By:  Bonnen H.J.R. No. 2

A JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide one-time or ongoing benefit enhancements to eligible annuitants of the Teacher Retirement System of Texas, including a one-time transfer of funds for that purpose.

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

SECTION 1.  Article III, Texas Constitution, is amended by adding Section 51-h to read as follows:

Sec. 51-h.  (a) The legislature by general law may provide for a one-time or ongoing benefit enhancement to eligible annuitants of the Teacher Retirement System of Texas only as authorized by this section.

(b)  The legislature may enact a general law to provide a one-time or ongoing benefit enhancement as described in Subsection (a) and direct the comptroller of public accounts to transfer funds to the Teacher Retirement System of Texas for the payment of any benefit enhancement only if the retirement system is actuarially sound as defined by general law.

(c)  The legislature may not provide a one-time or ongoing benefit enhancement to eligible annuitants of the Teacher Retirement of Texas without an accompanying appropriation of funds that is sufficient to fully pay for the benefit enhancement, as determined by the retirement system.

SECTION 2.  The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 88th Legislature, Regular Session, 2023, adding Section 51-h to Article III of this constitution.

(b)  As soon as practicable after the effective date of the amendment adding Section 51-h to Article III of this constitution, the comptroller of public accounts shall transfer from the general revenue fund the amount of $3.45 billion to the Teacher Retirement System of Texas for the two-year period beginning September 1, 2023 for the purpose of providing one-time contributions, legacy payments, and benefit enhancements to the system's annuitants as provided by the enabling legislation enacted in anticipation of the adoption of the proposed constitutional amendment and only if the amortization period of the system's unfunded actuarial liabilities complies with any period prescribed by law, including any enabling legislation. The transfer made under this temporary provision is not an appropriation of state tax revenues for the purposes of Section 22, Article VIII, of this constitution.

(c)  The funds described in Subsection (b) are deemed available to the system as of September 1, 2023, regardless of the date the comptroller actually transfers the funds to the system.

(d)  This temporary provision expires January 1, 2025.

SECTION 3.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide one-time or ongoing benefit enhancements to eligible annuitants of the Teacher Retirement System of Texas, including a one-time transfer of $3.45 billion to the retirement system for that purpose."