

## **BILL ANALYSIS**

Senate Research Center  
78R4638 SMJ-D

S.B. 816  
By: Van de Putte  
Education  
3/17/2003  
As Filed

### **DIGEST AND PURPOSE**

Under current law, a retiree receiving a retirement benefit provided by the Teacher Retirement System (TRS) is penalized after six months of employment at an institution of higher education. The full-time employment penalties discourage retired teachers and administrators from seeking employment in higher education. Consequently, individuals with less experience in the Texas public schools are the most likely candidates for a faculty position in an institution of higher education. As proposed, S.B. 816 allows a retired public school employee to take a faculty position in a college of education without losing retirement benefits.

### **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(a), Government Code, as amended by Section 1, Chapter 567, Acts of the 77th Legislature, Regular Session, 2001, and Section 12, Chapter 1229, Acts of the 77th Legislature, Regular Session, 2001, to prohibit the Teacher Retirement System (TRS) from withholding a monthly benefit payment if the retiree is employed in a Texas public educational institution in a position as a member of the faculty of a college of education within the institution, if the retiree has retired under Section 824.202(a) without reduction for retirement at an early age. Redesignates Section (6) as (7) and makes conforming changes.

SECTION 2. Provides that Section 824.602(a), Government Code, as amended by this Act, applies beginning with the 2003-2004 school year.

SECTION 3. Effective date: upon passage or September 1, 2003.