

Amend CSHB 2779 (house committee report) on page 2, between lines 17 and 18, by inserting the following appropriately numbered SECTION and renumbering subsequent SECTIONS and references to those SECTIONS accordingly:

SECTION _____. Section 810.003, Government Code, is amended by amending Subsections (c), (d), and (e) and adding Subsection (d-1) to read as follows:

(c) Except as provided by Subsection (d), a member of a public retirement system is not eligible to receive a service retirement annuity under the retirement system if the member is:

(1) convicted of a qualifying felony committed while in office and arising directly from the official duties of that elected office; or

(2) expelled from a house of the legislature under Section 11, Article III, Texas Constitution.

(d) The retirement system, on receipt of notice of a conviction under Subsection (e) or (k), any similar notice of a conviction of a qualifying felony from a United States district court or United States attorney, or any other information that the retirement system determines by rule is sufficient to establish a conviction of a qualifying felony, shall suspend payments of a service retirement annuity to a person the system determines is ineligible to receive the annuity under Subsection (c)(1). A person whose conviction is overturned on appeal or who meets the requirements for innocence under Section 103.001(a)(2), Civil Practice and Remedies Code:

(1) is entitled to receive an amount equal to the accrued total of payments and interest earned on the payments withheld during the suspension period; and

(2) may resume receipt of annuity payments on payment to the retirement system of an amount equal to the contributions refunded to the person under Subsection (f).

(d-1) The retirement system, on receipt of notice of expulsion of a member from the legislature, shall suspend payments of a service retirement annuity to a person the system determines is ineligible to receive the annuity under Subsection (c)(2).

(e) Not later than the 30th day after the conviction of a

person of a qualifying felony or expulsion of a member from the legislature, the governmental entity to which the person was elected or appointed must provide written notice of the conviction or expulsion to the public retirement system in which the person is enrolled. The notice must comply with the administrative rules adopted by the public retirement system under Subsection (j).