

BILL ANALYSIS

Senate Research Center
77R2667 SMJ-D

S.B. 1317
By: Staples
Education
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As Filed

DIGEST AND PURPOSE

Currently, state law prohibits retirees from the public education system from being rehired without a loss in benefits by the retiree. The 76th Legislature passed legislation to make it easier for retirees to reenter the classroom, but there are still barriers for districts attempting to address shortages in teachers and support personnel. As proposed, S.B. 1317 reduces the time period that a retiree must be separated from employment in education from 12 to two months and allows local superintendents to define shortage areas in their districts. These changes allow districts better access to the talent pool of retirees and to respond better to critical shortages at the local level.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 824.602(a), Government Code, to delete existing text relating to a retiree teaching in an acute shortage area. Prohibits the Teachers Retirement System (retirement system) from withholding a monthly benefit payment from a retiree if the retiree is employed in a Texas public educational institution and has, among other conditions, been separated from service with all public schools for at least two, rather than 12, months. Prohibits the retirement system from withholding a monthly benefit from a retiree if the retiree is employed in a Texas public educational institution in a position other than a classroom teacher on as much as a full-time basis, if the retiree has retired under Section 824.202(a) without reduction for retirement at an early age and has been separated from service with all public schools for at least two months.

SECTION 2. Makes application of this Act prospective to the 2001-2002 school year.

SECTION 3. Effective date: upon passage or September 1, 2001.