

1 AN ACT

2 relating to single employer benefit plans.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 810.001, Government Code, is amended by
5 adding Subsection (j) to read as follows:

6 (j) A single governmental employer is not considered to be
7 permitting a person who is a public employee, officer, or retiree of
8 that employer to be receiving benefits from more than one system or
9 program of retirement for the same service if:

10 (1) the employer participates in the Texas Municipal
11 Retirement System or the Texas County and District Retirement
12 System and also sponsors one or more supplemental plans:

13 (A) funded by the employer, the employee, or a
14 combination of the employer and the employee; and

15 (B) established before January 1, 2005; and

16 (2) the amount of the combined benefits paid to the
17 person by the Texas Municipal Retirement System or the Texas County
18 and District Retirement System and all of the supplemental plans
19 described by Subdivision (1) is in compliance with Section 415,
20 Internal Revenue Code of 1986.

21 SECTION 2. All acts and proceedings of a political entity to
22 establish, finance, or administer a supplemental plan established
23 before January 1, 2005, that occurred before the effective date of
24 this Act and that would have been authorized by Section 810.001,

1 Government Code, as amended by this Act, are validated as of the
2 dates the acts and proceedings occurred. The acts and proceedings
3 may not be held invalid because they were not performed in
4 accordance with law.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2005.

David Dewhurst

President of the Senate

Tom Craddick

Speaker of the House

I certify that H.B. No. 3200 was passed by the House on May 9, 2005, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 3200 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Letsy Graw

Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

12:20 PM

JUN 18 2005

Roger Williams
Secretary of State