

## **BILL ANALYSIS**

Senate Research Center

H.B. 3635  
By: Turner, John et al. (Hughes)  
State Affairs  
5/16/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Concerns have been raised about the rate of inflation with regard to the payment of certain financial assistance benefits to the survivors of law enforcement officers, firefighters, and other public employees killed in the line of duty. It has been suggested that the lump sum benefit paid to these survivors loses value over time due to inflation. H.B. 3635 seeks to address this issue by providing for the adjustment of these benefits to account for inflation

H.B. 3635 amends current law relating to financial assistance paid to the survivors of certain law enforcement officers, firefighters, and other public employees killed in the line of duty.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the board of trustees of the Employees Retirement System of Texas in SECTION 1 (Section 615.022, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 615.022, Government Code, as follows:

Sec. 615.022. PAYMENT TO SURVIVORS. (a) Requires the state, if there is an eligible surviving spouse, to pay the benefits described by Subsection (d) to the eligible surviving spouse, rather than to pay \$500,000 to the eligible surviving spouse.

(b) and (c) Makes conforming changes to these subsections.

(d) Entitles an eligible survivor, or eligible survivors in equal shares, to receive a lump sum payment in the amount provided by this subsection. Provides that the lump sum payment amount payable to an eligible survivor during the 12 months beginning September 1, 2019, is \$500,000. Requires the board of trustees of the Employees Retirement System of Texas by rule, effective September 1 of each following year, to adjust the amount of the lump sum payment required under this subsection by an amount equal to the percentage change in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the United States Department of Labor for the preceding year. Provides that the amount paid to an eligible survivor or survivors as adjusted under this subsection is calculated based on the date of the decedent's death and not on the date the eligible survivor or survivors file a claim under this chapter (Financial Assistance to Survivors of Certain Law Enforcement Officers, Fire Fighters, and Others).

SECTION 2. Provides that the changes in law made by this Act apply to a payment of assistance to survivors of certain public employees on or after the effective date of this Act regardless of the date the public employee died.

SECTION 3. Effective date: September 1, 2019.