

AN ACT

relating to optional annuity increases for certain retirees and beneficiaries of the Texas Municipal Retirement System.

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

SECTION 1. Section 853.404, Government Code, is amended by adding Subsections (f) and (f-1) to read as follows:

(f) Subject to Subsection (f-1) and notwithstanding conflicting provisions of Subsection (c) or Section 854.203, the governing body of a participating municipality that adopts an ordinance under Section 854.203 providing for increased annuities effective January 1 of 2024, 2025, or 2026 may elect to compute the annuity increase, including an annual annuity increase authorized under Subsection (c), as the sum of prior and current service annuities, as increased in subsequent years under Section 854.203 or Subsection (c), of the person on whose service the annuities are based on the effective date of the annuity increase, multiplied by:

(1) the percentage change in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the United States Department of Labor, during the 12-month period ending in December of the year that is 13 months before the effective date of the ordinance providing the increase; and

(2) 30 percent, 50 percent, or 70 percent, as specified by the governing body in the ordinance.

1 (f-1) Subsection (f) applies only with respect to:

2 (1) a participating municipality that as of January 1,
3 2023:

4 (A) does not provide by ordinance an annual
5 annuity increase under Subsection (c) because the municipality:

6 (i) passed an ordinance before January 1,
7 2023, that rescinded a previous ordinance authorizing annual
8 increases under Subsection (c); or

9 (ii) has not passed an ordinance
10 authorizing annual increases under Subsection (c); or

11 (B) does provide by ordinance an annual annuity
12 increase under Subsection (c) if the governing body of the
13 municipality elects to provide increased annuities recomputed in
14 accordance with Subsection (f) for purposes of maintaining or
15 increasing the amount of the annuity increase otherwise authorized
16 by the ordinance; and

17 (2) the annuity of:

18 (A) a retiree who retired not later than the last
19 day of December of the year that is 13 months before the effective
20 date of the ordinance providing the increase; or

21 (B) a beneficiary of a deceased retiree whose
22 death occurred not later than the last day of December of the year
23 that is 13 months before the effective date of the ordinance
24 providing the increase.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2464 was passed by the House on April 27, 2023, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2464 was passed by the Senate on May 15, 2023, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor