

BILL ANALYSIS

Senate Research Center
87R9423 JCG-D

H.B. 3207
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The ongoing COVID-19 pandemic has placed a great strain on our public school system staffing levels. Many school district retirees, from retired teachers to retired bus drivers, temporarily went back to work to help their communities during this time of great need. However, concerns have been raised that some of these retirees were penalized by losing their monthly Teacher Retirement System of Texas (TRS) benefit payment because they returned to work.

H.B. 3207 seeks to address these concerns by providing for a prohibition against TRS withholding a monthly benefit payment from a retiree during a disaster declaration in order to ensure retirees are not penalized if they return to work temporarily to assist their community during an emergency.

H.B. 3207 amends the Government Code to prohibit TRS from withholding a monthly benefit payment from a retiree due to a resumption of service if the retiree is employed in a Texas public educational institution in a position in an area subject to a disaster declaration under the Texas Disaster Act of 1975 while the declaration is in effect. That prohibition applies only to employment on or after the bill's effective date. The bill requires TRS to adopt rules to implement the bill's provisions.

H.B. 3207 amends current law relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service during a declared disaster.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Teacher Retirement System of Texas in SECTION 3 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 824.602(a), Government Code, as follows:

(a) Prohibits the Teacher Retirement System of Texas (TRS), subject to Section 825.506 (Plan Qualification), under Section 824.601 (Loss of Monthly Benefits), from withholding a monthly benefit payment if the retiree is employed in a Texas public educational institution:

(1) and (2) makes no changes to these subdivisions;

(3) and (4) makes nonsubstantive changes to these subdivisions; or

(5) in a position in an area subject to a declaration of disaster by the governor under Chapter 418 (Emergency Management) or a declaration of local disaster under that chapter while the declaration is in effect.

SECTION 2. Makes application of Section 824.602 (Exceptions), Government Code, as amended by this Act, prospective.

SECTION 3. Requires TRS, as soon as practicable after the effective date of this Act, to adopt rules as necessary to implement Section 824.602, Government Code, as amended by this Act.

SECTION 4. Effective date: September 1, 2021.