

AN ACT

relating to membership and service credit in the Employees Retirement System of Texas for certain employees.

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

SECTION 1. Section 812.201, Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsection (c) or (d), a retiree may not rejoin the retirement system as a member of the class from which the person retired.

(d) A person who retired from the employee class of membership with more than 14 years of service credit and who, after retirement, resumed employment with a house of the legislature, not as an employee of an individual member, is entitled, on request to the retirement system, to resume membership in that class and receive service credit for the period served in that position after retirement. To receive the credit, the person is required to pay employee contributions, without interest, for the period of service after retirement. The contributions may be deducted from the person's annuity as recalculated under this subsection. This subsection does not apply to a person whose post-retirement service extends after January 1, 2007.

SECTION 2. (a) A member of the Employees Retirement System of Texas who is an appointed or elected officer of the Senate of the

1 80th Legislature of the State of Texas, as determined by the Senate
2 Journal, who has at least 20 years of service credit in the
3 retirement system, may transfer the person's service credit to the
4 elected class. A person who makes a transfer under this provision
5 may continue to transfer the credit between classes before or after
6 retirement.

7 (b) A member of the Employees Retirement System of Texas who
8 is an appointed or elected officer of the House of Representatives
9 of the 80th Legislature of the State of Texas, as determined by the
10 House Journal, and who has also served on the staff of a state
11 judicial agency, and who has at least 15 years of service credit in
12 the retirement system, may transfer the person's service credit to
13 the elected class. A person who makes a transfer under this
14 provision may continue to transfer the credit between classes
15 before or after retirement.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 3609 was passed by the House on May 11, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3609 on May 25, 2007, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3609 on May 27, 2007, by the following vote: Yeas 142, Nays 2, 2 present, not voting.

Chief Clerk of the House

H.B. No. 3609

I certify that H.B. No. 3609 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3609 on May 27, 2007, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor