



# **Regulatory Efficiency Office**

## **Regulatory Efficiency Review**

### **Teacher Retirement System (TRS)** ***DRAFT REPORT BY RULE***

July 15, 2026

|                                      |            |
|--------------------------------------|------------|
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## **Regulatory Efficiency Review Order of Operations**

### **Step 1. TREO Coordinates Regulatory Efficiency Review with TRS.**

- a. TREO generates preview background on TRS and its regulatory framework.
- b. TREO sends TRS a cover letter, the Regulatory Efficiency Review template, the Texas Regulatory Impact Matrix (TRIM) tool, and the Regulatory Reduction Guide.

### **Step 2.1. TRS Conducts Self-Evaluation Regulatory Efficiency Review.**

- a. TRS notifies staff and external stakeholders that the Regulatory Efficiency Review process has started.
- b. TRS conducts a self-evaluation review using the materials provided by TREO (Step 1.b.).
- c. TRS submits the completed self-evaluation review documents to TREO.

### **Step 2.2. TREO Conducts Regulatory Efficiency Review.**

- a. TREO conducts a Regulatory Efficiency Review of the TRS rules.
- b. TREO compiles the TRS self-evaluation review (Step 2.1.) and TREO's review (Step 2.2.a.) into a comprehensive Agency Regulatory Efficiency Review, which contains recommendations on the rules to be amended, repealed, or both.

### **Step 3. TREO Shares Regulatory Efficiency Review with Advisory Panel.**

- a. TREO provides the Regulatory Efficiency Review to the Advisory Panel for its analysis and input.

### **Step 4. TREO, TRS, and OOG Collaborate on Regulatory Efficiency Review.**

- a. TREO consults internally with Office of the Governor (OOG) Budget and Policy staff on the Regulatory Efficiency Review.
- b. TREO meets with the TRS to discuss the comprehensive Agency Regulatory Efficiency Review and any implementation considerations.

### **Step 5. TRS Solicits External Stakeholder Feedback on Regulatory Efficiency Review.**

- a. The Agency allows 14 days for external stakeholder feedback on the TRS Regulatory Efficiency Review by engaging stakeholders or using other methods for soliciting feedback from external stakeholders. This step of soliciting external stakeholder feedback is a separate, additional step from any processes the agency uses during the standard rulemaking process under Government Code, Chapter 2001 (See Step 7.1.).

### **Step 6. TREO and TRS Finalize Recommendations.**

- a. TREO and the Agency evaluate the external stakeholder feedback and potential impacts on the TRS Regulatory Efficiency Review and determine the next steps: rule changes, statutory action, or both.

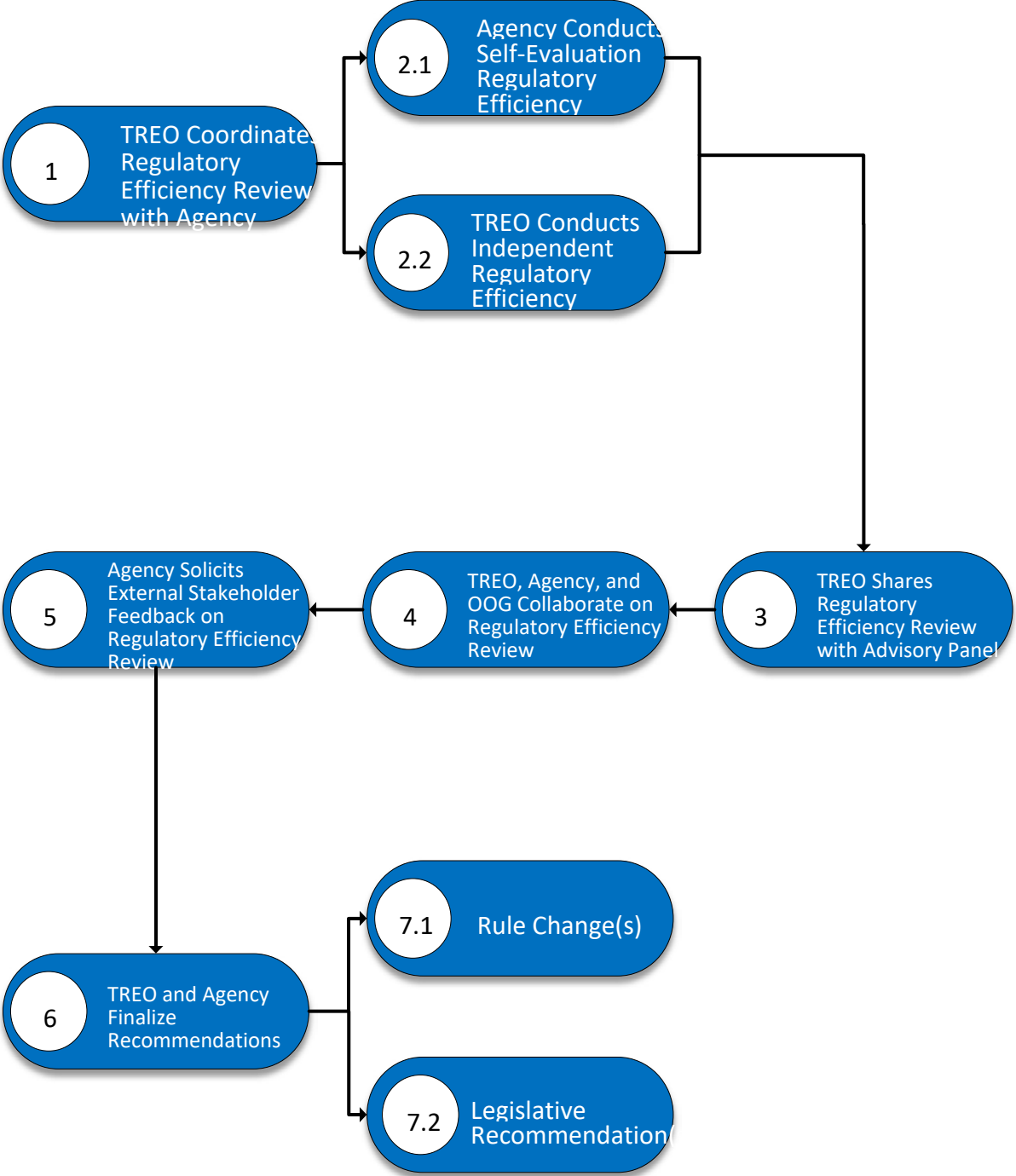
### **Step 7.1. Rule Changes.**

- a. TRS begins the standard rulemaking process under Government Code, Chapter 2001. As with standard rulemaking, TRS submits the full proposed rules package to OOG Budget and Policy; additionally, the package is submitted to TREO.

### **Step 7.2. Legislative Recommendation.**

- a. TREO will prepare and provide a report of any identified legislative recommendations to the Legislature.

**Regulatory Efficiency Review Workflow**



## **TRS Executive Summary**

The Teacher Retirement System of Texas (TRS) is established in Section 67 of Article 16 of the Texas Constitution to provide retirement benefits to Texas public education and higher education employees. TRS' nine-member board of trustees, appointed by the governor and confirmed by the Texas Senate, has a fiduciary duty to ensure the assets of the TRS pension fund are held in trust for the exclusive benefit of TRS' more than two million plan participants and beneficiaries, including over half a million retirement recipients.

TRS has three core business functions – Pension Benefit Services (Benefit Services), the Health Division, and Investment Management. Benefit Services assists members and retirees and their beneficiaries by providing accurate and timely processing of benefits and delivering comprehensive information to help participants make important decisions about their TRS annuity. Benefit Services also coordinates and administers online resources for reporting entities to submit reports and to find information on topics such as eligibility, compensation, and legislative updates. The Health Division works with outside contracted vendors to administer the health care plans offered under TRS-Care and TRS-ActiveCare. The Health Division processes health care plan selections by members and retirees and disseminates important information about TRS-Care and TRS-ActiveCare to members. Finally, the Investment Management Division prudently invests the assets of the pension trust fund in a highly diversified portfolio with the goal of achieving the assumed rate of return. Investments are made based on the asset allocation and within the risk parameters established by the board.

TRS currently administers 265 regulations (individual sections) across 14 chapters of the Texas Administrative Code, all located in Title 34, Part 3. The regulations cover administration of the pension plan, including federal law compliance; administration of TRS-Care and TRS-ActiveCare; and general administration and policy topics, including complaints, board of trustees nominations, contractor ethics and expenditure reporting, and vendor protest procedures.

## TRS Self-Assessment

### Assessment 1

|                                          |                                                                      |
|------------------------------------------|----------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 21.1</a>                                        |
| <b>Rule Heading</b>                      | Statement of Policy                                                  |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                |
| <b>Authority Type</b>                    | Permissive                                                           |
| <b>Reduction Categories</b>              | Obsolete Rules                                                       |
| <b>Notes / Justification (concise)</b>   | This rule is not necessary for TRS to administer its existing rules. |
| <b>Recommended Agency Action</b>         | Repeal                                                               |
| <b>Current Word Count</b>                | 165                                                                  |
| <b>Anticipated Word Count</b>            | 0                                                                    |
| <b>Word Count Delta</b>                  | 165                                                                  |

### Assessment 2

|                                          |                                                                                                                                 |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 23.5</a>                                                                                                   |
| <b>Rule Heading</b>                      | Nomination for Appointment to the Board of Trustees                                                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.002(f); 825.102</a>                                                                              |
| <b>Authority Type</b>                    | Mandatory                                                                                                                       |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | TRS needs to update the address and term expiration dates in this rule. TRS may also explore changes to the nomination process. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                           |
| <b>Current Word Count</b>                | 1277                                                                                                                            |
| <b>Anticipated Word Count</b>            | 1276                                                                                                                            |
| <b>Word Count Delta</b>                  | 1                                                                                                                               |

### Assessment 3

|                                          |                                                                                              |
|------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 23.7</a>                                                                |
| <b>Rule Heading</b>                      | Code of Ethics for Contractors                                                               |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.212; 825.102</a>                                              |
| <b>Authority Type</b>                    | Mandatory                                                                                    |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                               |
| <b>Notes / Justification (concise)</b>   | Update the outdated references to TRS' former address and the version of the code of ethics. |
| <b>Recommended Agency Action</b>         | Amend                                                                                        |
| <b>Current Word Count</b>                | 121                                                                                          |
| <b>Anticipated Word Count</b>            | 121                                                                                          |
| <b>Word Count Delta</b>                  | 0                                                                                            |

### Assessment 4

|                                          |                                                 |
|------------------------------------------|-------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 23.8</a>                   |
| <b>Rule Heading</b>                      | Expenditure Reporting for Certain Contractors   |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.212; 825.102</a> |
| <b>Authority Type</b>                    | Mandatory                                       |
| <b>Reduction Categories</b>              | Obsolete Rules                                  |
| <b>Notes / Justification (concise)</b>   | Update the version of the code of ethics.       |
| <b>Recommended Agency Action</b>         | Amend                                           |
| <b>Current Word Count</b>                | 267                                             |
| <b>Anticipated Word Count</b>            | 267                                             |
| <b>Word Count Delta</b>                  | 0                                               |

#### Assessment 5

|                                          |                                                                                                                                                                                                                                        |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.24</a>                                                                                                                                                                                                         |
| <b>Rule Heading</b>                      | Performance Pay                                                                                                                                                                                                                        |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 822.201; 825.102</a>                                                                                                                                                                                        |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                             |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                         |
| <b>Notes / Justification (concise)</b>   | References to how performance pay is credited in the 2011-2012 school year and before can be removed; references to the compensation plan requirements in subsection (b) are incomplete and duplicative of statute and can be removed. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                                                                                  |
| <b>Current Word Count</b>                | 493                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 276                                                                                                                                                                                                                                    |
| <b>Word Count Delta</b>                  | 217                                                                                                                                                                                                                                    |

#### Assessment 6

|                                          |                                                                                                |
|------------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.26</a>                                                                 |
| <b>Rule Heading</b>                      | Annual Compensation Creditable for Benefit Calculation                                         |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 821.001(15); 824.203; 825.102</a>                                   |
| <b>Authority Type</b>                    | Permissive                                                                                     |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                 |
| <b>Notes / Justification (concise)</b>   | Delete subsection (b) as it only applies to retirements and deaths prior to September 1, 2015. |
| <b>Recommended Agency Action</b>         | Amend                                                                                          |
| <b>Current Word Count</b>                | 883                                                                                            |
| <b>Anticipated Word Count</b>            | 784                                                                                            |
| <b>Word Count Delta</b>                  | 99                                                                                             |

#### Assessment 7

|                                          |                                                           |
|------------------------------------------|-----------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.34</a>                            |
| <b>Rule Heading</b>                      | Membership Waiting Period                                 |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.4041; 823.406; 825.102</a> |
| <b>Authority Type</b>                    | Permissive                                                |
| <b>Reduction Categories</b>              | Obsolete Rules                                            |

|                                        |                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Notes / Justification (concise)</b> | This rule is a remnant of the previous iteration of the rule that explained how to administer member reporting during the 90-day waiting period that only existed from 9/1/2003 to 8/31/2005. The relevant provision now simply provides that employers must pay employer contributions during an employee's first 90 days and TRS has other rules that address this point. |
| <b>Recommended Agency Action</b>       | Repeal                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Current Word Count</b>              | 148                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Anticipated Word Count</b>          | 0                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Word Count Delta</b>                | 148                                                                                                                                                                                                                                                                                                                                                                         |

#### Assessment 8

|                                          |                                                                                                                                                                                                                                        |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.36</a>                                                                                                                                                                                                         |
| <b>Rule Heading</b>                      | Employer Payments for Certain Employed Members                                                                                                                                                                                         |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.4035; 825.102</a>                                                                                                                                                                                       |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                             |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                                                                                                                      |
| <b>Notes / Justification (concise)</b>   | This rule largely restates provisions of Gov't. Code § 825.4035 and can be repealed. To the extent subsection (b) needs to be maintained, it can be added to Rule 25.35 and that rule expanded to apply to all employer contributions. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                 |
| <b>Current Word Count</b>                | 94                                                                                                                                                                                                                                     |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                      |
| <b>Word Count Delta</b>                  | 94                                                                                                                                                                                                                                     |

#### Assessment 9

|                                          |                                                                                                                                                                                                                                        |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.37</a>                                                                                                                                                                                                         |
| <b>Rule Heading</b>                      | Employer Payments from Public Junior Colleges and Public Junior College Districts                                                                                                                                                      |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.4071; 825.102</a>                                                                                                                                                                                       |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                             |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                                                                                                                      |
| <b>Notes / Justification (concise)</b>   | This rule largely restates provisions of Gov't. Code § 825.4071 and can be repealed. To the extent subsection (b) needs to be maintained, it can be added to Rule 25.35 and that rule expanded to apply to all employer contributions. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                 |
| <b>Current Word Count</b>                | 106                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                      |
| <b>Word Count Delta</b>                  | 106                                                                                                                                                                                                                                    |

