

BILL ANALYSIS

Senate Research Center
78R9139 SGA-F

H.B. 94
By: McClendon (Armbrister)
Jurisprudence
5/20/2003
Engrossed

DIGEST AND PURPOSE

In 2001, the 77th Texas Legislature amended the judicial retirement law, effective January 1, 2002, so that a judge whose last years of service toward retirement benefits were served as a visiting judge, and who retires within one year of that service, may obtain the same 10 percent bump in retirement pay from 50 to 60 percent, as a judge who retires within one year of the end of elected service. However, a recent opinion of the attorney general has declared that this will apply only to those judges who retire after January 1, 2002, the effective date of the Act. H.B. 94 allows judges, who have served as visiting judges and from whom the first year of the judge's last date of service has not occurred, to obtain the 10 percent increase.

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 834.102(b), Government Code, to require the Employees Retirement System of Texas (ERS) 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 meets certain criteria, including has served as a visiting judge in this state and the first anniversary of the last day of that service has or has not occurred.

SECTION 2. Amends Section 839.102(b), Government Code, to make a conforming change.

SECTION 3. Requires ERS to recompute the annuities of all persons who retired or received a death benefit annuity from the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two before January 1, 2002, as if the changes in law made by Chapter 1240, Acts of the 77th Legislature, Regular Session, 2001, to Sections 834.102(b) and 839.102(b), Government Code, had been in effect on the date of the person's retirement or death. Provides that the first payment of any annuity increased under this section becomes payable with the first payment due on or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2003.