

BILL ANALYSIS

Senate Research Center

H.B. 2799
By: McClendon (Van de Putte)
State Affairs
5/3/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the 1990s, the Texas Local Fire Fighters Retirement Act, which provides pension systems for paid fire fighters in 38 municipalities, was amended to make the law applicable to other political subdivisions as well as municipalities. However, due to unclear language in the statute, there is a question as to whether the statute applies to a political subdivision if there are municipalities located within that subdivision.

H.B. 2799 clarifies that the statute applies to emergency service districts as well as municipalities.

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 3(e), Texas Local Fire Fighters Retirement Act (Article 6243e, V.T.C.S), to provide that, in addition to the other applicability of this Act, this Act applies to a political subdivision that has a regularly organized fire department not consisting exclusively of volunteers, except a subdivision whose fire department is governed by another state law providing for retirement benefits for full-time paid fire department personnel. Provides that, if the political subdivision's fire department consists partly of volunteers eligible to participate in the program provided by Subtitle H (Texas Emergency Services Retirement System), Title 8, Government Code, rather than Chapter 269, Acts of the 65th Legislature, Regular Session, 1977 (Article 6243e.3 (Firemen's Death and Disability Benefits; Heart or Lung Disease), V.T.C.S), and partly of employees, this Act applies to fire department personnel who are employees. Deletes existing text providing that this Act applies to a political subdivision outside the boundaries of a municipality.

SECTION 2. Effective date: upon passage or September 1, 2007.