

BILL ANALYSIS

Senate Research Center
84R17068 KFF-D

C.S.S.B. 1939
By: Huffman
State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Teacher Retirement System of Texas (TRS) delivers retirement and related benefits as authorized by law for TRS members and their beneficiaries. In order to comply with fiduciary standards, funds held in the TRS trust must be used exclusively for the benefit of members. C.S.S.B. 1939 provides for technical and clarifying changes to laws regulating TRS so that TRS can efficiently deliver benefits.

C.S.S.B. 1939 seeks to make changes relating to the administration of and benefits paid by TRS.

C.S.S.B. 1939 amends current law relating to contributions to, benefits from, membership in, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the board of trustees of the Teacher Retirement System of Texas is rescinded in SECTION 1 (Section 22.004, Education Code) of this bill.

Rulemaking authority is expressly granted to the Teacher Retirement System of Texas in SECTION 36 (Section 1575.165, Insurance Code) and SECTION 46 (Section 1581.055, Insurance Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 22.004(b) and (d), Education Code, as follows:

(b) Requires a district that does not participate in the program described by Subsection (a) (requiring a district to participate in the uniform group coverage program established under the Insurance Code) to make available to its employees, including employees whose coverage under the group program established under Chapter 1575, Insurance Code, has been suspended and other options for health insurance set forth. Requires a school district, in determining whether a school district's group health coverage is comparable to the basic health coverage specified by this subsection, to consider certain factors as set forth. Deletes existing text requiring the board of the trustees of the Teacher Retirement System of Texas (TRS) to adopt rules to determine whether a school district's group health coverage is comparable to the basic health coverage specified by this subsection. Deletes existing text requiring that the rules provide for consideration of certain factors concerning the district's coverage in determining whether the district's coverage is comparable to the basic health coverage specified by this subsection as set forth.

(d) Requires each district that does not participate in the program described by Subsection (a) to prepare a report addressing the district's compliance with this section, rather than requires each district to report the district's compliance with this section to the executive director of TRS not later than March 1 of each even-numbered year in the manner required by the board of trustees of TRS. Makes a nonsubstantive change and requires that the report be available for review, together with the policy or contract for the group health coverage plan, at the central administrative office of each campus in the

district and be posted on the district's Internet website if the district maintains a website, be based on the district group health coverage plan in effect during the current plan year, and include:

(1)-(3) Makes no change to these subdivisions;

(4) Makes a nonsubstantive change;

(5) information concerning the ease of completing the report, rather than information concerning the ease of completing the report, as required by the executive director of TRS.

Deletes existing text of Subdivision (6) requiring that the report to include any other information considered appropriate by the executive director of TRS.

SECTION 2. Amends Section 22.101(2), Education Code, to redefine "employee."

SECTION 3. Amends Section 42.260(c), Education Code, as follows:

(c) Authorizes a school district or participating charter school, notwithstanding any other provision of this code, to use the following amount of funds only to pay contributions under a group health coverage plan for district or school employees:

(1) an amount equal to 75 percent of the amount certified for the district or school under Subsection (b); or

(2) if the following amount is less than the amount specified by Subdivision (1), the sum of:

(A) the amount determined by multiplying the amount of \$900 or the amount specified in the General Appropriations Act for that year for purposes of the state contribution under Section 1579.251 (State Assistance), Insurance Code, rather than Section 9, Article 3.50-7, Insurance Code, by the number of district or school employees who participate in a group health coverage plan provided by or through the district or school; and

(B) the difference between the amount necessary for the district or school to comply with Section 1581.052 (Required Minimum Effort), Insurance Code, rather than Section 3, Article 3.50-9, Insurance Code, for the school year and the amount the district or school is required to use to provide health coverage under Section 1581.051 (Maintenance of Effort for 2000-2001 School Year), Insurance Code, rather than Section 2 of that article, for that year.

SECTION 4. Amends Sections 821.001(4) and (6), Government Code, to redefine "annual compensation" and "employee."

SECTION 5. Amends Section 822.001, Government Code, by adding Subsection (c), to require that membership in TRS only be established through employment with a single employer on at least a half-time basis.

SECTION 6. Amends Section 822.003(c), Government Code, as follows:

(a) Provides that a person does not terminate membership under Subsection (a)(4) (providing that a person terminates membership in TRS by withdrawal of all of the person's contributions while the person is absent from service) if the person:

(1) Makes no change to this subdivision;

(2) and (3) Makes nonsubstantive changes; and

(4) is employed by an employer covered by TRS and is not eligible for membership in TRS because the person is employed on less than a half-time basis.

