

1-1 By: Hinojosa S.B. No. 1071
 1-2 (In the Senate - Filed March 5, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Finance; April 28, 2021,
 1-4 reported adversely, with favorable Committee Substitute by the
 1-5 following vote: Yeas 12, Nays 0; April 28, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Lucio	X			
1-9 Bettencourt			X	
1-10 Buckingham			X	
1-11 Campbell	X			
1-12 Creighton			X	
1-13 Hancock	X			
1-14 Huffman	X			
1-15 Kolthorst	X			
1-16 Nichols	X			
1-17 Perry	X			
1-18 Schwertner	X			
1-19 Taylor	X			
1-20 West	X			
1-21 Whitmire	X			

1-23 COMMITTEE SUBSTITUTE FOR S.B. No. 1071 By: Whitmire

1-24 A BILL TO BE ENTITLED
 1-25 AN ACT

1-26 relating to disability retirement benefits for certain peace
 1-27 officers under the Employees Retirement System of Texas.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 SECTION 1. Section 814.207(e), Government Code, is amended
 1-30 to read as follows:

1-31 (e) If a retiring member or retiree under this section
 1-32 presents evidence satisfactory to the retirement system that the
 1-33 person's occupational disability makes the person incapable of
 1-34 substantial gainful activity solely because of the disability and
 1-35 is considered a total disability under federal social security law,
 1-36 the retirement system shall, notwithstanding Section 811.006,
 1-37 increase the person's occupational disability retirement annuity
 1-38 to a monthly amount computed based on the maximum salary authorized
 1-39 under Schedule C of the position classification salary schedule
 1-40 prescribed by the General Appropriations Act, as adjusted from time
 1-41 to time ~~[100 percent of the officer's average monthly~~
 1-42 ~~compensation]~~.

1-43 SECTION 2. (a) Subject to Subsection (b) of this section,
 1-44 the Employees Retirement System of Texas shall recompute an annuity
 1-45 that first became payable before September 1, 2021, as though
 1-46 Section 814.207(e), Government Code, as amended by this Act, was in
 1-47 effect on the date the increased annuity first became payable.

1-48 (b) The first payment of an annuity recomputed under
 1-49 Subsection (a) of this section is payable on the first payment date
 1-50 occurring on or after the effective date of this Act.

1-51 SECTION 3. The Employees Retirement System of Texas is
 1-52 required to implement a provision of this Act only if the
 1-53 legislature appropriates money specifically for that purpose. If
 1-54 the legislature does not appropriate money specifically for that
 1-55 purpose, the Employees Retirement System of Texas may, but is not
 1-56 required to, implement a provision of this Act using other
 1-57 appropriations available for that purpose.

1-58 SECTION 4. This Act takes effect September 1, 2021.

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