

BILL ANALYSIS

Senate Research Center

S.B. 1671
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statutory language related to the Teacher Retirement System of Texas (TRS) contains outdated language related to various terms, as well as the sale and appraisal of real estate. Additionally, confidential records may currently only be given to the executor or administrator of a deceased member's estate. This can be problematic in the event a deceased member's estate has no executor or administrator.

S.B. 1671 deletes obsolete language in statute regarding sale and appraisal of real estate, and updates the definition of "dependent." The bill allows TRS to provide confidential information in certain rare instances in which a deceased participant has no executor or administrator available to provide authorization and such release of information would be in the best interest of the participant.

As proposed, S.B. 1671 amends current law relating to the Teacher 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. Repealer: Section 825.3021 (Appraisal and Sale of Real Property), Government Code.

SECTION 2. Amends Section 825.507, Government Code, as follows:

Sec. 825.507. RECORD CONFIDENTIALITY. (a) Makes no changes to this subsection.

(b) Authorizes the Teacher Retirement System of Texas (TRS) to release records of a participant, including a participant to which Chapter 803 (Proportionate Retirement Program) applies, to certain persons, including the executor or administrator of the deceased participant's estate, or, when there is no executor or administrator of the deceased participant's estate, a person or entity who the executive director determines is acting in the interest of the participant's estate, or an heir, legatee, or devisee of the participant, including information relating to the deceased participant's beneficiary; or, when there is no executor or administrator of the deceased participant's estate, a person or entity who the executive director of TRS determines is acting in the interest of the participant, the participant's estate or the participant's heirs, legatees, or devisees [sic]. Makes nonsubstantive and conforming changes [sic].

(c)-(g) Makes no changes to these subsections.

SECTION 3. Amends Section 1575.003, Insurance Code, to redefine "dependent" [sic].

SECTION 4. Amends Section 1575.206, Insurance Code, to provide that an employing public school and its governing body, rather than an employing school district and its trustees, hold contributions required by this subchapter in trust for the fund and its participants, and are prohibited from diverting the contributions for any other purpose [sic].

SECTION 5. Amends Section 1575.207, Insurance Code, as follows:

Sec. 1575.207. INTEREST ASSESSED ON LATE PAYMENT OF DEPOSITS BY EMPLOYING SCHOOL DISTRICTS. (a) Requires an employing public school, rather than an employing school district, that does not remit to the trustee all contributions required by this subchapter before the seventh day after the last day of the month to pay to the fund the contributions, and interest on the unpaid amounts at the annual rate of six percent compounded monthly [sic].

(b) Authorizes the trustee, on request, to grant a waiver of the deadline imposed by this section based on an employing public school's financial or technological resources, rather than an employing district's financial or technological resources [sic].

SECTION 6. Amends Section 1579.004, Insurance Code, to redefine "dependent" [sic].

SECTION 7. Effective date: September 1, 2011.