#### Assessment 10

|                                    |                                |
|------------------------------------|--------------------------------|
| <b>Rule Citation (hyperlinked)</b> | <a href="#">34 TAC § 25.66</a> |
|------------------------------------|--------------------------------|

|                                          |                                                                                |
|------------------------------------------|--------------------------------------------------------------------------------|
| <b>Rule Heading</b>                      | Application for Military Credit                                                |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.102; 823.301</a>                                |
| <b>Authority Type</b>                    | Permissive                                                                     |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                 |
| <b>Notes / Justification (concise)</b>   | TRS needs to update the street address in this rule. Update dated terminology. |
| <b>Recommended Agency Action</b>         | Amend                                                                          |
| <b>Current Word Count</b>                | 203                                                                            |
| <b>Anticipated Word Count</b>            | 195                                                                            |
| <b>Word Count Delta</b>                  | 8                                                                              |

#### Assessment 11

|                                          |                                                                                |
|------------------------------------------|--------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.75</a>                                                 |
| <b>Rule Heading</b>                      | Application for Eligible Active Member Service under the USERRA                |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 823.304; 825.102; 38 U.S.C. § 4318</a>              |
| <b>Authority Type</b>                    | Mandatory                                                                      |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                 |
| <b>Notes / Justification (concise)</b>   | TRS needs to update the street address in this rule. Update dated terminology. |
| <b>Recommended Agency Action</b>         | Amend                                                                          |
| <b>Current Word Count</b>                | 312                                                                            |
| <b>Anticipated Word Count</b>            | 304                                                                            |
| <b>Word Count Delta</b>                  | 8                                                                              |

#### Assessment 12

|                                          |                                                                                                            |
|------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.82</a>                                                                             |
| <b>Rule Heading</b>                      | Cost                                                                                                       |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 823.401(d); 825.102; 2001.003(6)</a>                                            |
| <b>Authority Type</b>                    | Mandatory                                                                                                  |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                             |
| <b>Notes / Justification (concise)</b>   | Subsection (g) and (h) are outdated and provide for purchasing costs that are no longer available for use. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                      |
| <b>Current Word Count</b>                | 504                                                                                                        |
| <b>Anticipated Word Count</b>            | 259                                                                                                        |
| <b>Word Count Delta</b>                  | 245                                                                                                        |

#### Assessment 13

|                                          |                                                                                          |
|------------------------------------------|------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.84</a>                                                           |
| <b>Rule Heading</b>                      | Crediting Fees                                                                           |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.102; 823.401; S.B. 1691, 79th Leg. (R.S.), Section 27</a> |
| <b>Authority Type</b>                    | Permissive                                                                               |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                           |

|                                        |                                                                                                                                                           |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Notes / Justification (concise)</b> | The requirement supporting this rule was removed from Gov't. Code § 825.308 in 2005; moreover, the cost for out-of-state service no longer includes fees. |
| <b>Recommended Agency Action</b>       | Repeal                                                                                                                                                    |
| <b>Current Word Count</b>              | 19                                                                                                                                                        |
| <b>Anticipated Word Count</b>          | 0                                                                                                                                                         |
| <b>Word Count Delta</b>                | 19                                                                                                                                                        |

#### Assessment 14

|                                          |                                                                            |
|------------------------------------------|----------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.86</a>                                             |
| <b>Rule Heading</b>                      | Computing Average Compensation                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 823.401; 825.102</a>                            |
| <b>Authority Type</b>                    | Permissive                                                                 |
| <b>Reduction Categories</b>              | Duplicative Rules                                                          |
| <b>Notes / Justification (concise)</b>   | This rule is redundant with the last sentence of Gov't. Code § 823.401(g). |
| <b>Recommended Agency Action</b>         | Repeal                                                                     |
| <b>Current Word Count</b>                | 44                                                                         |
| <b>Anticipated Word Count</b>            | 0                                                                          |
| <b>Word Count Delta</b>                  | 44                                                                         |

#### Assessment 15

|                                          |                                                                                                                                                                                                                                  |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.121</a>                                                                                                                                                                                                  |
| <b>Rule Heading</b>                      | Employer Verification                                                                                                                                                                                                            |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.403(j); 825.102</a>                                                                                                                                                                               |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                       |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                                                                                                                |
| <b>Notes / Justification (concise)</b>   | TRS plans to repeal and readopt 34 TAC § 25.122 and 25.123 into this rule. The subject matter of the rules is closely interrelated. By combining the rules, TRS can likely simplify the language and reduce the number of rules. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                                                                            |
| <b>Current Word Count</b>                | 111                                                                                                                                                                                                                              |
| <b>Anticipated Word Count</b>            | 225                                                                                                                                                                                                                              |
| <b>Word Count Delta</b>                  | -114                                                                                                                                                                                                                             |

#### Assessment 16

|                                          |                                                                                                                                                                                            |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.122</a>                                                                                                                                                            |
| <b>Rule Heading</b>                      | Affidavit                                                                                                                                                                                  |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.403(j); 825.102</a>                                                                                                                                         |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                 |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                                                                          |
| <b>Notes / Justification (concise)</b>   | TRS plans to repeal and readopt this rule and 34 TAC § 25.123 into existing rule 34 TAC § 25.121. The subject matter of the rules is closely interrelated. By combining the rules, TRS can |

|                                  |                                                              |
|----------------------------------|--------------------------------------------------------------|
|                                  | likely simplify the language and reduce the number of rules. |
| <b>Recommended Agency Action</b> | Repeal                                                       |
| <b>Current Word Count</b>        | 41                                                           |
| <b>Anticipated Word Count</b>    | 0                                                            |
| <b>Word Count Delta</b>          | 41                                                           |

#### Assessment 17

|                                          |                                                                                                                                                                                                                                                         |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.123</a>                                                                                                                                                                                                                         |
| <b>Rule Heading</b>                      | Certification                                                                                                                                                                                                                                           |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.403(j); 825.102</a>                                                                                                                                                                                                      |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                              |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                                                                                                                                       |
| <b>Notes / Justification (concise)</b>   | TRS plans to repeal and readopt this rule and 34 TAC § 25.122 into existing rule 34 TAC § 25.121. The subject matter of the rules is closely interrelated. By combining the rules, TRS can likely simplify the language and reduce the number of rules. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                  |
| <b>Current Word Count</b>                | 123                                                                                                                                                                                                                                                     |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                       |
| <b>Word Count Delta</b>                  | 123                                                                                                                                                                                                                                                     |

#### Assessment 18

|                                          |                                                                                                                              |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.163</a>                                                                                              |
| <b>Rule Heading</b>                      | Service Credit Purchase                                                                                                      |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.102; 823.405 (repealed); S.B. 1691, 79th Leg. (R.S.), Section 54</a>                          |
| <b>Authority Type</b>                    | Permissive                                                                                                                   |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                               |
| <b>Notes / Justification (concise)</b>   | Rule 25.163 is an unnecessary rule that relates to a type of service credit purchase that has not been available since 2006. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                       |
| <b>Current Word Count</b>                | 32                                                                                                                           |
| <b>Anticipated Word Count</b>            | 0                                                                                                                            |
| <b>Word Count Delta</b>                  | 32                                                                                                                           |