SECTION 7. Amends Section 822.005(c), Government Code, to provide that a person is not entitled to withdraw contributions if the person is employed, has applied for employment, or has received a promise of employment with an employer covered by TRS, rather than to provide that a person is not entitled to withdraw contributions who is employed, has applied for employment, or has received a promise of employment, in a position covered by TRS.

SECTION 8. Amends Section 822.201(b), Government Code, to redefine "salary and wages," as used in Subsection (a) (providing compensation subject to report and deduction for member contributions in benefit computations set forth).

SECTION 9. Amends Section 823.006, Government Code, as follows:

Sec. 823.006. LIMITS ON ANNUAL CONTRIBUTIONS FOR PURCHASE OF SERVICE CREDIT. Requires TRS, rather than authorizes TRS, notwithstanding any other provision of this subtitle, to limit the purchase of service credit to the extent required by applicable limits on the amount of annual contributions a participant may make to a qualified plan under Sections 401(a) and 415(c), Internal Revenue Code of 1986.

SECTION 10. Amends Section 823.401, Government Code, by amending Subsection (f) and adding Subsection (f-1), as follows:

(f) Prohibits the amount of service credit a member may establish under this section, except as provided by Subsection (f-1), from exceeding the lesser of the number of years of membership service credit the member has in TRS for actual service in public schools or 15 years.

(f-1) Prohibits a member from purchasing more than five years of service credit under this section for service credit considered nonqualified service credit under Section 415(n)(3)(C), Internal Revenue Code of 1986.

SECTION 11. Amends Sections 824.007(a) and (b), Government Code, as follows:

(a) Defines "program administrator" for purposes of this section.

(b) Adds a reference to the group program under Chapter 1575, Insurance Code, and makes no further change to this subsection.

SECTION 12. Amends Section 824.1012(a), Government Code, as follows:

(a) Requires the spouse or former spouse, as applicable, who was designated the beneficiary of the optional annuity, if the beneficiary of the optional annuity was the spouse of the retiree when the retiree designated the spouse as beneficiary of the optional annuity, to change from the optional annuity to a standard retirement annuity under this subsection, to sign a notarized consent to the change or a court with jurisdiction over the marriage of the retiree and beneficiary to approve or order the change. Provides that the change in plan selection takes effect when TRS receives the request to change the plan, provided the signed consent form or court order, as applicable, is subsequently received by TRS. Deletes existing text requiring the beneficiary, if the beneficiary is the spouse or former spouse of the retiree, to sign a notarized consent to the change, or a court in a divorce proceeding involving the retiree and beneficiary to approve or order the change in the divorce decree or acceptance of a property settlement. Makes nonsubstantive changes.

SECTION 13. Amends Sections 824.1013(b) and (c-1), Government Code, as follows:

(b) Provides that if the beneficiary designated at the time of the retiree's retirement is the spouse of the retiree at the time of the designation:

(1) and (2) Makes no change to these subdivisions;

(3) a court with jurisdiction over the marriage must approve or order the change, rather than a court with jurisdiction over the marriage must have ordered the change.

(c-1) Entitles a beneficiary designated under this section, notwithstanding Subsection (c) (entitling a beneficiary to certain monthly payments for a certain time period set forth), on the retiree's death, to receive monthly payments of the survivor's portion of the retiree's optional retirement annuity for the remainder of the beneficiary's life if the beneficiary designated at the time of the retiree's retirement is a trust and the beneficiary designated under this section is:

(1) Creates this subdivision from existing text; or

(2) an individual who is the sole beneficiary designated in the trust instrument to receive the survivor's portion of the retiree's optional retirement annuity.

SECTION 14. Amends Section 825.103, Government Code, by adding Subsection (h), to authorize the board of trustees to accept on behalf of TRS gifts of money, services, or other property from any public or private source.

SECTION 15. Amends Section 825.115, Government Code, by adding Subsection (f), as follows:

(f) Provides that, notwithstanding any other law, Chapter 551 (Open Meetings) does not apply to an assembly of the board of trustees or one of the board's committees while attending a summit, conference, convention, workshop, or other event held for educational purposes if the assembly or committee does not deliberate, vote, or take action on a specific matter of public business or public policy over which the board of trustees or a committee of the board has supervision or control. Provides that this subsection does not apply to a regular, special, or emergency meeting of the board of trustees scheduled or called under the board's bylaws.

