

BILL ANALYSIS

Senate Research Center
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H.B. 2522
By: Greenberg (Lindsay)
Intergovernmental Relations
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Engrossed

DIGEST

H.B. 2522 reflects the suggestions made at a meeting of the Legislative Committee of the Texas Local Fire Fighters Retirement Act. This bill authorizes a local board to swear a witness and to issue a subpoena, authorizes the fire fighters' pension commissioner to issue a subpoena and to contract for services, and modifies language regarding a board's authority to pay costs from the retirement system's fund.

PURPOSE

As proposed, H.B. 2522 sets forth requirements for the administration of retirement systems for paid, partly paid, or volunteer fire-fighters.

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 18(a), Article 6243e, V.T.C.S. (Texas Local Fire Fighters Retirement Act), to authorize the chairman and vice chairman of the board of trustees established under this Act (board) to swear witnesses for the purpose of taking testimony before the board on any matter related to the fund. Authorizes a board to issue a subpoena addressed to a sheriff or constable to require the attendance of a witness or the production of books, records, or other documents that may be necessary and proper for the purpose of a proceeding before the board.

SECTION 2. Amends Article 6243e, V.T.C.S., by adding Section 18A, as follows:

Sec. 18A. ENFORCEMENT OF ACT. Authorizes the fire fighters' pension commissioner (commissioner) to issue a subpoena addressed to the sheriff or constable to require the production of books, records, or other documents that may be necessary to provide or determine compliance, if a board of trustees fails or refuses to comply with an applicable requirement of this Act. Requires the attorney general to represent the commissioner in the enforcement of this Act and to file an appropriate pleading or action in a district court in Travis County to enforce a subpoena or secure a writ of mandamus to compel compliance with this Act.

SECTION 3. Amends Section 21, Article 6243e, V.T.C.S., by adding Subsection (k), to authorize the commissioner to contract with a board of trustees established under this Act to provide services relating to the pension fund that the commissioner is not otherwise required by this Act to perform. Authorizes the services to include accounting and investment advice and auditing. Authorizes the commissioner to impose a fee for the services in an amount sufficient in the aggregate to recover the costs of providing the services. Requires fees collected under this subsection to be deposited to the credit of the commissioners account in the general revenue fund.

SECTION 4. Amends Section 25, Article 6243e, V.T.C.S., to authorize a board of trustees established under this Act to pay from assets of the fund all costs reasonably and lawfully incurred by the retirement system and the costs of actual expenses incurred by board members in the performance of their duties. Deletes text regarding payments to the fund. Makes conforming changes.

SECTION 5. Emergency clause.
Effective date: upon passage.