

SUBJECT: ERS disability benefits for state employees in state or national guard

COMMITTEE: Pensions and Investments — favorable, without amendment

VOTE: 5 ayes — Telford, Woolley, Goolsby, Serna, Tillery
0 nays
4 absent — Berlanga, Rangel, Sadler, Williams

WITNESSES: For — Bill McLemore, Texas Association of County Veterans Service Officers; Michael Palmquist and Kelly Hall, The American Legion
Against — None

DIGEST: HB 2020 would require the Employees Retirement System (ERS) to provide occupational disability to its members who are injured while on active duty with the the Texas National Guard or the Texas State Guard and who are discharged from the guard because of the injury and quit state employment.

The bill would take effect September 1, 1997.

SUPPORTERS SAY: HB 2020 would assure that state employees who are injured a result of performing their duty in the state or national guard would have disability coverage if they are discharged from the guard and must quit state employment. These state employee guardsmen have no other disability coverage options — the federal government does not provide disability for national guardsmen, and the state only pays for their medical care, not for long-lasting disability.

The state should at a minimum provide disability benefits for its employees who are seriously injured while aiding their state in times of emergency. The Employees Retirement System (ERS) is the logical vehicle for providing disability benefits because its program is already established.

OPPONENTS
SAY:

Although it may be laudable for the state to provide disability benefits for state employees serving in the state and national guards, these benefits should not be funded through the ERS but directly, by appropriations from the general revenue fund. Providing occupational disability benefits for state employees who are injured while serving in the guard would increase ERS actuarial accrued liability by \$600,000. Providing off duty special disability benefits for this group of state employees could affect benefit levels for all state employees in the future. Each time the state provides special benefits to one group of employees, it has a negative effect on the group as a whole.

Furthermore, if the Legislature allows guardsmen to get disability under ERS, other special groups of state employees, such as volunteer firefighters, would seek the same benefits.