retiree who retired from TRS on or after September 1, 2005, under the following conditions:

- the reporting employer is located in an area subject to a disaster declared by the U.S. president, a state of disaster declared by the governor, or a local state of disaster declared by the presiding officer of a political subdivision's governing body;
- the amounts to be paid are attributable to a payroll period that occurs in a school year during which such a disaster is declared, beginning with the payroll period that occurs after the date the disaster is declared, or in either of the following two school years; and
- the retiree is employed in a position necessary, as determined by the TRS board of trustees, for implementing a special education program.

These provisions apply beginning with the 2021-2022 school year.

C.S.H.B. 3929 applies to a TRS retiree regardless of whether the person retired from employment before, on, or after the bill's effective date, but the bill's prohibition against withholding a monthly benefit payment only applies to a benefit payment that becomes payable on or after the bill's effective date.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3929 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises the original's provision establishing that certain employer contributions for employed retirees are not required to be paid by a reporting employer for a retiree employed in a position necessary for implementing a special education program by adding the following conditions to that exemption:

- the reporting employer is located in an area subject to a certain disaster declaration; and
- the amounts to be paid are attributable to a payroll period that occurs in a school year during which a disaster is declared or in either of the following two school years.