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S.B. No. 1071

A BILL TO BE ENTITLED

AN ACT

relating to disability retirement benefits for certain peace officers under the Employees Retirement System of Texas.

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

SECTION 1. Section 814.207(e), Government Code, is amended to read as follows:

(e) If a retiring member or retiree under this section presents evidence satisfactory to the retirement system that the person's occupational disability makes the person incapable of substantial gainful activity solely because of the disability and is considered a total disability under federal social security law, the retirement system shall, notwithstanding Section 811.006, increase the person's occupational disability retirement annuity to a monthly amount computed based on the maximum salary authorized under Schedule C of the position classification salary schedule prescribed by the General Appropriations Act, as adjusted from time to time [~~100 percent of the officer's average monthly compensation~~].

SECTION 2. (a) Subject to Subsection (b) of this section, the Employees Retirement System of Texas shall recompute an annuity that first became payable before September 1, 2021, as though Section 814.207(e), Government Code, as amended by this Act, was in effect on the date the increased annuity first became payable.

(b) The first payment of an annuity recomputed under

1 Subsection (a) of this section is payable on the first payment date
2 occurring on or after the effective date of this Act.

3 SECTION 3. The Employees Retirement System of Texas is
4 required to implement a provision of this Act only if the
5 legislature appropriates money specifically for that purpose. If
6 the legislature does not appropriate money specifically for that
7 purpose, the Employees Retirement System of Texas may, but is not
8 required to, implement a provision of this Act using other
9 appropriations available for that purpose.

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