

By: Wu, Anchia, Dean, Ordaz Perez, Allen

H.B. No. 2109

Substitute the following for H.B. No. 2109:

By: Vo

C.S.H.B. No. 2109

A BILL TO BE ENTITLED

1

AN ACT

2 relating to preventing the loss of benefits by certain retirees of
3 the Teacher Retirement System of Texas who resume service.

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

5 SECTION 1. Section 824.601, Government Code, is amended by
6 amending Subsection (b) and adding Subsection (b-3) to read as
7 follows:

8 (b) Except as provided by Subsection (b-1) or (b-3) or
9 Section 824.602 and subject to Subsection (b-2), a retiree is not
10 entitled to service or disability retirement benefit payments, as
11 applicable, for any month in which the retiree is employed in any
12 position by a Texas public educational institution.

13 (b-3) The retirement system may not under this section
14 withhold a monthly benefit payment for a retiree who retired under
15 Section 824.202 and qualified for an exception under Section
16 824.602 unless:

17 (1) with respect to the first occurrence of the
18 retiree's employment that does not qualify for the exception under
19 Section 824.602, the system issued a written warning notifying the
20 retiree of that fact; and

21 (2) in a month following the month in which the system
22 issued the warning described by Subdivision (1) and with respect to
23 a subsequent occurrence of the retiree's continued employment that
24 does not qualify for the exception under Section 824.602, the

1 system issued a written notice:

2 (A) warning the retiree of the fact described by
3 Subdivision (2); and

4 (B) requiring the retiree to pay to the system,
5 in a form and manner prescribed by the system, an amount elected by
6 the retiree that equals the total sum the retiree:

7 (i) earned for all employment by Texas
8 public educational institutions for each month occurring after the
9 issuance of the warning under Subdivision (1) and before the month
10 the system began withholding benefit payments under this section;
11 or

12 (ii) received in retirement benefit
13 payments for each month occurring after the issuance of the warning
14 under Subdivision (1) and before the month the system began
15 withholding benefit payments under this section.

16 SECTION 2. Section 824.601, Government Code, as amended by
17 this Act, applies only to the employment of a retiree of the Teacher
18 Retirement System of Texas on or after the effective date of this
19 Act.

20 SECTION 3. As soon as practicable after the effective date
21 of this Act, the Teacher Retirement System of Texas shall adopt
22 rules as necessary to implement Section 824.601, Government Code,
23 as amended by this Act.

24 SECTION 4. This Act takes effect September 1, 2021.