

BILL ANALYSIS

Senate Research Center
83R796 MTB-D

H.B. 812
By: Cook; Orr (Elife)
State Affairs
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Employees Retirement System of Texas (ERS) administers retirement benefits for state employees and elected officials. The agency also administers health and other insurance benefits for state employees. Although ERS was at one time subject to the Texas Sunset Act, the 73rd Legislature enacted S.B. 1181, a comprehensive bill that repealed Section 815.005 (Sunset Provision), Government Code, and removed ERS from Sunset Advisory Commission review.

Both ERS and the Teacher Retirement System of Texas (TRS) are constitutionally created agencies; however, only TRS is subject to sunset review. Restoring sunset review of ERS will help protect the millions of dollars in state assets backing employee and retiree benefits. Specifically, H.B. 812 amends the Government Code to subject the board of trustees of ERS to sunset review in 2015 and every 12th year thereafter. Because ERS is a constitutionally created agency, it will not be subject to abolishment under the Sunset Act.

H.B. 812 amends current law relating to the sunset review of the board of trustees of the Employees Retirement System of Texas.

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 Subchapter A, Chapter 815, Government Code, by adding Section 815.005, as follows:

Sec. 815.005. SUNSET PROVISION. Provides that the board of trustees of the Employees Retirement System of Texas (board) is subject to review under Chapter 325 (Sunset Law), but is not abolished under that chapter. Requires the board to be reviewed during the period in which state agencies abolished in 2015, and every 12th year after that year, are reviewed.

SECTION 2. Effective date: upon passage or September 1, 2013.