

GOVERNMENT CODE

TITLE 8. PUBLIC RETIREMENT SYSTEMS

SUBTITLE H. TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM

CHAPTER 863. CREDITABLE SERVICE

Sec. 863.001. CREDIT FOR CURRENT SERVICE. A member is entitled to receive credit in the pension system for each month of qualified service for which the system receives the contributions required by this subtitle.

Added by Acts 2005, 79th Leg., Ch. 803 (S.B. 522), Sec. 1, eff. September 1, 2005.

Sec. 863.002. CREDIT FOR MILITARY SERVICE. The pension system shall grant credit for qualified service for military duty in accordance with Section 414(u) of the Internal Revenue Code of 1986 (26 U.S.C. Section 414(u)) and other applicable federal law.

Added by Acts 2005, 79th Leg., Ch. 803 (S.B. 522), Sec. 1, eff. September 1, 2005.

Sec. 863.003. RECOGNITION OF PRIOR SERVICE CREDIT. A member who terminates service, except by service retirement under Chapter 864, and later resumes service with the same participating department or begins service with another participating department may receive service credit for all previously accrued service credit in the pension system earned for service with any participating department.

Added by Acts 2005, 79th Leg., Ch. 803 (S.B. 522), Sec. 1, eff. September 1, 2005.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1165 (H.B. 3247), Sec. 8, eff. September 1, 2019.

Sec. 863.004. PRIOR SERVICE OF MEMBER BEFORE DEPARTMENTAL PARTICIPATION. The state board by rule may authorize the granting of credit for service with a participating department that was performed before the date the department began participation in the pension system. The costs of granting prior service credit under

this section must be determined on a basis that maintains the pension system as actuarially sound.

Added by Acts 2005, 79th Leg., Ch. 803 (S.B. 522), Sec. 1, eff. September 1, 2005.

Sec. 863.0045. SERVICE CREDIT AND MEMBERSHIP IN MULTIPLE PUBLIC RETIREMENT SYSTEMS. In accordance with Section 67(a)(2), Article XVI, Texas Constitution, a person may not earn service credit for the same service with the pension system and another public retirement system.

Added by Acts 2019, 86th Leg., R.S., Ch. 1165 (H.B. 3247), Sec. 9, eff. September 1, 2019.

Sec. 863.005. CHARGE FOR CERTAIN PAST DUE CONTRIBUTIONS. The state board by rule may impose an interest charge on contributions due because of a correction of an error related to enrollment or qualified service. The charge must be based on the pension system's current assumed rate of return. Charges collected shall be deposited in the fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 697 (H.B. 2751), Sec. 5, eff. September 1, 2009.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1165 (H.B. 3247), Sec. 10, eff. September 1, 2019.