

BILL ANALYSIS

Senate Research Center
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S.B. 838
By: Wentworth
State Affairs
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As Filed

DIGEST

Currently, some Texas judges may reach the required years of service to retire a few months into a calendar year following the expiration of a current term in office. To qualify for retirement, judges occasionally run for additional terms and, if reelected, judges only serve until the annuity is assured and then resign. This bill would allow a judge to purchase credit in the judge's judicial retirement system for the remaining months of a calendar year during which the judge served only part of the year.

PURPOSE

As proposed, S.B. 838 sets forth criteria for establishing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two.

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 Chapter 833B, Government Code, by adding Section 833.106, as follows:

Sec. 833.106. CREDIT FOR YEAR IN WHICH ELIGIBLE FOR OFFICE. Authorizes a contributing member to establish service credit in the Judicial Retirement System of Texas Plan One or, as to periods before September 1, 1985, the Judicial Retirement System of Texas for any calendar year during which the member held an office included in the membership of the system. Authorizes a member to establish credit by depositing with the system a monthly contribution at a rate of six percent of the member's current monthly compensation, plus interest computed on the basis of the state fiscal year at an annual rate of 10 percent from the date of first eligibility to the date of deposit, if the member does not establish credit before the first year of eligibility.

SECTION 2. Amends Chapter 838B, Government Code, by adding Section 838.106, as follows:

Sec. 838.106. CREDIT FOR YEAR IN WHICH ELIGIBLE FOR OFFICE. Authorizes a contributing member to establish service credit in the Judicial Retirement System of Texas Plan Two for any calendar year during which the member held an office included in the membership of the system. Authorizes a member to establish credit by depositing with the system a monthly contribution at a rate of six percent of the member's current monthly compensation, plus interest computed on the basis of the state fiscal year at an annual rate of 10 percent from the date of first eligibility to the date of deposit, if the member does not establish credit before the first year of eligibility.

SECTION 3. Effective date: September 1, 1999.