#### Assessment 19

|                                          |                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.183</a>                                                       |
| <b>Rule Heading</b>                      | Nonpayment                                                                            |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.410; 825.102</a>                                       |
| <b>Authority Type</b>                    | Permissive                                                                            |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                     |
| <b>Notes / Justification (concise)</b>   | This rule is short and has overlap with Rules 25.184 and 25.185. They could be easily |

|                                  |                                                   |
|----------------------------------|---------------------------------------------------|
|                                  | combined for improved readability and efficiency. |
| <b>Recommended Agency Action</b> | Amend                                             |
| <b>Current Word Count</b>        | 59                                                |
| <b>Anticipated Word Count</b>    | 265                                               |
| <b>Word Count Delta</b>          | -206                                              |

#### Assessment 20

|                                          |                                                                                                                                         |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.184</a>                                                                                                         |
| <b>Rule Heading</b>                      | Refund for Nonpayment                                                                                                                   |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.410; 825.102</a>                                                                                         |
| <b>Authority Type</b>                    | Permissive                                                                                                                              |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                       |
| <b>Notes / Justification (concise)</b>   | This rule is short and has overlap with Rules 25.183 and 25.185. They could be easily combined for improved readability and efficiency. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                  |
| <b>Current Word Count</b>                | 178                                                                                                                                     |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                       |
| <b>Word Count Delta</b>                  | 178                                                                                                                                     |

#### Assessment 21

|                                          |                                                                                                                                         |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.185</a>                                                                                                         |
| <b>Rule Heading</b>                      | Amounts Not Refundable                                                                                                                  |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.410; 825.102</a>                                                                                         |
| <b>Authority Type</b>                    | Permissive                                                                                                                              |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                       |
| <b>Notes / Justification (concise)</b>   | This rule is short and has overlap with Rules 25.183 and 25.184. They could be easily combined for improved readability and efficiency. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                  |
| <b>Current Word Count</b>                | 106                                                                                                                                     |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                       |
| <b>Word Count Delta</b>                  | 106                                                                                                                                     |

#### Assessment 22

|                                          |                                                                                             |
|------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 25.191</a>                                                             |
| <b>Rule Heading</b>                      | Time Period to Complete Service Credit Purchase                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 823.403(d); 825.102; 825.410</a>                                 |
| <b>Authority Type</b>                    | Permissive                                                                                  |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                           |
| <b>Notes / Justification (concise)</b>   | Rule 25.191 restates large portions of Gov't. Code § 823.403 and Gov't. Code § 825.410. TRS |

|                                  |                                                            |
|----------------------------------|------------------------------------------------------------|
|                                  | will simplify wording through cross-reference and editing. |
| <b>Recommended Agency Action</b> | Amend                                                      |
| <b>Current Word Count</b>        | 359                                                        |
| <b>Anticipated Word Count</b>    | 280                                                        |
| <b>Word Count Delta</b>          | 79                                                         |

#### Assessment 23

|                                          |                                                                                                                                                                        |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 27.8</a>                                                                                                                                          |
| <b>Rule Heading</b>                      | Reinstatement of Membership and Service Credit by ORP Participants                                                                                                     |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 823.501; 825.102; 825.506</a>                                                                                                               |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                             |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                         |
| <b>Notes / Justification (concise)</b>   | Subsection (a) is no longer necessary as the election period is over, and this subsection is not necessary to administer the reinstatement language of subsection (b). |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                  |
| <b>Current Word Count</b>                | 249                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 186                                                                                                                                                                    |
| <b>Word Count Delta</b>                  | 63                                                                                                                                                                     |

#### Assessment 24

|                                          |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 29.63</a>                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Rule Heading</b>                      | Deadline for Purchase of Special Service Credit                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Notes / Justification (concise)</b>   | Rule 29.63 contains a deadline for service credit purchases by members who elected DROP and states the service credit must be purchased before DROP is elected (with some exceptions). As no one has been able to elect DROP since 2005, a rule containing this deadline is no longer necessary. Rule 29.63(b) also contains a 12/31/01 deadline for service credit purchases by certain DROP participants, which has passed. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Current Word Count</b>                | 332                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Word Count Delta</b>                  | 332                                                                                                                                                                                                                                                                                                                                                                                                                           |

#### Assessment 25

|                                          |                                                           |
|------------------------------------------|-----------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.2</a>                             |
| <b>Rule Heading</b>                      | Monthly Certified Statement                               |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.604; 824.6022; 825.102</a> |
| <b>Authority Type</b>                    | Permissive                                                |

|                                        |                                                                                                                                                                                                                  |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Reduction Categories</b>            | Obsolete Rules                                                                                                                                                                                                   |
| <b>Notes / Justification (concise)</b> | Subparagraph (e)(2)(D) can be deleted because it references the EAR exception in Gov't. Code § 824.6021 that expired on Feb. 1, 2025. Also, there is a minor typo in paragraph (f)(4) ("pat" instead of "past"). |
| <b>Recommended Agency Action</b>       | Amend                                                                                                                                                                                                            |
| <b>Current Word Count</b>              | 688                                                                                                                                                                                                              |
| <b>Anticipated Word Count</b>          | 659                                                                                                                                                                                                              |
| <b>Word Count Delta</b>                | 29                                                                                                                                                                                                               |

#### Assessment 26

|                                          |                                                                                                                                                                                                                                             |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.3</a>                                                                                                                                                                                                               |
| <b>Rule Heading</b>                      | Return-to-Work Employer Pension Surcharge                                                                                                                                                                                                   |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.604; 825.102; 825.4092</a>                                                                                                                                                                                   |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                  |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                              |
| <b>Notes / Justification (concise)</b>   | Paragraph (b)(5) can be deleted because it references the EAR exception in Gov't. Code § 824.6021 that expired on Feb. 1, 2025. Also, clarify that IRC § 401(a)(17) limit applies to surcharges, which may result in savings in some cases. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                                                                                       |
| <b>Current Word Count</b>                | 409                                                                                                                                                                                                                                         |
| <b>Anticipated Word Count</b>            | 380                                                                                                                                                                                                                                         |
| <b>Word Count Delta</b>                  | 29                                                                                                                                                                                                                                          |

#### Assessment 27

|                                          |                                                                                                                                                                            |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.12</a>                                                                                                                                             |
| <b>Rule Heading</b>                      | Substitute Service                                                                                                                                                         |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.602(j); 824.604</a>                                                                                                                         |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                  |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                             |
| <b>Notes / Justification (concise)</b>   | Remove the "in-class monitoring" definition of substitute as this was an exception created during COVID when remote learning was common. This exception is no longer used. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                      |
| <b>Current Word Count</b>                | 241                                                                                                                                                                        |
| <b>Anticipated Word Count</b>            | 222                                                                                                                                                                        |
| <b>Word Count Delta</b>                  | 19                                                                                                                                                                         |

#### Assessment 28

|                                          |                                                    |
|------------------------------------------|----------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.13</a>                     |
| <b>Rule Heading</b>                      | One-Half Time Employment                           |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.602(j); 824.604</a> |
| <b>Authority Type</b>                    | Mandatory                                          |

|                                        |                                                                     |
|----------------------------------------|---------------------------------------------------------------------|
| <b>Reduction Categories</b>            | Obsolete Rules                                                      |
| <b>Notes / Justification (concise)</b> | The amendment will correct a typographical error in subsection (e). |
| <b>Recommended Agency Action</b>       | Amend                                                               |
| <b>Current Word Count</b>              | 507                                                                 |
| <b>Anticipated Word Count</b>          | 508                                                                 |
| <b>Word Count Delta</b>                | -1                                                                  |

