

By: Gates

H.J.R. No. 56

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for periodic  
2 transfers of money from the economic stabilization fund to fully  
3 fund the Employees Retirement System of Texas.

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

5 SECTION 1. Section 49-g, Article III, Texas Constitution,  
6 is amended by adding Subsections (p) and (q) to read as follows:

7 (p) For purposes of this subsection, "state retirement  
8 system stabilization set-aside" is an amount of money equal to 50  
9 percent of the amount by which the unencumbered balance of the  
10 economic stabilization fund on the first day of a state fiscal  
11 biennium exceeds 7.5 percent of the amount of money estimated to be  
12 available for general purpose spending during that state fiscal  
13 biennium, as identified in the statement prepared by the  
14 comptroller of public accounts in advance of each regular  
15 legislative session as required by Section 49a(a) of this article.  
16 Not later than January 1 of each even-numbered year, the  
17 comptroller shall determine the amount of the state retirement  
18 system stabilization set-aside for the state fiscal biennium and  
19 transfer an amount equal to the state retirement system  
20 stabilization set-aside from the economic stabilization fund to the  
21 Employees Retirement System of Texas established under Section  
22 67(b)(2), Article XVI, of this constitution. Money transferred to  
23 that system under this subsection shall be used to reduce or  
24 eliminate the unfunded actuarial liabilities of the system. The

1 comptroller is not required to make a transfer under this  
2 subsection in a state fiscal biennium for which the comptroller  
3 determines that the system is fully funded and may reduce the amount  
4 of a transfer if the comptroller, after consulting with the board of  
5 trustees of the system, determines that the full amount available  
6 for transfer exceeds the amount required to fully fund the system.  
7 A transfer made under this subsection is not an appropriation of  
8 state tax revenues for the purposes of Section 22, Article VIII, of  
9 this constitution, and may not be considered for purposes of  
10 computing the state contribution limits to the system prescribed by  
11 Section 67(b)(3), Article XVI, of this constitution, or any other  
12 law. A transfer of money under this subsection is separate from and  
13 in addition to the amount required to be contributed by the state  
14 under Section 67(b)(3), Article XVI, of this constitution, or any  
15 other law established under authority of that article. This  
16 subsection and Subsection (q) of this section expire September 1,  
17 2051.

18 (q) For purposes of Subsection (p) of this section, the  
19 Employees Retirement System of Texas is fully funded if, according  
20 to the most recent valuation of the system's assets and liabilities  
21 as required by law, the actuarial value of the system's assets  
22 equals or exceeds the system's actuarial accrued liabilities.

23 SECTION 2. This proposed constitutional amendment shall be  
24 submitted to the voters at an election to be held November 2, 2021.  
25 The ballot shall be printed to permit voting for or against the  
26 proposition: "The constitutional amendment providing for periodic  
27 transfers of money from the economic stabilization fund to fully

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1 fund the Employees Retirement System of Texas."