

By: Gutierrez

S.B. No. 1271

A BILL TO BE ENTITLED

AN ACT

relating to the retirement eligibility of certain peace officers who are members of the Teacher Retirement System of Texas.

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

SECTION 1. Section 824.202, Government Code, is amended by amending Subsections (a-2), (b-2), and (d-2) and adding Subsections (a-3), (b-3), and (d-3) to read as follows:

(a-2) Except as provided by Subsection (a-3), this ~~[This]~~ subsection applies only to a person who does not have at least five years of service credit in the retirement system on or before August 31, 2014, or who becomes a member of the retirement system on or after September 1, 2014. A member subject to this subsection is eligible to retire and receive a standard service retirement annuity if:

(1) the member is at least 65 years old and has at least five years of service credit in the retirement system; or

(2) the member is at least 62 years old and has at least five years of service credit in the retirement system and the sum of the member's age and amount of service credit in the retirement system equals the number 80.

(a-3) Subsection (a-2) does not apply to a member who is a peace officer licensed under Subchapter G, Chapter 1701, Occupations Code, and who is employed and commissioned as a peace officer under Section 37.081 or 51.203, Education Code, and

1 assigned to the duty of a peace officer at the time the member
2 retires. A person described by this subsection is subject to
3 Subsection (a) or (a-1), as appropriate. This subsection does not
4 apply to a member who is employed as security personnel under
5 Section 37.081, Education Code, and assigned to the duty of
6 security personnel at the time the member retires.

7 (b-2) Except as provided by Subsection (b-3), this ~~[This]~~
8 subsection applies only to a person who does not have at least five
9 years of service credit in the retirement system on or before August
10 31, 2014, or who becomes a member of the retirement system on or
11 after September 1, 2014. If a member subject to this subsection is
12 at least 55 years old and has at least five years of service credit
13 in the retirement system, but does not meet the requirements under
14 Subsection (d-2), the member is eligible to retire and receive a
15 service retirement annuity reduced from the standard service
16 retirement annuity available under Subsection (a-2)(1), to a
17 percentage derived from the following table:

| | | | | | | | | | | | |
|---------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
| 18 Age at date of | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 |
| 19 retirement | | | | | | | | | | | |
| 20 Percentage of | 47% | 51% | 55% | 59% | 63% | 67% | 73% | 80% | 87% | 93% | 100% |
| 21 standard annuity | | | | | | | | | | | |
| 22 receivable | | | | | | | | | | | |

23 (b-3) Subsection (b-2) does not apply to a member who is a
24 peace officer licensed under Subchapter G, Chapter 1701,
25 Occupations Code, and who is employed and commissioned as a peace
26 officer under Section 37.081 or 51.203, Education Code, and
27 assigned to the duty of a peace officer at the time the member

1 retires. A person described by this subsection is subject to
2 Subsection (b) or (b-1), as appropriate. This subsection does not
3 apply to a member who is employed as security personnel under
4 Section 37.081, Education Code, and assigned to the duty of
5 security personnel at the time the member retires.

6 (d-2) Except as provided by Subsection (d-3), this ~~[This]~~
7 subsection applies only to a person who does not have at least five
8 years of service credit in the retirement system on or before August
9 31, 2014, or who becomes a member of the retirement system on or
10 after September 1, 2014. If the sum of the member's age and amount
11 of service credit in the retirement system equals the number 80,
12 with at least five years of service credit, or if the member has at
13 least 30 years of service credit in the retirement system, the
14 member is eligible to retire regardless of age and receive a service
15 retirement annuity consisting of the standard service retirement
16 annuity available under Subsection (a-2)(2) decreased by five
17 percent for each year of age under 62 years.

18 (d-3) Subsection (d-2) does not apply to a member who is a
19 peace officer licensed under Subchapter G, Chapter 1701,
20 Occupations Code, and who is employed and commissioned as a peace
21 officer under Section 37.081 or 51.203, Education Code, and
22 assigned to the duty of a peace officer at the time the member
23 retires. A person described by this subsection is subject to
24 Subsection (d) or (d-1), as appropriate. This subsection does not
25 apply to a member who is employed as security personnel under
26 Section 37.081, Education Code, and assigned to the duty of
27 security personnel at the time the member retires.

1 SECTION 2. Section [824.202](#), Government Code, as amended by
2 this Act, applies only to a peace officer who is a member of the
3 Teacher Retirement System of Texas and who retires on or after the
4 effective date of this Act. A peace officer who is a member of the
5 Teacher Retirement System of Texas and who retires before the
6 effective date of this Act is subject to the law in effect on the
7 date the peace officer retired, and that law is continued in effect
8 for that purpose.

9 SECTION 3. This Act takes effect September 1, 2023.