SECTION 16. Amends Section 825.208(b), Government Code, to provide that TRS is exempt from Sections 651.002 (Benefits of and Restrictions on State Employees Working Out of State) and 651.004 (Management-To-Staff Ratios), Chapter 660 (Travel Expenses), Subchapter K (Promotions, Reclassifications, and Other Adjustments to Salary), Chapter 659, and Subchapter A (State Employee Sick Leave Pool), Chapter 661, to the extent the board of trustees determines an exemption is necessary for the performance of fiduciary duties. Makes a nonsubstantive change.

SECTION 17. Amends Section 825.212, Government Code, by adding Subsection (d), to provide that, notwithstanding any other law, all personal financial disclosures made by employees of TRS under this section, including a rule or policy adopted under this section, are confidential and excepted from the requirements of Section 552.021 (Availability of Public Information).

SECTION 18. Amends Section 825.306, Government Code, as follows:

Sec. 825.306. CREDITING SYSTEM ASSETS. (a) Creates this subsection from existing text. Requires that the assets of TRS be maintained and reported in a manner that reflects the source of the assets or the purpose for which the assets are held, using appropriate ledgers and subledgers, in accordance with generally accepted accounting principles prescribed by the Governmental Accounting Standards Board or its successor. Requires

that the maintenance and reporting of the assets, in addition, be in compliance with applicable tax law and consistent with any fiduciary duty owed with respect to the trust. Authorizes the assets, in the alternative, to be credited, according to the purpose for which they are held, to one of the following accounts:

(1)-(6) Makes no change to these subdivisions.

(b) Provides that, notwithstanding any other law, a requirement to deposit in or transfer assets from one of the accounts described under Subsection (a) is satisfied by maintaining and reporting the assets in accordance with that subsection.

SECTION 19. Amends Section 825.312(a), Government Code, as follows:

(a) Requires TRS to deposit in the expense account:

(1) Makes a nonsubstantive change;

(2) money received from the Texas Public School Retired Employees Group Benefits Program, rather than Texas Public School Employees Group Insurance Program, for service performed for the program by TRS.

SECTION 20. Amends Section 825.403, Government Code, by amending Subsections (h) and (j) and adding Subsections (h-1), (h-2), (h-3), and (h-4), as follows:

(h) Adds references to Subsections (h-1), (h-2), (h-3), and (h-4) and makes no further change.

(h-1) Provides that, if, due to an error, an employer does not report to TRS all service rendered or compensation paid as required by this section and the error relates to service rendered or compensation paid by a member in:

(1) the current school year, the error may be corrected by submitting to TRS in the manner prescribed by TRS:

(A) a corrected report; and

(B) contributions on the unreported service or compensation, plus interest at the rate provided under Section 825.408, computed from the final date on which the service or compensation should have been reported to TRS to the date the contributions related to that service or compensation are submitted to TRS; or

(2) the preceding school year, the error may be corrected if the following requirements are met:

(A) the member for whom contributions are due is employed by the employer and the employer owes the member compensation payable in the current year;

(B) the employer requests from TRS a waiver of the documentation requirements under Section 825.408(a) and the request is granted by TRS;

(C) the employer, in the manner prescribed by TRS, takes certain actions as set forth; and

(D) the error is corrected in accordance with this subsection not later than the final day of the school year following the school year in which the service or compensation at issue was rendered or paid, as applicable.

(h-2) Requires TRS, on receipt of the member and employer contributions and the corrected reports under Subsection (h-1), to credit the services or compensation, as applicable, to the member.

(h-3) Creates this subsection from existing text. Prohibits TRS from crediting service or compensation to a member in the manner provided by Subsections (h-1) and (h-2) for service rendered or compensation received by a member in any school year before the preceding school year. Provides that, if service is rendered or compensation paid by a member in a school year before the preceding school year, the member's employer, rather than person's employer, at the time the unreported service was rendered or compensation was paid, must verify the service or compensation as required by Subsection (j) and the member, rather than person, must submit the verification to TRS not later than five years after the end of the school year in which the service was rendered or compensation was paid. Requires the member, rather than the person, to establish the service or compensation credit, to deposit with TRS the actuarial present value, at the time of deposit, of the additional standard retirement annuity benefits that would be attributable to the purchase of service or compensation credit under this section, based on rates and tables recommended by TRS's actuary and adopted by the board of trustees.

