

BILL ANALYSIS

Senate Research Center

S.B. 1039
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires school districts to begin the school year no earlier than the fourth Monday in August. Schools that start later in August have to extend the school year into June. The changes in the school year calendar and current policies relating to the rehiring of retired teachers lead to an inadvertent forfeiture of the annuity checks currently received by these teachers in June. Many school retirees return to work under the six-month exemption, which allows retiree teachers to return to teaching for up to six months in a full-time positions without losing benefits. After six months, the Teacher Retirement System (TRS) forfeits the annuity checks in any month that the retired, rehired teachers works even one day.

As proposed, S.B. 1039 prohibits TRS from withholding a monthly benefit payment to a retired teacher who is rehired who works less than one-half of the final month of instruction for the school year.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 824.602(c), Government Code, to provide the exception that working less than one-half of the final month of instruction for the school year does not count as an instance when the Teacher Retirement System may withhold a monthly benefit payment.

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