#### Assessment 29

|                                          |                                                                     |
|------------------------------------------|---------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.15</a>                                      |
| <b>Rule Heading</b>                      | Tutors under Education Code § 33.913                                |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 824.604; Educ. Code § 33.913</a>          |
| <b>Authority Type</b>                    | Permissive                                                          |
| <b>Reduction Categories</b>              | Obsolete Rules                                                      |
| <b>Notes / Justification (concise)</b>   | The amendment will correct a typographical error in subsection (b). |
| <b>Recommended Agency Action</b>         | Amend                                                               |
| <b>Current Word Count</b>                | 199                                                                 |
| <b>Anticipated Word Count</b>            | 200                                                                 |
| <b>Word Count Delta</b>                  | -1                                                                  |

#### Assessment 30

|                                          |                                                                                        |
|------------------------------------------|----------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.16</a>                                                         |
| <b>Rule Heading</b>                      | Federally-funded COVID-19 Personnel                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.604; 824.6021; H.B. 288, 87th Leg. (R.S.), Sec. 2</a>   |
| <b>Authority Type</b>                    | Permissive                                                                             |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                         |
| <b>Notes / Justification (concise)</b>   | The underlying statute for this rule (Gov't. Code § 824.6021) expired on Feb. 1, 2025. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                 |
| <b>Current Word Count</b>                | 205                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                      |
| <b>Word Count Delta</b>                  | 205                                                                                    |

#### Assessment 31

|                                          |                                                                                                                                 |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.18</a>                                                                                                  |
| <b>Rule Heading</b>                      | Combining EAR Exceptions                                                                                                        |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.602(j); 824.604</a>                                                                              |
| <b>Authority Type</b>                    | Mixed                                                                                                                           |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | The references to the former EAR exception under Gov't. Code § 824.6021 can be removed as that statute expired on Feb. 1, 2025. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                           |
| <b>Current Word Count</b>                | 774                                                                                                                             |
| <b>Anticipated Word Count</b>            | 560                                                                                                                             |
| <b>Word Count Delta</b>                  | 214                                                                                                                             |

**Assessment 32**

|                                          |                                                                                                                                 |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 31.19</a>                                                                                                  |
| <b>Rule Heading</b>                      | Combining EAR Exceptions and Employer Surcharges                                                                                |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 824.604; 825.102; 825.4092</a>                                                                       |
| <b>Authority Type</b>                    | Permissive                                                                                                                      |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | The references to the former EAR exception under Gov't. Code § 824.6021 can be removed as that statute expired on Feb. 1, 2025. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                           |
| <b>Current Word Count</b>                | 767                                                                                                                             |
| <b>Anticipated Word Count</b>            | 426                                                                                                                             |
| <b>Word Count Delta</b>                  | 341                                                                                                                             |

**Assessment 33**

|                                          |                                                                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 33.1</a>                                                                                                      |
| <b>Rule Heading</b>                      | Selection of Plan for Payment of Death Claim for a Minor Child                                                                     |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                                                                              |
| <b>Authority Type</b>                    | Permissive                                                                                                                         |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | Rules 33.1 - 33.5 are short and overlap. They could easily be combined into one, simplified rule for improved use and readability. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                              |
| <b>Current Word Count</b>                | 67                                                                                                                                 |
| <b>Anticipated Word Count</b>            | 217                                                                                                                                |
| <b>Word Count Delta</b>                  | -150                                                                                                                               |

**Assessment 34**

|                                          |                                                                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 33.2</a>                                                                                                      |
| <b>Rule Heading</b>                      | Transactions on Behalf of a Minor Child or Incapacitated Person                                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                                                                              |
| <b>Authority Type</b>                    | Permissive                                                                                                                         |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | Rules 33.1 - 33.5 are short and overlap. They could easily be combined into one, simplified rule for improved use and readability. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                             |
| <b>Current Word Count</b>                | 93                                                                                                                                 |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                  |
| <b>Word Count Delta</b>                  | 93                                                                                                                                 |

**Assessment 35**

|                                    |                               |
|------------------------------------|-------------------------------|
| <b>Rule Citation (hyperlinked)</b> | <a href="#">34 TAC § 33.3</a> |
|------------------------------------|-------------------------------|

|                                          |                                                                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Heading</b>                      | Selection of Plan for Payment of Death Claim for an Incapacitated Person                                                           |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                                                                              |
| <b>Authority Type</b>                    | Permissive                                                                                                                         |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | Rules 33.1 - 33.5 are short and overlap. They could easily be combined into one, simplified rule for improved use and readability. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                             |
| <b>Current Word Count</b>                | 52                                                                                                                                 |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                  |
| <b>Word Count Delta</b>                  | 52                                                                                                                                 |

#### Assessment 36

|                                          |                                                                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 33.4</a>                                                                                                      |
| <b>Rule Heading</b>                      | Selection of Retirement Plan for an Incapacitated Person                                                                           |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                                                                              |
| <b>Authority Type</b>                    | Permissive                                                                                                                         |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | Rules 33.1 - 33.5 are short and overlap. They could easily be combined into one, simplified rule for improved use and readability. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                             |
| <b>Current Word Count</b>                | 43                                                                                                                                 |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                  |
| <b>Word Count Delta</b>                  | 43                                                                                                                                 |

#### Assessment 37

|                                          |                                                                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 33.5</a>                                                                                                      |
| <b>Rule Heading</b>                      | Approval of Designated Beneficiary                                                                                                 |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a>                                                                                              |
| <b>Authority Type</b>                    | Permissive                                                                                                                         |
| <b>Reduction Categories</b>              | Duplicative Rules                                                                                                                  |
| <b>Notes / Justification (concise)</b>   | Rules 33.1 - 33.5 are short and overlap. They could easily be combined into one, simplified rule for improved use and readability. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                             |
| <b>Current Word Count</b>                | 40                                                                                                                                 |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                  |
| <b>Word Count Delta</b>                  | 40                                                                                                                                 |

#### Assessment 38

|                                          |                                       |
|------------------------------------------|---------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 39.1</a>         |
| <b>Rule Heading</b>                      | Establishment of Date of Birth        |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code § 825.102</a> |
| <b>Authority Type</b>                    | Permissive                            |
| <b>Reduction Categories</b>              | Ineffective Rules                     |

|                                        |                                                                                      |
|----------------------------------------|--------------------------------------------------------------------------------------|
| <b>Notes / Justification (concise)</b> | Rule 39.1 is a non-exclusive list that does not require a rule for TRS to implement. |
| <b>Recommended Agency Action</b>       | Repeal                                                                               |
| <b>Current Word Count</b>              | 318                                                                                  |
| <b>Anticipated Word Count</b>          | 0                                                                                    |
| <b>Word Count Delta</b>                | 318                                                                                  |

#### Assessment 39

|                                          |                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 41.13</a>                                                                                                                                                                                                                                                                                                             |
| <b>Rule Heading</b>                      | One-Time Reenrollment Opportunity                                                                                                                                                                                                                                                                                                          |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Ins. Code §§ 1575.052; 1575.051; 1575.161(b)-(c)</a>                                                                                                                                                                                                                                                                           |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                                                                                                                                                                                  |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                             |
| <b>Notes / Justification (concise)</b>   | HB 2022 of the 87th Legislative Session amended Section 1575.161 by adding subsections (b) and (c). Those subsections expired on September 1, 2024. The periods for enrollment in this opportunity have also now expired, and therefore, this open enrollment opportunity is closed. This rule is no longer necessary and can be repealed. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                     |
| <b>Current Word Count</b>                | 372                                                                                                                                                                                                                                                                                                                                        |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                          |
| <b>Word Count Delta</b>                  | 372                                                                                                                                                                                                                                                                                                                                        |

