

1-1 By: Talton (Senate Sponsor - Ellis) H.B. No. 3609
1-2 (In the Senate - Received from the House May 14, 2007;
1-3 May 15, 2007, read first time and referred to Committee on
1-4 Administration; May 19, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3609 By: Brimer

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to membership and service credit in the Employees
1-11 Retirement System of Texas for certain employees.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 812.201, Government Code, is amended by
1-14 amending Subsection (a) and adding Subsection (d) to read as
1-15 follows:

1-16 (a) Except as provided by Subsection (c) or (d), a retiree
1-17 may not rejoin the retirement system as a member of the class from
1-18 which the person retired.

1-19 (d) A person who retired from the employee class of
1-20 membership with more than 14 years of service credit and who, after
1-21 retirement, resumed employment with a house of the legislature, not
1-22 as an employee of an individual member, is entitled, on request to
1-23 the retirement system, to resume membership in that class and
1-24 receive service credit for the period served in that position after
1-25 retirement. To receive the credit, the person is required to pay
1-26 employee contributions, without interest, for the period of service
1-27 after retirement. The contributions may be deducted from the
1-28 person's annuity as recalculated under this subsection. This
1-29 subsection does not apply to a person whose post-retirement service
1-30 extends after January 1, 2007.

1-31 SECTION 2. (a) A member of the Employees Retirement System
1-32 of Texas who is an appointed or elected officer of the 80th Senate
1-33 of the State of Texas, as determined by the Senate Journal, who has
1-34 at least 20 years of service credit in the retirement system, may
1-35 transfer the person's service credit to the elected class. A person
1-36 who makes a transfer under this provision may continue to transfer
1-37 the credit between classes before or after retirement.

1-38 SECTION 3. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2007.

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