

BILL ANALYSIS

Senate Research Center

S.B. 1664
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State Affairs
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As Filed

DIGEST

Currently, in cities with populations of 500,000 to 600,000, an individual who is transferred involuntarily from a position that does not participate in a pension fund for firefighters and police officers (pension fund) to a position that does participate in the pension fund may not elect to remain with the individual's original pension fund. As a result, some employees may lose time or credit within a pension fund. S.B. 1664 would amend the Government Code, to authorize an individual who is involuntarily transferred from a position which does not participate in the pension fund to elect to continue to be a member of the individual's original pension fund. This bill also would authorize a public retirement system that elects to participate in a proportionate retirement program to do so without the approval of the participants of the retirement system making the election.

PURPOSE

As proposed, S.B. 1664 sets forth guidelines for the election and participation in proportionate retirement programs for certain public employees.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 803.0021, Government Code, to provide that Sections 803.101(g) and 803.102(b) apply only to a retirement system existing under Article 6243b, V.T.C.S.

SECTION 2. Amends Section 803.101, Government Code, by adding Subsection (g), to provide that the approval of the participants in a retirement system making an election under Subsection (f) is not required.

SECTION 3. Amends Section 803.102, Government Code, to authorize a person to make a one-time election to continue membership in a retirement system under this chapter if the change in employment status making the person eligible for membership in another retirement system is an involuntary transfer. Requires an election to be made at the time of the involuntary transfer. Authorizes an election to continue membership to be made under this section notwithstanding any provision to the contrary under Article 6243b, V.T.C.S., or under a city charter or ordinance or otherwise. Makes conforming changes.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.