

BILL ANALYSIS

Senate Research Center

H.B. 336
By: Telford (Bivins)
Intergovernmental Relations
4-29-97
Engrossed

DIGEST

The Texas Local Fire Fighters Retirement Act (TLFFRA) relates to the administration of paid and partly paid firefighters' retirement systems. Currently, the plan does not allow a change or addition to a pension plan to be retroactive. Also, current law requires that the two persons who are not officers or employees of the political subdivision and are elected to the board by other board members to be residents of the political subdivision.

The bill would prohibit a change or addition to a retirement plan under TLFFRA from being applied retroactively to its effective date unless it is required to maintain a plan's tax qualification status. Also, this bill broadens the eligibility requirement for the board of trustees' civilian members to include persons living outside the municipality.

PURPOSE

As proposed, H.B. 336 prohibits a change or addition to a retirement plan under the Texas Local Fire Fighters Retirement Act (TLFFRA) from being applied retroactively to its effective date unless it is required to maintain a plan's tax qualification status. Also, this bill broadens the eligibility requirement for the board of trustees' civilian members to include persons living outside the municipality.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7(f), Article 6243e, V.T.C.S. (Texas Local Fire Fighters Retirement Act), to prohibit a change or addition from being applied retroactive to its effective date unless required to maintain a plan's tax qualification status.

SECTION 2. Amends Section 19(a), Article 6243e, V.T.C.S., to provide that, in each municipality and other political subdivision to which this Act applies and that has a fire department that does not consist exclusively of volunteers, the fire fighters' retirement system is governed by a board of trustees consisting of, among others, two persons who reside in this state in the municipality or other political subdivision or within the extraterritorial jurisdiction of the municipality, rather than two residents of the municipality or other political subdivision, who are not officers or employees of the municipality or other political subdivision, and who are elected by a majority vote of the members of the board of trustees determined as provided by Subdivisions (1) (2), (3), of this subsection.

SECTION 3. Emergency clause.
Effective date: upon passage.