

AN ACT

relating to contributions made by and the service retirement annuity paid to certain members of the Judicial Retirement System of Texas Plan Two.

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

SECTION 1. Section 840.102, Government Code, is amended by amending Subsection (a) and adding Subsection (h) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (g) and (h), each payroll period, a judicial officer who is a member of the retirement system is required to contribute six percent of the officer's state compensation for the period to the retirement system.

(h) If a member has served at least 12 years on an appellate court and the sum of the member's age and amount of service credited in the retirement system equals or exceeds the number 70, the member ceases making contributions under this section. A member described by this subsection is considered a contributing member for all other purposes under this subtitle.

SECTION 2. Subchapter B, Chapter 840, Government Code, is amended by adding Section 840.1027 to read as follows:

Sec. 840.1027. CONTRIBUTIONS AFTER ATTAINING RULE OF 70.

(a) Notwithstanding Section 840.102(h), a judicial officer who is a member of the retirement system and who has served at least 12

1 years on an appellate court and the sum of the member's age and
2 amount of service credited in the retirement system equals or
3 exceeds the number 70 may elect to make contributions for each
4 subsequent year of service credit that the member accrues by filing
5 an application with the retirement system.

6 (b) A member who elects to make contributions under
7 Subsection (a) shall contribute six percent of the member's state
8 compensation for each payroll period in the manner provided by
9 Sections 840.102(b)-(f). Section 840.105 does not apply to a
10 contribution under this section.

11 (c) A member may not make contributions under this section
12 for more than 10 years of subsequent service credit that the member
13 accrues.

14 SECTION 3. Section 839.102, Government Code, is amended by
15 amending Subsection (a) and adding Subsection (f) to read as
16 follows:

17 (a) Except as provided by Subsections (b), ~~[and]~~ (c), and
18 (f), the standard service retirement annuity is an amount equal to
19 50 percent of the state salary being paid at the time the member
20 retires to a judge of a court of the same classification as the last
21 court to which the retiring member was elected or appointed.

22 (f) The service retirement annuity of a member qualifying
23 for retirement under Section 839.101(a)(4) is the applicable state
24 salary under Subsection (a) multiplied by a percentage amount that
25 is the sum of 50 percent plus the product of two percent multiplied
26 by the number of years of subsequent service credit the member
27 accrues under Section 840.1027. After including any increase under

1 Subsection (b), the service retirement annuity under this
2 subsection may not be an amount that is greater than 80 percent of
3 the applicable salary under Subsection (a).

4 SECTION 4. This Act takes effect September 1, 2005.

David Dewhurst

President of the Senate

Jim Caddell

Speaker of the House

I certify that H.B. No. 617 was passed by the House on April 13, 2005, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 617 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Patsy Spaw

Secretary of the Senate

APPROVED: 18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM '05

Roger Williams

Secretary of State