

1 AN ACT
2 relating to contributions by and benefits for certain members and
3 retirees under the Judicial Retirement System of Texas Plan One and
4 Plan Two.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 833, Government Code, is
7 amended by adding Section 833.1035 to read as follows:

8 Sec. 833.1035. SERVICE IN EXCESS OF 20 YEARS. (a) Subject
9 to the limitation on the amount of a retirement annuity under
10 Section 834.102(c), an eligible member may establish service credit
11 in the retirement system for service in excess of 20 years performed
12 before September 1, 2005.

13 (b) A member eligible to establish credit under Subsection
14 (a) is one who elects to make contributions under Section 835.1015.

15 (c) A member may not establish more than 120 months of
16 service credit under this section.

17 (d) A member may establish credit under this section by
18 depositing with the retirement system a contribution computed for
19 each month of qualifying service claimed at the rate of six percent
20 of the member's current monthly state salary.

21 (e) The board of trustees may adopt rules to administer this
22 section.

23 SECTION 2. Section 834.102, Government Code, is amended by
24 adding Subsection (c) to read as follows:

1 (c) The service retirement annuity of a member qualifying
2 for retirement under Section 834.101(a) is the applicable state
3 salary under Subsection (a), multiplied by a percentage amount that
4 is the sum of 50 percent plus the product of two percent multiplied
5 by the number of years of subsequent service credit the member
6 accrues under Section 835.1015(a). After including any increase
7 under Subsection (b), the service retirement annuity under this
8 subsection may not be an amount that is greater than 80 percent of
9 the applicable salary under Subsection (a).

10 SECTION 3. Subsection (c), Section 835.101, Government
11 Code, is amended to read as follows:

12 (c) Except as provided by Section 835.1015, a [A] member who
13 accrues 20 years of service credit in the retirement system ceases
14 making contributions under this section.

15 SECTION 4. Subchapter B, Chapter 835, Government Code, is
16 amended by adding Section 835.1015 to read as follows:

17 Sec. 835.1015. CONTRIBUTIONS AFTER 20 YEARS OF SERVICE
18 CREDIT. (a) A judicial officer who is a member of the retirement
19 system and who accrues 20 years of service credit in the retirement
20 system may elect to make contributions for each subsequent year of
21 service credit that the member accrues by filing an application
22 with the retirement system.

23 (b) A member who elects to make contributions under
24 Subsection (a) shall contribute six percent of the member's state
25 compensation for each payroll period in the manner provided by
26 Sections 835.101(a) and (b).

27 (c) A member may not make contributions under this section

1 for more than 10 years of subsequent service credit that the member
2 accrues.

3 SECTION 5. Subchapter B, Chapter 838, Government Code, is
4 amended by adding Section 838.1035 to read as follows:

5 Sec. 838.1035. SERVICE IN EXCESS OF 20 YEARS. (a) Subject
6 to the limitation on the amount of a retirement annuity under
7 Section 839.102(d), an eligible member may establish service credit
8 in the retirement system for service in excess of 20 years performed
9 before September 1, 2005.

10 (b) A member eligible to establish credit under Subsection
11 (a) is one who elects to make contributions under Section 840.1025.

12 (c) A member may not establish more than 120 months of
13 service credit under this section.

14 (d) A member may establish credit under this section by
15 depositing with the retirement system a contribution computed for
16 each month of qualifying service claimed at the rate of six percent
17 of the member's current monthly state salary.

18 (e) The board of trustees may adopt rules to administer this
19 section.

20 SECTION 6. Section 839.102, Government Code, is amended by
21 amending Subsection (a) and adding Subsection (d) to read as
22 follows:

23 (a) Except as provided by Subsections (b), ~~and~~ (c), and
24 (d), the standard service retirement annuity is an amount equal to
25 50 percent of the state salary being paid at the time the member
26 retires to a judge of a court of the same classification as the last
27 court to which the retiring member was elected or appointed.

1 (d) The service retirement annuity of a member qualifying
2 for retirement under Section 839.101(a) is the applicable state
3 salary under Subsection (a) multiplied by a percentage amount that
4 is the sum of 50 percent plus the product of two percent multiplied
5 by the number of years of subsequent service credit the member
6 accrues under Section 840.1025(a). After including any increase
7 under Subsection (b), the service retirement annuity under this
8 subsection may not be an amount that is greater than 80 percent of
9 the applicable salary under Subsection (a).

10 SECTION 7. Subsection (g), Section 840.102, Government
11 Code, is amended to read as follows:

12 (g) Except as provided by Section 840.1025, a [A] member who
13 accrues 20 years of service credit in the retirement system ceases
14 making contributions under this section but is considered a
15 contributing member for all other purposes under this subtitle.

16 SECTION 8. Subchapter B, Chapter 840, Government Code, is
17 amended by adding Section 840.1025 to read as follows:

18 Sec. 840.1025. CONTRIBUTIONS AFTER 20 YEARS OF SERVICE
19 CREDIT. (a) A judicial officer who is a member of the retirement
20 system and who accrues 20 years of service credit in the retirement
21 system may elect to make contributions for each subsequent year of
22 service credit that the member accrues by filing an application
23 with the retirement system.

24 (b) A member who elects to make contributions under
25 Subsection (a) shall contribute six percent of the member's state
26 compensation for each payroll period in the manner provided by
27 Sections 840.102(b)-(f).

1 (c) A member may not make contributions under this section
2 for more than 10 years of subsequent service credit that the member
3 accrues.

4 SECTION 9. Sections 834.102 and 839.102, Government Code,
5 as amended by this Act, apply only to a benefit payment made by the
6 Judicial Retirement System of Texas Plan One or the Judicial
7 Retirement System of Texas Plan Two on or after September 1, 2005.

8 SECTION 10. This Act takes effect September 1, 2005.

David Newhall

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 1114 was passed by the House on April 5, 2005, by the following vote: Yeas 142, Nays 0, 3 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1114 on May 27, 2005, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 1114 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Lately Snow

Secretary of the Senate

APPROVED: 18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:20 PM O'CLOCK

Roger Williams
JUN 18 2005
Secretary of State