#### Assessment 40

|                                          |                                                                                                                                                                                           |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.1</a>                                                                                                                                                             |
| <b>Rule Heading</b>                      | Applicability                                                                                                                                                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102; 2001.003(6)</a>                                                                                                                       |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                                 |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                            |
| <b>Notes / Justification (concise)</b>   | Remove reference in subsection (c) to ALJs not employed by SOAH because TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those kinds of hearings. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                                     |
| <b>Current Word Count</b>                | 185                                                                                                                                                                                       |
| <b>Anticipated Word Count</b>            | 138                                                                                                                                                                                       |
| <b>Word Count Delta</b>                  | 47                                                                                                                                                                                        |

#### Assessment 41

|                                    |                               |
|------------------------------------|-------------------------------|
| <b>Rule Citation (hyperlinked)</b> | <a href="#">34 TAC § 43.2</a> |
| <b>Rule Heading</b>                | Definitions                   |

|                                          |                                                                                                                                                                                          |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102; 2001.003(6)</a>                                                                                                                      |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                                |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                           |
| <b>Notes / Justification (concise)</b>   | Remove reference in paragraph (1) to ALJs not employed by SOAH because TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those kinds of hearings. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                                    |
| <b>Current Word Count</b>                | 621                                                                                                                                                                                      |
| <b>Anticipated Word Count</b>            | 587                                                                                                                                                                                      |
| <b>Word Count Delta</b>                  | 34                                                                                                                                                                                       |

#### Assessment 42

|                                          |                                                                                                                                                                                     |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.3</a>                                                                                                                                                       |
| <b>Rule Heading</b>                      | Filing of Documents                                                                                                                                                                 |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102; 2001.003(6)</a>                                                                                                                 |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                           |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                      |
| <b>Notes / Justification (concise)</b>   | Delete subsection (c) as it references ALJs not employed by SOAH. TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those kinds of hearings. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                               |
| <b>Current Word Count</b>                | 182                                                                                                                                                                                 |
| <b>Anticipated Word Count</b>            | 127                                                                                                                                                                                 |
| <b>Word Count Delta</b>                  | 55                                                                                                                                                                                  |

#### Assessment 43

|                                          |                                                                                                                                                                                                               |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.5</a>                                                                                                                                                                                 |
| <b>Rule Heading</b>                      | Extensions                                                                                                                                                                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102; 2001.003(6)</a>                                                                                                                                           |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                                                     |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                |
| <b>Notes / Justification (concise)</b>   | Delete subsection (e) and amend subsection (f) as they reference ALJs not employed by SOAH. TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those kinds of hearings. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                                                         |
| <b>Current Word Count</b>                | 380                                                                                                                                                                                                           |
| <b>Anticipated Word Count</b>            | 339                                                                                                                                                                                                           |
| <b>Word Count Delta</b>                  | 41                                                                                                                                                                                                            |

**Assessment 44**

|                                          |                                                                                                                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.106</a>                                                                                                                                                    |
| <b>Rule Heading</b>                      | Authority to Grant Relief                                                                                                                                                          |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102; 2001.003(6)</a>                                                                                                                |
| <b>Authority Type</b>                    | Mandatory                                                                                                                                                                          |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                     |
| <b>Notes / Justification (concise)</b>   | Amend subsection (b) as it references ALJs not employed by SOAH. TRS does not contract with independent ALJs and is repealing Subchapter C, which governs those kinds of hearings. |
| <b>Recommended Agency Action</b>         | Amend                                                                                                                                                                              |
| <b>Current Word Count</b>                | 145                                                                                                                                                                                |
| <b>Anticipated Word Count</b>            | 103                                                                                                                                                                                |
| <b>Word Count Delta</b>                  | 42                                                                                                                                                                                 |

**Assessment 45**

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.201</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Applicability                                                                                                                                                                                                                                                                                                                         |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 23                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 23                                                                                                                                                                                                                                                                                                                                    |

**Assessment 46**

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.202</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Form of Pleadings                                                                                                                                                                                                                                                                                                                     |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |

|                               |     |
|-------------------------------|-----|
| <b>Current Word Count</b>     | 365 |
| <b>Anticipated Word Count</b> | 0   |
| <b>Word Count Delta</b>       | 365 |

#### Assessment 47

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.203</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Filing of Pleadings and Amendments                                                                                                                                                                                                                                                                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 121                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 121                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 48

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.204</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Briefs                                                                                                                                                                                                                                                                                                                                |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 56                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 56                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 49

|                                          |                                                                                           |
|------------------------------------------|-------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.205</a>                                                           |
| <b>Rule Heading</b>                      | Motions                                                                                   |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                    |
| <b>Authority Type</b>                    | Permissive                                                                                |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                            |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a |

|                                  |                                                                                                                                                                                                                                             |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  | TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b> | Repeal                                                                                                                                                                                                                                      |
| <b>Current Word Count</b>        | 136                                                                                                                                                                                                                                         |
| <b>Anticipated Word Count</b>    | 0                                                                                                                                                                                                                                           |
| <b>Word Count Delta</b>          | 136                                                                                                                                                                                                                                         |

#### Assessment 50

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.206</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Discovery                                                                                                                                                                                                                                                                                                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 50                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 50                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 51

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.207</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Notice of Hearing and Other Action                                                                                                                                                                                                                                                                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 515                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 515                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 52

|                                    |                                 |
|------------------------------------|---------------------------------|
| <b>Rule Citation (hyperlinked)</b> | <a href="#">34 TAC § 43.208</a> |
|------------------------------------|---------------------------------|

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Heading</b>                      | Agreements to be in Writing                                                                                                                                                                                                                                                                                                           |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 110                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 110                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 53

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.209</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Motion for Consolidation                                                                                                                                                                                                                                                                                                              |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 159                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 159                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 54

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.210</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Additional Parties                                                                                                                                                                                                                                                                                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |

|                                  |        |
|----------------------------------|--------|
| <b>Recommended Agency Action</b> | Repeal |
| <b>Current Word Count</b>        | 164    |
| <b>Anticipated Word Count</b>    | 0      |
| <b>Word Count Delta</b>          | 164    |

#### Assessment 55

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.211</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Appearance and Representation                                                                                                                                                                                                                                                                                                         |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 219                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 219                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 56

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.212</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Lead Counsel                                                                                                                                                                                                                                                                                                                          |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 51                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 51                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 57

|                                          |                                                        |
|------------------------------------------|--------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.213</a>                        |
| <b>Rule Heading</b>                      | Powers of the Administrative Law Judge                 |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a> |
| <b>Authority Type</b>                    | Permissive                                             |
| <b>Reduction Categories</b>              | Obsolete Rules                                         |

|                                        |                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Notes / Justification (concise)</b> | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>       | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>              | 77                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>          | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                | 77                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 58

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.214</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Prehearing Conference and Orders                                                                                                                                                                                                                                                                                                      |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 301                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 301                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 59

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.215</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Conduct of Hearing                                                                                                                                                                                                                                                                                                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 280                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 280                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 60

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.216</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | General Admissibility                                                                                                                                                                                                                                                                                                                 |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 185                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 185                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 61

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.217</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Exhibits                                                                                                                                                                                                                                                                                                                              |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 233                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 233                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 62

|                                          |                                                                                                                                                                                                                                         |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.218</a>                                                                                                                                                                                                         |
| <b>Rule Heading</b>                      | Pre-filed Direct Testimony in Disability Appeal Proceedings                                                                                                                                                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                  |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                              |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                          |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping |

|                                  |                                                                                               |
|----------------------------------|-----------------------------------------------------------------------------------------------|
|                                  | the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b> | Repeal                                                                                        |
| <b>Current Word Count</b>        | 502                                                                                           |
| <b>Anticipated Word Count</b>    | 0                                                                                             |
| <b>Word Count Delta</b>          | 502                                                                                           |

