

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1317

By: Staples

Education

4/27/2001

Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, state law prohibits retirees from the public education system from being rehired without a loss in benefits by the retiree. The 76th Legislature passed legislation to make it easier for retirees to reenter the classroom, but there are still barriers for districts attempting to address shortages in teachers and support personnel. C.S.S.B. 1317 prohibits the Teacher Retirement System from reducing retirement benefits for retirees who return to service with public schools and were separated from service with all public schools on or before January 1, 2001 and allows local superintendents to define shortage areas in their districts. These changes allow districts better access to the talent pool of retirees and to respond better to critical shortages at the local level.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 824.602, Government Code, to prohibit the Teachers Retirement System (retirement system) from withholding a monthly benefit payment from a retiree if the retiree is employed in a Texas public educational institution and is, among other conditions, teaching in a shortage area as defined by the school district and has been separated from service with all public school on or before January 1, 2001. Prohibits the retirement system from withholding a monthly benefit from a retiree if the retiree is employed in a Texas public educational institution in a position other than a classroom teacher in a shortage area as defined by the school district on as much as a full-time basis, if the retiree has retired under Section 824.202(a) without reduction for retirement at an early age and has been separated from service with all public schools on or before January 1, 2001. Provides that a reference to a substitute in this section does not include a substitute superintendent of a school district.

SECTION 2. Makes application of this Act prospective to the 2001-2002 school year.

SECTION 3. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from the original by maintaining original text relating to an acute shortage area as defined by the commissioner of education. Amends proposed text relating to a retiree teaching or working in a position other than as a teacher in a shortage area as defined by the school district. Adds the provision regarding substitute superintendents.