

BILL ANALYSIS

Senate Research Center
87R22287 KFF-D

C.S.S.B. 1071
By: Hinojosa
Finance
4/26/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A recent news story discussed a community effort to raise funds to assist a former Texas Department of Public Safety trooper who was gravely wounded in a shooting 33 years ago with the purchase of a new electric wheelchair to aid in his mobility. Currently, the benefit for someone who is catastrophically injured in the line of duty is based on an amount equal to 100 percent of the officer's average monthly compensation at the time of their injury which may not be sufficient to assist in the long-term financial needs of a trooper who becomes totally disabled in the line of duty. The benefit also does not consider what the trooper might have earned had their career not been cut short.

S.B. 1071 adjusts the disability retirement benefit to an amount based on a monthly amount computed using the maximum salary authorized under Schedule C of the position classification salary schedule prescribed by the General Appropriations Act, as adjusted from time to time.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1071 amends current law relating to disability retirement benefits for certain peace officers under the Employees Retirement System of Texas.

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 814.207(e), Government Code, as follows:

(e) Requires the Employees Retirement System of Texas (ERS), notwithstanding Section 811.006 (Action Increasing Amortization Period), if a retiring member or retiree under Section 814.207 (Disability Retirement Benefits for Certain Peace Officers) presents evidence satisfactory to ERS that the person's occupational disability makes the person incapable of substantial gainful activity solely because of the disability and is considered a total disability under federal social security law, to increase the person's occupational disability retirement annuity to a monthly amount computed based on the maximum salary authorized under Schedule C of the position classification salary schedule prescribed by the General Appropriations Act, as adjusted from time to time, rather than 100 percent of the officer's average monthly compensation.

SECTION 2. (a) Requires ERS, subject to Subsection (b) (relating to the computed amount of occupational disability retirement for peace officers) of Section 814.207 (Disability Retirement Benefits for Certain Peace Officers), to recompute an annuity that first became payable before September 1, 2021, as though Section 814.207(e), Government Code, as amended by this Act, was in effect on the date the increased annuity first became payable.

(b) Provides that the first payment of an annuity recomputed under Subsection (a) of this section is payable on the first payment date occurring on or after the effective date of this Act.

SECTION 3. Provides that ERS is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Provides that if the legislature does not appropriate money specifically for that purpose, ERS is authorized, but not required, to implement a provision of this Act using other appropriations made available for that purpose.

SECTION 4. Effective date: September 1, 2021.