

By: Wilson

H.B. No. 245

A BILL TO BE ENTITLED

AN ACT

relating to the treatment of military service credit in the Employees Retirement System of Texas as law enforcement or custodial officer service.

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

SECTION 1. This Act shall be known as the Tom Garey Act.

SECTION 2. Section 813.302, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) An eligible member may establish service credit or service credit as a law enforcement or custodial officer in the retirement system for military service performed that is creditable as provided by Section 813.301.

(b) A member eligible to establish military service credit is one who:

(1) does not receive and is not eligible to receive federal retirement payments based on 20 years or more of active federal military duty;

(2) has been released from military duty under conditions not dishonorable; and

(3) has established service credit in the retirement system for membership service performed after the member's date of release from active military duty.

(b-1) A member is eligible to establish military service

1 credit as a law enforcement or custodial officer under Subsection  
2 (b) only if the service credit described by Subsection (b)(3)  
3 includes credit in the retirement system for membership service  
4 performed as a law enforcement or custodial officer.

5 SECTION 3. Section 813.505(b), Government Code, is amended  
6 to read as follows:

7 (b) A member claiming credit in the employee class for  
8 military service not previously established shall, for each month  
9 of the service, pay a contribution in an amount equal to [~~the~~  
10 ~~greater of~~]:

11 (1) if claiming service credit, other than service  
12 credit as a law enforcement or custodial officer, the amount that  
13 the member contributed for the first full month of membership  
14 service, other than service as a law enforcement or custodial  
15 officer, that is after the member's date of release from active  
16 military duty and that is credited in the retirement system; or

17 (2) if claiming service credit as a law enforcement or  
18 custodial officer, the amount that the member contributed for the  
19 first full month of membership service as a law enforcement or  
20 custodial officer that is after the member's date of release from  
21 active military duty and that is credited in the retirement system  
22 [\$18].

23 SECTION 4. The changes in law made by this Act apply only to  
24 military service credit in the Employees Retirement System of Texas  
25 that is established on or after the effective date of this Act.  
26 Military service credit in that retirement system that is  
27 established before the effective date of this Act is governed by the

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1 law in effect on the date the military service credit was  
2 established, and the former law is continued in effect for that  
3 purpose.

4 SECTION 5. This Act takes effect September 1, 2025.