

By: Seliger, et al.

S.B. No. 288

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

(2) in a month following the month in which the system issued the warning described by Subdivision (1) and with respect to a subsequent occurrence of the retiree's continued employment that 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.