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MEMORANDUM

TO: DPROA, David Elliston, Dwight Walker, Boux Bland and Ken Seguin

FROM: Randy Elliston

SUBJECT: Legislative Update

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Ladies and Gentlemen,

As the 86<sup>th</sup> regular session moves into May and gets closer to Sine Die on May 27, 2019, we will begin to see bills move quickly to passage or stall and die. For a house bill to continue to be considered after May 9<sup>th</sup>, it must have been reported favorably out of committee and been read for the second time on the floor otherwise it is dead.

The following bills are the ones we continue to watch:

*SJR 27 by Huffman, Related to proposing a constitutional amendment prohibiting the use of state funds to pay for the obligations of a local public retirement system.* This SJR would require a vote to amend the constitution by voters at an election to be held November 5, 2019 and basically says the State is not on the hook for local public retirement systems.

Early on we tried to work on this SJR but were told with a constitutional amendment the voters would decide in November. The SJR was referred to State Affairs and reported favorably without amendments to the Senate floor and on April 15, it received a second reading and passed to engrossment on a vote of 20 Yeas and 10 Nays. On the same day the author Joan Huffman pulled the SJR from the intent calendar. It has not moved since and looks like she might let it die. We will continue to watch it closely.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/SJ000271.pdf#navpanes=0>

SB 322 by Huffman, *Relating to the evaluation and reporting of investment practices and performance of certain public retirement systems*. This has a lot of oversight, evaluation, and reporting requirements for the systems.

This bill passed the Senate on a vote of 31 yeas and 0 nays. It has been received by the House and referred to Pensions, Investments & Financial Services Committee but has not had a hearing.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/SB00322I.pdf#navpanes=0>

SB 957 by Bettencourt, *Relating to voter approval of the issuance of certain obligations by municipalities to pay their unfunded liabilities to a public pension fund*.

As you will recall this bill requires voter approval before pension obligations bonds can be issued if the amount exceeds \$50 million. This bill was passed by the Senate on a vote of 22 yeas and 9 nays. It was received by the House and referred to House Pensions, Investments & Financial Services Committee where it was referred favorably to House calendars but has not yet been set for floor consideration.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/SB00957I.pdf#navpanes=0>

SB 1335 by Bettencourt, *Relating to municipal control of certain local public retirement systems*.

This bill was referred to Senate State Affairs Committee on March 7, 2019 and has not yet received a hearing. It is most likely dead.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/SB01335I.pdf#navpanes=0>

SB 2429 by Bettencourt, *Relating to authorizing certain municipalities to establish defined contribution plans to provide retirement benefits to certain employees*.

This bill was referred to Senate State Affairs Committee on March 21, 2019 and has not yet received a hearing. It is most likely dead.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/SB02429I.pdf#navpanes=0>

HJR 75 by Murphy, This bill is a companion to SJR 27 and is identical. See SJR 27 above.

This HJR was referred to House Appropriations Committee on February 27, 2019 but has not received a hearing. It is most likely dead.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/HJ00075I.pdf#navpanes=0>

HB 1887 by Murphy, This bill is a companion to SB 322 and is identical. See SB 322 above.

This bill was referred to House Pensions, Investments & Financial Services Committee but has not received a hearing.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/HB01887I.pdf#navpanes=0>

HB 2662 by Paul, This bill is a companion to SB 957 and is identical. See SB 957 above.

This bill was referred to House Pensions, Investments & Financial Services Committee but has not received a hearing.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/HB02662I.pdf#navpanes=0>

**Bills Not Related to State Pensions:**

HB 1552 By Paul, *Relating to the weapons proficiency of and the carrying of a handgun by qualified retired law enforcement officers.* This is a cleanup of Texas Statute to lineup with federal LEOSA statute.

This bill was passed by the House and was received by the Senate on May 6, 2019 but has not yet been assigned to a Senate committee.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/HB01552I.pdf#navpanes=0>

HCR 19 by Herro, *Urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.* Had a hearing on 3/12/19 and left pending in committee.

This bill was passed by the House and received by the Senate. The Senate referred the bill to Senate Administration Committee where it was reported favorably without amendments and recommended for local and uncontested calendar on May 3, 2019. A bill heard on the local and uncontested calendar generally passes automatically unless a member objects.

Link to bill:

<https://capitol.texas.gov/tlodocs/86R/billtext/pdf/HC00019I.pdf#navpanes=0>

If you have any questions regarding these bills, please contact me.

**Pension Review Board of Texas:**

The Review Board has not had a meeting since last report and is not scheduled to meet again until June 27, 2019.

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Randy Elliston is a retired Chief of the Texas Highway Patrol with over 35 years of experience in Texas State Government Relations. He is now a member of the Ratliff Company team representing clients in areas of public safety, law enforcement, transportation and state administrative processes.