(h-4) Creates this subsection from existing text. Requires the board of trustees to:

(1) prescribe terms for payments under Subsections (h-1), (h-2), and (h-3), rather than under this subsection; and

(2) credit the member, rather than person, for prior service to which the member, rather than person, is entitled under this subtitle. Makes nonsubstantive changes.

(j) Creates an exception as otherwise provided by this section. Makes conforming changes.

SECTION 21. Amends Section 825.408(a), Government Code, as follows:

(a) Requires an employer that fails to remit, before the seventh day after the last day of a month, all member and employer deposits and documentation of the deposits required by this subchapter to be remitted by the employer for the month to pay to TRS, in addition to the deposits, interest on the unpaid amounts, rather than unpaid or undocumented amounts, at an annual rate prescribed by this subsection and a late fee in an amount determined by TRS, rather than at an annual rate compounded monthly. Provides that interest requires under this subsection, rather than section, is credible to the interest account. Authorizes TRS to grant a waiver of the deadline imposed by this subsection, rather than authorizes TRS, on request, to grant a waiver of the deadline imposed by this subsection based on an employer's financial or technological resources.

SECTION 22. Amends Section 825.4092(c), Government Code, as follows:

(c) Requires the employer who reports the employment of a retiree, except as provided by Subsection (e) (providing that certain amounts are not required to be paid for a retiree who retired before September 1, 2005) each payroll period, for each retiree who is enrolled in the Texas Public School Employees Group Insurance Program under Chapter 1575 (Texas Public School Employees Group Benefits Program), Insurance Code, to contribute to the trust fund established under that chapter an amount established by TRS, rather than contribute any difference between the amount the retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the full cost of the retiree's and enrolled dependents' participation in the group program as determined by TRS. Requires TRS to consider, in determining the amount to be contributed by the employer under this subsection, the amount the retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the average cost of the retiree's and enrolled dependents' participation in the group program, rather than in the group program as determined by TRS.

SECTION 23. Amends Section 825.410(a), Government Code, as follows:

(a) Deletes existing text providing that if TRS refunds payments pursuant to this subsection, the member is not permitted to use the installment method of payment or the payroll deduction method, as applicable, for the same service for three years after the date of the refund. Deletes existing text providing that a member who requests and receives a refund of installment or payroll deduction payments also is not permitted to use the same method of payment for the same service for three years after the date of the refund. Makes no further change to this subsection.

SECTION 24. Amends Section 825.504, Government Code, by amending Subsection (c) and adding Subsection (d), as follows:

(c) Requires each reporting district to cooperate with TRS in ascertaining:

- (1) a member's eligibility for membership in TRS;
- (2) a member's annual earnings, employment status, and hours and days worked during any year; and
- (3) any other information TRS requires from the employer to administer TRS's benefit plan.

(d) Creates this subsection from existing text and makes no further change.

SECTION 25. Amends Section 825.505, Government Code, as follows:

Sec. 825.505. AUDITS. Provides that for the purpose of determining the propriety of employer reports, including demographic data, and contributions or credits, the records of an employer concerning the employment and compensation of all its personnel are subject to audit and examination, in the offices of the employer during regular working hours, by representatives of TRS designated to conduct the audit and examination.

SECTION 26. Amends Section 825.508(b), Government Code, to require TRS to honor a power of attorney executed in accordance with Chapter 752 (Statutory Durable Power of Attorney), Estates Code, rather than Chapter XII, Section 490, Texas Probate Code.

SECTION 27. Amends Section 825.509(b-1), Government Code, as follows:

(b-1) Authorizes the eligible portion of a certain rollover distribution to be transferred only:

- (1) and (2) Makes no change to these subdivisions;
- (3) for distributions occurring on or after January 1, 2007, to a qualified plan described by Section 401(a), Internal Revenue Code of 1986, if the plan separately accounts for:
 - (A) the amounts transferred and the earnings on amounts transferred; and
 - (B) the portion of the distribution that is includable in gross income and the portion of the distribution that is not includable in gross income; or
- (4) Makes no change to this subdivision.

SECTION 28. Amends Section 825.515(a), Government Code, to add a reference to a Food Service Worker in a list of positions about which employers are required to provide certain information to TRS.

SECTION 29. Amends Section 830.201(h), Government Code, to change references to the board of trustees of TRS to the Texas Higher Education Coordinating Board (THECB) and makes no further change.

