

BILL ANALYSIS

Senate Research Center

S.B. 1569
By: West, Royce
Jurisprudence
4/4/2001
As Filed

DIGEST AND PURPOSE

Currently, many judges are appointed to office in the middle of a year, and are often a few months short of the time (credit) that is needed in order to vest in the judicial retirement system. Also a judges may be required to continue making contributions into the retirement system regardless of the length of time the person has been an active judge. As proposed, S.B. 1569 allows a judge to purchase the time needed so that if the judge must leave the bench or at the end of the judge's final term, the judge is not short of retirement vesting. S.B. 1569 also provides that a judge who has accrued 20 years of service credit in the retirement system is no longer required to make contributions.

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

Sec. 833.106. CREDIT FOR YEAR IN WHICH ELIGIBLE FOR OFFICE. Authorizes a member who has not retired to establish service credit in the retirement system for any calendar year during which the member held an office included in the membership of the retirement system, or was eligible to take the oath for an office included in the membership of the retirement system. Authorizes a member to establish credit under this section by depositing with the retirement system a contribution computed for each month of credit claimed at the rate of six percent of the member's current monthly salary, plus, if the member does not establish credit before the first anniversary of the date of first eligibility, 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.

SECTION 2. Amends Section 835.101, Government Code, to provide that a member who accrues 20 years of service credit in the retirement system ceases making contributions under this section.

SECTION 3. Amends Section 834.102, Government Code, to require the retirement system to increase by 10 percent of the amount of the applicable state salary under Subsection (a) or (d) the annuity of a member who on the effective date of retirement has served as a visiting judge in this state and the first anniversary of the last day of that service has not occurred.

SECTION 4. 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 retirement system for any calendar year during which the member held an office included in the membership of the retirement system, or was eligible to take the oath for an office included in the membership of the retirement system. Makes a conforming change.

SECTION 5. Amends Section 839.102, Government Code, to provide that the standard service retirement annuity, except as provided by this section, is an amount equal to 50 percent of the state salary, as adjusted from time to time, being paid to a judge of a court of the same classification as the last court to which the retiring member was elected or appointed. Requires the retirement system to increase by 10 percent of the amount of the applicable state salary under this section the annuity of a member who on the effective date of retirement has served as a visiting judge in this state and the first anniversary of the last day of that service has not occurred. Makes a conforming change.

SECTION 5. Effective date: September 1, 2001.