



TRS Summary of Proposed Rules

CHAPTER 43 – CONTESTED CASES

Proposed Amended Rules - 43.1, 43.2, 43.3, 43.5, 43.106

Proposed Repealed Rules - 43.201, 43.202, 43.203, 43.204, 43.205, 43.206, 43.207, 43.208, 43.209, 43.210, 43.211, 43.212, 43.213, 43.214, 43.215, 43.216, 43.217, 43.218, 43.219, 43.220, 43.221, 43.222, 43.223, 43.224, 43.225, 43.226, 43.227, 43.228

The TRS Board of Trustees determined the following rules should be amended as part of its adopted four-year rule review, which was published in the Texas Register on Aug. 7, 2026.

Rule 43.1 – Applicability

The amendment will remove the reference to administrative law judges (ALJ) not employed by the State Office of Administrative Hearings (SOAH) because TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those hearings.

Rule 43.2 - Definitions

The amendment will remove the reference to administrative law judges (ALJ) not employed by the State Office of Administrative Hearings (SOAH) because TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those hearings.

Rule 43.3 - Filing of Documents

The amendment will remove the reference to administrative law judges (ALJ) not employed by the State Office of Administrative Hearings (SOAH) because TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those hearings. The TRS street address will also be updated.

Rule 43.5 – Extensions

Subsection (e) will be deleted and subsection (f) will be amended to remove references to administrative law judges (ALJ) not employed by the State Office of Administrative Hearings (SOAH). TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those hearings.

Rule 43.106 - Authority to Grant Relief

The amendment will remove the reference to administrative law judges (ALJ) not employed by the State Office of Administrative Hearings (SOAH) because TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those hearings.

The TRS Board of Trustees determined the following rules should be repealed as part of its adopted four-year rule review, which was published in the Texas Register on Aug. 7, 2026.

Rules 43.201 – 43.228 (Subchapter C, Hearings Not Docketed at SOAH)

§43.201 – Applicability	§43.216 – General Admissibility
§43.202 – Form of Pleadings	§43.217 – Exhibits
§43.203 – Filing of Pleadings and Amendments	§43.218 – Pre-filed Direct Testimony in Disability Appeal Proceedings
§43.204 – Briefs	§43.219 – Limit on Number of Witnesses
§43.205 – Motions	§43.220 – Failure to Appear
§43.206 – Discovery	§43.221 – Conduct and Decorum at Hearing
§43.207 – Notice of Hearing and Other Action	§43.222 – Official Notice
§43.208 – Agreements to be in Writing	§43.223 – Recording of the Hearing; Certified Language Interpreter
§43.209 – Motion for Consolidation	§43.224 – Dismissal without Hearing
§43.210 – Additional Parties	§43.225 – Summary Disposition
§43.211 – Appearance and Representation	§43.226 – The Record
§43.212 – Lead Counsel	§43.227 – Findings of Fact
§43.213 – Powers of the Administrative Law Judge	§43.228 – Reopening of Hearing
§43.214 – Prehearing Conference and Orders	
§43.215 – Conduct of Hearing	

TRS is authorized by law to contract with an administrative law judge (ALJ) or hearing examiner for a TRS pension appeal in lieu of referring the matter to the State Office of Administrative Hearings (SOAH). These rules apply only to that option; however, TRS does not use this process. Repeal of Rules 43.201 through 43.228 will result in repeal of Subchapter C, which consists entirely of these rules.