#### Assessment 63

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.219</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Limit on Number of Witnesses                                                                                                                                                                                                                                                                                                          |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 32                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 32                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 64

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.220</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Failure to Appear                                                                                                                                                                                                                                                                                                                     |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 60                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 60                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 65

|                                          |                                                        |
|------------------------------------------|--------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.221</a>                        |
| <b>Rule Heading</b>                      | Conduct and Decorum                                    |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a> |
| <b>Authority Type</b>                    | Permissive                                             |

|                                        |                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Reduction Categories</b>            | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b> | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>       | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>              | 55                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>          | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                | 55                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 66

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.222</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Official Notice                                                                                                                                                                                                                                                                                                                       |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 77                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 77                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 67

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.223</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Recording of the Hearing; Certified Language Interpreter                                                                                                                                                                                                                                                                              |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 374                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |

|                         |     |
|-------------------------|-----|
| <b>Word Count Delta</b> | 374 |
|-------------------------|-----|

#### Assessment 68

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.224</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Dismissal without Hearing                                                                                                                                                                                                                                                                                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 167                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 167                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 69

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.225</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Summary Disposition                                                                                                                                                                                                                                                                                                                   |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 161                                                                                                                                                                                                                                                                                                                                   |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 161                                                                                                                                                                                                                                                                                                                                   |

#### Assessment 70

|                                          |                                                                                                                                                                                        |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.226</a>                                                                                                                                                        |
| <b>Rule Heading</b>                      | The Record                                                                                                                                                                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                 |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                             |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                         |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and |

|                                  |                                                                                                                                                |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  | these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b> | Repeal                                                                                                                                         |
| <b>Current Word Count</b>        | 19                                                                                                                                             |
| <b>Anticipated Word Count</b>    | 0                                                                                                                                              |
| <b>Word Count Delta</b>          | 19                                                                                                                                             |

#### Assessment 71

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.227</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Findings of Fact                                                                                                                                                                                                                                                                                                                      |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 28                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 28                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 72

|                                          |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 43.228</a>                                                                                                                                                                                                                                                                                                       |
| <b>Rule Heading</b>                      | Reopening of Hearing                                                                                                                                                                                                                                                                                                                  |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 825.115(b)-(c); 825.102</a>                                                                                                                                                                                                                                                                                |
| <b>Authority Type</b>                    | Permissive                                                                                                                                                                                                                                                                                                                            |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                                                                                                                                                                                                        |
| <b>Notes / Justification (concise)</b>   | Gov't. Code § 825.115(c) authorizes TRS to contract with an ALJ or hearing examiner for a TRS pension appeal in lieu of sending the matter to SOAH. TRS does not use this process, and these rules only pertain to this option. Keeping the rules gives the impression of TRS' contested case rules being more complex than they are. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                                                                                                                                                                                                                |
| <b>Current Word Count</b>                | 37                                                                                                                                                                                                                                                                                                                                    |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                                                                                                                                                                                                     |
| <b>Word Count Delta</b>                  | 37                                                                                                                                                                                                                                                                                                                                    |

#### Assessment 73

|                                    |                                        |
|------------------------------------|----------------------------------------|
| <b>Rule Citation (hyperlinked)</b> | <a href="#">34 TAC § 47.16</a>         |
| <b>Rule Heading</b>                | Effective Date of TRS Review of Orders |

|                                          |                                                                                                                                                  |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 804.003(n); 804.005; 825.102; 26 USC § 414(p); Tex. Civ. Statutes, Title 110B, Section 76.003(n)</a>                  |
| <b>Authority Type</b>                    | Permissive                                                                                                                                       |
| <b>Reduction Categories</b>              | Obsolete Rules                                                                                                                                   |
| <b>Notes / Justification (concise)</b>   | This rule only pertains to QDROs received prior to 1989 that have not yet been reviewed. TRS is aware of no remaining applications of this rule. |
| <b>Recommended Agency Action</b>         | Repeal                                                                                                                                           |
| <b>Current Word Count</b>                | 121                                                                                                                                              |
| <b>Anticipated Word Count</b>            | 0                                                                                                                                                |
| <b>Word Count Delta</b>                  | 121                                                                                                                                              |

#### Assessment 74

|                                          |                                                                   |
|------------------------------------------|-------------------------------------------------------------------|
| <b>Rule Citation (hyperlinked)</b>       | <a href="#">34 TAC § 51.11</a>                                    |
| <b>Rule Heading</b>                      | Historically Underutilized Businesses                             |
| <b>Statutory Authority (hyperlinked)</b> | <a href="#">Gov't. Code §§ 2161.003; 2161.0012; 825.514</a>       |
| <b>Authority Type</b>                    | Mandatory                                                         |
| <b>Reduction Categories</b>              | Obsolete Rules                                                    |
| <b>Notes / Justification (concise)</b>   | TRS will update this rule as necessary to mirror the CPA's rules. |
| <b>Recommended Agency Action</b>         | Amend                                                             |
| <b>Current Word Count</b>                | 85                                                                |
| <b>Anticipated Word Count</b>            | 85                                                                |
| <b>Word Count Delta</b>                  | 0                                                                 |

#### Assessment 75: Title 34, Part 3, Chapter 25, § 25.302 - Calculation of Actuarial Costs of Service Credit

##### Recommended Changes:

75.1. TRS could consolidate the parallel table sets that differ only by membership tier and date cohort (membership established before September 1, 2007 with five years of service on August 31, 2014; membership on or after September 1, 2007; and members without five years of service on August 31, 2014) into a single referenced schedule keyed to membership tier and date, removing the repeated narrative that introduces each cohort's table.

TRS Noted: Further Review; To clarify, TRS believes the narrative language can probably be consolidated to some extent, but the tables themselves cannot be consolidated.

75.2. TRS could state the cost formula once (age and service credit determined on September 1 of the school year; divide salary by 1,000 and multiply by the applicable factor) and cross-reference it from the related cost sections that currently restate the same methodology.

TRS Noted: yes, good to keep in for further review and feedback

75.3. TRS could add indicator where this information can be located on the TRS website in pdf and searchable format, so that future factor updates do not require re-printing the full tables in the codified rule, thereby expediting TRS's ability to provide data to its stakeholders and remove the regulatory delays of formal rulemaking.

TRS Noted: good to keep this for further review and to post on the website

| Field                      | Detail                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code § 825.102 (permissive rulemaking); Tex. Gov't Code § 825.105; Tex. Gov't Code § 825.403(h); Tex. Gov't Code § 823.201(b) (permissive rulemaking); Tex. Gov't Code § 823.006 (limits on annual contributions for purchase of service credit); Tex. Gov't Code Chapter 823 (creditable service); Tex. Gov't Code § 823.002 (a) (service credit mandatory rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Reduction Category</b>  | Streamlining Opportunity; Duplicative                                                                                                                                                                                                                                                                                                                                               |

**Assessment 76: Title 34, Part 3, Chapter 25, § 25.303 - Calculation of Actuarial Cost for Purchase of Compensation Credit**

**Recommended Changes:**

76.1. TRS could replace the three near-identical cohort descriptions in subsections (c), (d), and (e) with a single methodology provision and a referenced schedule keyed to membership-establishment date and years of service on August 31, 2014.

