

BILL ANALYSIS

Senate Research Center
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S.B. 429
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Intergovernmental Relations
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As Filed

DIGEST

Currently, Texas law controls the Austin Police Retirement System (APRS). S.B. 429 would alter the law governing the APRS by making APRS's statute supersede any meet and confer agreement, alter membership on the governing board, change the amount of time some military retirees could buy back, and change eligibility for the deferred retirement option plan.

PURPOSE

As proposed, S.B. 429 sets forth the composition and terms of members of the Austin Police Retirement System.

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 Article II, Article 6243n-1, V.T.C.S., by adding Section 2.04, as follows:

Sec. 2.04. AGREEMENT MAY NOT SUPERSEDE THIS ACT. Provides that notwithstanding anything contained in Local Government Code Section 143.307, an agreement between a public employer and an association under Subchapter I, Chapter 143, Local Government Code, may not supersede or preempt any provision of this Act, nor may any such agreement increase, diminish, or qualify any right, benefit, privilege, or obligation under this Act.

SECTION 2. Amends Section 3.02, Article 6243n-1, V.T.C.S., to require the police retirement board (board) to be composed of four elected police officer members, each of whom may serve for four years, with the terms of two members expiring each odd-numbered year; two, rather than three, appointed qualified voters; two retired elected members, rather than one, with the term of one member expiring each odd-numbered year. Deletes text regarding vacancies and a member's successor. Makes conforming changes.

SECTION 3. Amends Section 3.03, Article 6243n-1, V.T.C.S., as follows:

Sec. 3.03. New heading: POLICE OFFICER AND RETIRED MEMBERS OF THE BOARD. Requires police officers of the board to serve in accordance with certain provisions. Requires the retired members of the board to be elected and serve in accordance with certain provisions. Requires the police retirement board to approve written procedures for the conduct of all elections and to certify and announce the results of each election. Deletes text regarding the election committee. Makes conforming changes.

SECTION 4. Amends Section 5.04(a), Article 6243n-1, V.T.C.S., to provide that this section does not take effect unless the city council authorizes, rather than irrevocably authorizes, the city to begin making contributions to the police retirement system in accordance with Section 8.01(a) of this Act for police cadets. Makes a conforming change.

SECTION 5. Amends Section 6.07, Article 6243n-1, V.T.C.S., by amending Subsections (a) and (b), to provide that the retroactive deferred retirement option plan (RETRO DROP) is an option a member eligible for retirement based on 25 years of creditable service (excluding any military service established under Section 5.02 of this Act), rather than under Section 6.02 of this Act, may elect at retirement.

Prohibits RETRO DROP's benefit computation date from preceding the date the member first became eligible for service retirement based on 25 years of creditable service, rather than a normal retirement date as defined by Section 1.02(19) of this Act.

SECTION 6. Effective date: September 1, 1999.

SECTION 7. Emergency clause.