SECTION 30. Amends the heading to Chapter 1575, Insurance Code, to read as follows:

CHAPTER 1575. TEXAS PUBLIC SCHOOL RETIRED EMPLOYEES GROUP BENEFITS PROGRAM

SECTION 31. Amends Section 1575.002(4), Insurance Code, to redefine "group program."

SECTION 32. Amends Section 1575.004(a), Insurance Code, to redefine "retiree" for purposes of this chapter.

SECTION 33. Amends Section 1575.153, Insurance Code, as follows:

Sec. 1575.153. BASIC COVERAGE. Prohibits a retiree who applies for coverage during an enrollment period from being denied coverage in a basic plan provided under this chapter unless:

- (1) the retiree's coverage is suspended under Section 1575.165; or
- (2) Creates this subdivision from existing text and makes no further change.

SECTION 34. Amends Section 1575.155(a), Insurance Code, to entitle a retiree participating in the Texas Public School Retired Employees Group Benefits Program (group program), subject to Section 1575.165, to secure for the retiree's dependents group coverage provided for the retiree under this chapter, as determined by TRS. Makes a nonsubstantive change.

SECTION 35. Amends Section 1575.158(a), Insurance Code, to add a reference to Section 1575.165 and makes no further change.

SECTION 36. Amends Subchapter D, Chapter 1575, Insurance Code, by adding Section 1575.165, as follows:

Sec. 1575.165. SUSPENSION AND REACTIVATION OF COVERAGE UNDER GROUP PROGRAM. (a) Requires that coverage under the group program for a retiree and the retiree's dependents be suspended during any period the retiree is:

- (1) eligible for and elects health benefit coverage under a plan provided under Chapter 1551 (Texas Employees Group Benefits Act) or 1601 (Uniform Insurance Benefits Act for Employees of the University of Texas System and the Texas A&M University System); or
- (2) employed by a public school and is, as a result of that employment, eligible for health benefit coverage offered by the school.

(b) Requires the retiree and the retiree's dependents, during the period a retiree's coverage under the group program is suspended under this section, to remain enrolled in the group program.

(c) Requires a retiree and the retiree's eligible dependents whose coverage under the group program is suspended under this section to be reactivated at the time the retiree:

- (1) ceases to be covered under a plan provided under Chapter 1551 or 1601, if the retiree is subject to Subsection (a)(1); or

(2) terminates employment with or ceases to be eligible for health benefit coverage offered by a public school, if the retiree is subject to Subsection (a)(2).

(d) Requires TRS adopt rules necessary to implement this section.

SECTION 37. Amends Section 1575.204(b), Insurance Code, as follows:

(b) Requires each employer who reports to TRS under Section 824.6022 (Required Reports; Offense), Government Code, the employment of a retiree who is enrolled in and receiving coverage under the group program, each state fiscal year, to contribute to the fund an amount established by TRS. Requires TRS, in determining the amount to be contributed by the employer under this subsection, to consider the amount a retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the full cost of all retirees' and enrolled dependents' participation in the group program. Requires that the amount of contribution required by this subsection, if more than one employer reports the retiree to TRS during a month, be prorated among the employers. Deletes existing text requiring each employer who reports to TRS under Section 824.6022, Government Code, each state fiscal year, the employment of a retiree who is enrolled in the group program, to contribute to the fund the difference, if any, between the contribution amount that the reported retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the full cost of the retiree's and enrolled dependents' participation in the group program, as determined by TRS.

SECTION 38. Amends Section 1575.207, Insurance Code, as follows:

Sec. 1575.207. INTEREST ASSESSED ON LATE PAYMENT OF DEPOSITS BY EMPLOYING PUBLIC SCHOOLS. (a) Requires an employing public school that does not remit to TRS all contributions required by this subchapter before the seventh day after the last day of the month to pay to the fund:

(1) Makes no change to this subdivision; and

(2) interest on the unpaid amounts at the annual rate of six percent, rather than at the annual rate of six percent compounded monthly.

(b) Authorizes TRS to grant a waiver of the deadline imposed by this section. Deletes existing text authoring TRS, on request, to grant a waiver of the deadline imposed by this section based on an employing public school's financial or technological resources.

SECTION 39. Amends Section 1579.003, Insurance Code, as follows:

Sec. 1579.003. DEFINITION OF EMPLOYEE. Redefines "employee" for purposes of this chapter.

