

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 6, 2021**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Finance

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB288** by Seliger (Relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill provides if the Teacher Retirement System (TRS) determines that a retiree who has returned to work is in violation of employment after retirement (EAR) laws and rules, TRS shall first provide a written warning regarding the consequences of further employment that exceeds EAR limitations. After that if the retiree is still in violation, TRS shall provide notice to the retiree and either require the retiree to pay a prorated amount of their annuity that is attributable to when the violation occurred or pay TRS the difference between the amount of hours the retiree was permitted to work and the amount of hours the retiree actually worked. If the retiree is still in violation after the second notice, TRS may withhold the entire monthly annuity.

This analysis assumes that the provisions of the bill could be absorbed by TRS using existing resources.

According to the actuarial impact statement provided by the Pension Review Board, it is unlikely the bill would have an impact on the actuarial soundness of TRS.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 323 Teacher Retirement System, 338 Pension Review Board

**LBB Staff:** JMc, KK, AH, RSTE