

## **BILL ANALYSIS**

C.S.H.B. 4141  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, campus peace officers who are members of the Teacher Retirement System of Texas (TRS) are entitled to fewer pension benefits and have to work much longer than other state officers. The Employees Retirement System of Texas (ERS) provides more attractive pension benefits to state officers through participation in the law enforcement and custodial officer supplemental (LECOS) retirement fund. C.S.H.B. 4141 seeks to address this discrepancy by requiring TRS to conduct a study on the feasibility of offering campus officers who are currently TRS members alternative service retirement benefits that are similar to those provided to members participating in the ERS LECOS fund.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4141 amends the Government Code to require the Teacher Retirement System of Texas (TRS) to conduct a study on the feasibility of offering members who are peace officers alternative TRS service retirement benefits. In conducting the study, TRS must assess the costs to and impact on TRS associated with offering such members the following alternative service retirement benefits:

- a service retirement benefit under the existing benefit plan that includes a supplemental benefit for peace officers that is substantially similar in design and cost structure to the supplemental retirement benefit payable from the law enforcement and custodial officer supplemental retirement fund established for certain Employees Retirement System of Texas (ERS) members;
- a service retirement benefit under a cash balance plan that is substantially similar in design and cost structure to the cash balance benefit plan established for certain ERS members, except that the plan considered by the bill may not offer a supplemental retirement benefit for peace officers similar to the supplemental retirement benefit for certain ERS law enforcement and custodial officers; and
- a cash balance benefit plan that is substantially similar in design and cost structure to the cash balance benefit plan established for certain ERS members, including by providing a supplemental retirement benefit for peace officers similar to the supplemental retirement benefit provided for certain ERS law enforcement and custodial officers.

The bill requires each of those alternative benefit options to additionally provide for retirement eligibility at any age after the member attains 20 or 25 years of service.

C.S.H.B. 4141 requires applicable employers responsible for public education who employ police officers to submit the following information to TRS not later than March 1, 2024:

- the number of peace officers employed by the employer on December 31, 2023;
- the number of unfilled peace officer positions on December 31, 2023;
- for the 10-year period before December 31, 2023, the average years of service earned by peace officers who resigned before retirement; and
- the compensation or salary scale for peace officers employed by the employer.

C.S.H.B. 4141 requires TRS to prepare and submit a report to the legislature containing the findings of the study and the information submitted by employers not later than December 31, 2024. The bill requires the Legislative Budget Board and the State Pension Review Board, as necessary, to assist TRS in conducting the study and provide TRS with any information needed to complete its report. The bill's provisions expire September 1, 2025.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

C.S.H.B. 4141 includes provisions relating to a study conducted by TRS on the feasibility of offering alternative service retirement benefits to peace officers who are TRS members and does not include any provisions from the introduced, which related to eligibility for membership and funding of benefits for certain law enforcement, custodial, and other peace officers.

The substitute changes the bill's effective date to provide for its possible immediate effect, contingent on receiving the requisite constitutional vote, whereas the introduced provided only for the bill to take effect September 1, 2023, with no possibility for immediate effect.