SECTION 40. Amends Section 1579.004, Insurance Code, as follows:

Sec. 1579.004. DEFINITION OF DEPENDENT. Redefines "dependent" for purposes of this chapter.

SECTION 41. Amends Section 1579.006(a), Insurance Code, as follows:

(a) Provides that the following are exempt from execution, attachment, garnishment, or any other process:

(1) Makes no change to this subdivision;

(2) contributions of employees, rather than active employees, the state, and a participating entity, and any other contributions;

(3) and (4) Makes no change to these subdivisions.

SECTION 42. Amends Section 1579.202, Insurance Code, as follows:

Sec. 1579.202. ELIGIBLE EMPLOYEES. (a) Provides that, except as provided by Section 1579.204, participation in the uniform group coverage program (program) is limited to employees of participating entities who are full-time or part-time employees, rather than full-time employees and to part-time employees who are participating members in TRS.

(b) Provides that an employee described by Subsection (a) who applies for coverage during an open enrollment period prescribed by TRS is automatically covered by the catastrophic care coverage plan unless the employee:

(1) Redesignates Subdivision (2) as Subdivision (1) and makes no further change;

(2) Redesignates Subdivision (3) as Subdivision (2) and makes no further change.

Deletes existing Subdivision (3) listing an employee that specifically waives coverage under this chapter.

SECTION 43. Amends Section 1579.204, Insurance Code, as follows:

Sec. 1579.204. CERTAIN PART-TIME EMPLOYEES. Provides that, notwithstanding any other provision of this chapter, a part-time employee of a participating entity, rather than a part-time employee of a participating entity who is not a participating member in TRS, is eligible to participate in the program only if the employee pays all of the premiums and other costs associated with the health coverage plan selected for the employee and the employee's dependents. Makes a nonsubstantive change.

SECTION 44. Amends Section 1579.255, Insurance Code, as follows:

Sec. 1579.255. INTEREST ASSESSED ON LATE PAYMENT OF CONTRIBUTIONS BY PARTICIPATING ENTITIES. (a) Requires a participating entity that does not remit to TRS all contributions required by this subchapter before the 16th day of the month, rather than before the seventh day after the last day of the month, to pay to the Texas school employees uniform group coverage trust fund:

(1)-(2) Makes no change to these subdivisions.

(b) Authorizes TRS, rather than authorizes TRS on request, to grant a waiver of the deadline imposed by this section based on a participating entity's financial or technological resources.

SECTION 45. Amends Section 1581.001(1), Insurance Code, to redefine "participating employee," to include an employee whose coverage under the group program established under Chapter 1575 has been suspended.

SECTION 46. Amends Subchapter B, Chapter 1581, Insurance Code, by adding Section 1581.055, as follows:

Sec. 1581.055. REPORTING REQUIREMENT. Requires each school district, other educational district whose employees are members of TRS, participating charter school, and regional education service center to annually report to TRS, under rules adopted by TRS, the monthly amount each uses to provide health coverage under this chapter.

SECTION 47. Repealer: Section 825.404(b-1) (prohibiting certain employees set forth whose compensation may be included for each public junior college or public junior college district in each biennium from being adjusted in a proportion greater than the change in student enrollment at each college during the reporting period except that a college that experiences a decline in student enrollment may petition the Legislative Budget Board to maintain the number of eligible employees up to 98 percent of the level of the prior biennium), Government Code.

Repealer: Section 1579.106(c) (requiring TRS every six months to submit to the comptroller of public account of the State of Texas and the Legislative Budget Board a report regarding any cost savings achieved in the program through implementation of the prior authorization requirement of this section), Insurance Code.

SECTION 48. Provides that Section 821.001(4), Government Code, as amended by this Act, applies only to a member of TRS who retires on or after the effective date of this Act.

SECTION 49. Provides that Sections 821.001(6) and 822.001, Government Code, as amended by this Act, apply only to a person who becomes a member of TRS on or after the effective date of this Act.

SECTION 50. Provides that Section 825.4092(c), Government Code, as amended by this Act, applies to a retiree of TRS regardless of whether the person retired from employment before, on, or after the effective date of this Act.

SECTION 51. Provides that the changes in law made by this Act apply only to health benefit plans provided under Chapters 1575, 1579, and 1581, Insurance Code, beginning with the first plan year that begins on or after September 1, 2015. Makes application of this Act prospective to September 1, 2015.

SECTION 52. Effective date: September 1, 2015.