

SUBJECT: Assistance to survivors of certain employees killed in line of duty

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 23 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione, Cortez, S. Davis, M. González, Hefner, Howard, Jarvis Johnson, Miller, Muñoz, Schaefer, Sherman, Smith, Stucky, Toth, J. Turner, VanDeaver, Walle, Wilson

0 nays

4 absent — Minjarez, Rose, Sheffield, Wu

WITNESSES: For — (*Registered, but did not testify:* Chris Jones and Charley Wilkison, Combined Law Enforcement Associations of Texas; Jimmy Rodriguez, San Antonio Police Officers Association; Cheri Siegelin, Texas Correctional Employees-Huntsville; Scott Houston, Texas Municipal League; Noel Johnson, TMPA; Alexis Tatum, Travis County Commissioners Court; Robert Norris)

Against — None

BACKGROUND: Government Code sec. 615.121(a) requires the state to pay funeral expenses and monthly annuities to an eligible surviving spouse of a peace officer or a designated custodial employee of the Texas Department of Criminal Justice who was killed in the line of duty and who had not qualified for an annuity under an employees' retirement plan. The benefits include funeral expenses for the deceased person and monthly payments that equal the greater of:

- the monthly annuity the deceased person would have received if the person had survived and retired on the last day of the month in which the person died, and had been eligible to receive an annuity under an employees' retirement plan; or
- the minimum monthly annuity the deceased person would have received if the person had been employed by the state for 10 years,

had been paid a salary at the lowest amount provided by the general appropriations act for the applicable position, and had been eligible to retire under the Employees Retirement System of Texas.

Some suggest that the same benefits should be made available to the surviving spouses of detention officers and jailers who are in charge of inmates in city or county jails who had not yet vested in a public retirement system.

DIGEST:

HB 872 would add jailers and county jailers or guards to the list of employees whose surviving spouses were eligible to receive certain benefits if the employee was killed in the line of duty and had not qualified for an annuity under an employees' retirement plan.

The bill would take effect September 1, 2019, and would apply to assistance payments to survivors of law enforcement officers and employees on or after that date, regardless of the date the officer or employee died.