

BILL ANALYSIS

H.B. 3522
By: Murphy
Pensions, Investments & Financial Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The funeral planning process can leave a heavy burden on families when no planning prior to death has taken place. It has been suggested that certain benefits available to state employees could be assigned in a way that mitigates this burden on a decedent's family. H.B. 3522 seeks to address this issue by authorizing a beneficiary to whom a member or retiree death benefit is payable by the Employees Retirement System of Texas to assign part or all of the benefit to services provided in connection with the member's or retiree's death.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the board of trustees of the Employees Retirement System of Texas in SECTIONS 1 and 2 of this bill.

ANALYSIS

H.B. 3522 amends the Government Code to authorize a beneficiary to whom a member or retiree death benefit is payable by the Employees Retirement System of Texas (ERS) to by assignment provide that part or all of the benefit be paid in consideration for services provided in connection with the member's or retiree's death directly to a funeral director or funeral establishment licensed under state law or comparable law of another state. The bill authorizes the board of trustees of ERS by rule to establish requirements for forms, documentation, and procedures necessary for an effective assignment. These provisions take effect January 1, 2020.

H.B. 3522 requires the board, not later than January 1, 2020, to adopt rules to implement the bill's provisions, which apply only to a benefit that is payable on or after January 1, 2020.

EFFECTIVE DATE

Except as otherwise provided, September 1, 2019.