TRS Noted: keep this for stakeholder input

| Field                      | Detail                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code § 825.102 (permissive rulemaking); Tex. Gov't Code § 825.105; Tex. Gov't Code § 825.403(h) Tex. Gov't Code § 823.201(b) (permissive rulemaking); Tex. Gov't Code § 823.006 (limits on annual contributions for purchase of service credit); Tex. Gov't Code Chapter 823 (creditable service); Tex. Gov't Code § 823.002 (a) (service credit mandatory rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Reduction Category</b>  | Streamlining Opportunity; Duplicative                                                                                                                                                                                                                                                                                                                                              |

**Assessment 77: Title 34, Part 3, Chapter 25, § 25.113 - Transfer of Credit between TRS and ERS**

**Recommended Changes:**

77.1. TRS could replace the restated purpose in subsection (a) and the definitions in subsection (b) that track Government Code Chapter 805 with a cross-reference to the statutory definitions, retaining only terms unique to the rule.

TRS Noted: good with this

77.2. TRS could consolidate the notice and deadline provisions in subsection (e) into a single timeline table covering the member election deadline, the beneficiary election deadline, and the inter-system notification deadline.

TRS Noted: Keep this in for further review

| Field                      | Detail                                                                                                                                               |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code Chapter 805 (credit transfer between ERS and TRS), including § 805.009 (permissive rulemaking); § 825.102 (permissive rulemaking). . |
| <b>Authority Type</b>      | Mixed                                                                                                                                                |
| <b>Reduction Category</b>  | Streamlining Opportunity; Duplicative; Obsolete                                                                                                      |

**Assessment 78: Title 34, Part 3, Chapter 25, § 25.28 - Payroll Report Dates**

**Recommended Changes:**

78.1. TRS could remove the obsolete dated transition language (the January 2018 report-month trigger in subsection (a) and the September 1, 2015 trigger in subsection (c)), since those effective dates have passed and the requirements now apply uniformly. TRS Noted: good with this

78.2. TRS could state the monthly due-date rule once and cross-reference the statutory penalty-interest provision in Government Code § 825.408 rather than restating it.

TRS Noted: good with this

78.3. TRS could consolidate the federal-funds and private-grant reporting provisions in subsections (b) and (c), which overlap substantially, into a single reporting requirement.

TRS Noted: This should be changed to TRS could remove subsection (b); these cannot be consolidated because they are alternatives for different periods.

78.4. TRS could place the late-fee schedule referenced in subsection (j) in a single fee provision and cross-reference it, reducing repetition across the section.

TRS Noted: This is further review; it is possible we are good with this change but it is unclear what it would be.

| Field                      | Detail                                                                                                                                                                                                                             |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code § 825.102 (permissive rulemaking); Tex. Gov't Code § 825.406; Tex. Gov't Code § 825.408 (penalty interest on contributions and fees); § 825.403 (collection of member's contributions); Tex. Gov't Code § 825.515. |
| <b>Authority Type</b>      | Mixed                                                                                                                                                                                                                              |
| <b>Reduction Category</b>  | Obsolete; Streamlining Opportunity                                                                                                                                                                                                 |

**Assessment 79: Title 34, Part 3, Chapter 29, § 29.90 - Forfeiture of Certain Benefits Due to Criminal Offense**

**Recommended Changes:**

79.1. TRS could consolidate the six required elements of a notice of judgment in subsection (b) into a single checklist provision and cross-reference the qualifying-felony definition in Government Code § 824.009 rather than restating its elements.

TRS Noted: good with this

79.2. TRS could replace the repeated qualified-domestic-relations-order treatment language that appears across subsection (c) with a single cross-reference to the Chapter 47 QDRO rules.

TRS Noted: good with this

79.3. TRS could state the refund-and-disbursement mechanics once and apply them by cross-reference to the member, retiree, and DROP-participant scenarios, rather than restating the mechanics for each scenario.

TRS Noted: good with this

| Field                      | Detail                                                                                                |
|----------------------------|-------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code § 824.009 (ineligibility for retirement annuity; forfeiture); § 825.102 (rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                 |
| <b>Reduction Category</b>  | Streamlining Opportunity                                                                              |

**Assessment 80: Title 34, Part 3, Chapter 51, § 51.2 - Vendor Protests and Appeals**

**Recommended Changes:**

80.1. TRS could reduce the fourteen definitions in subsection (a) to those terms actually used in the protest procedure and not already defined by statute or by the cross-

referenced Comptroller, Department of Information Resources, and Texas Facilities Commission rules.

TRS is only good with removing “TRS Legal Counsel” which does not appear in the rule, but not good with removing definitions for cross-reference.

80.2. TRS could authorize electronic filing and service of protests, determinations, appeals, and final decisions, replacing implicit paper-based steps.

TRS Noted: good with this

80.3. TRS could consolidate the protest and appeal timelines into a single deadline table to improve clarity for vendors.

TRS Noted: Further review.

| Field                      | Detail                                                                                               |
|----------------------------|------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code § 825.102 (rulemaking); § 825.202 (executive director); Tex. Gov't Code § 2155.076;. |
| <b>Authority Type</b>      | Mandatory                                                                                            |
| <b>Reduction Category</b>  | Duplicative; Streamlining Opportunity                                                                |

#### **Assessment 81: Title 34, Part 3, Chapter 25, § 25.1 - Full-time Service**

##### **Recommended Changes:**

81.1. TRS could remove the pre-2011-2012 school-year provisions in subsection (f), since the current membership-eligibility standards in subsection (e) now govern.

TRS Noted: good with this

81.2. TRS could consolidate the multiple hour-threshold provisions in subsections (a) through (e) into a single eligibility standard with narrow position-specific carve-outs.

TRS Noted: good with this

81.3. TRS could state the bus-driver and varied-schedule rules once rather than repeating them across the current-year and legacy-year subsections.

TRS Noted: 81.1 makes this unnecessary

| Field                      | Detail                                                                                                                                     |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code § 821.001; Tex. Gov't Code Chapter 822 (membership), including § 822.001; § 821.001 (definitions); § 825.102 (rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                                                      |
| <b>Reduction Category</b>  | Obsolete; Streamlining Opportunity                                                                                                         |

**Assessment 82: Title 34, Part 3, Chapter 41, § 41.10 - Eligibility to Enroll in the Health Benefits Program Under the Texas Public School Retired Employees Group Benefits Act (TRS-Care)**

**Recommended Changes:**

82.1. TRS could collapse the parallel service-credit lists for retirees who retire before September 1, 2004 (subsection (b)) and after September 1, 2005 (subsection (c)) into a single list of qualifying service-credit types, with a narrow date-based carve-out only where the substance actually differs.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

82.2. TRS could cross-reference the eligibility framework in Insurance Code Chapter 1575 and retain only the administrative detail the statute does not supply.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

82.3. TRS could remove obsolete date references that no longer affect current eligibility determinations.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

82.4. TRS could replace the repeated enumerations of qualifying service-credit types with a single defined term used throughout the section.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

| Field                      | Detail                                                                                                                                                                  |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Ins. Code Chapter 1575 (Texas Public School Employees Group Benefits Program, TRS-Care), including eligibility provisions; Tex. Gov't Code § 825.102 (rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                                                                                   |
| <b>Reduction Category</b>  | Obsolete; Streamlining Opportunity; Duplicative                                                                                                                         |

**Assessment 83: Title 34, Part 3, Chapter 41, § 41.7 - Effective Date of Coverage**

**Recommended Changes:**

83.1. TRS could consolidate the effective-date rules for retirees in subsections (a) through (c) and for surviving spouses and dependent children in subsections (d) and (e) into a single effective-date table.

TRS Noted: = Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

83.2. TRS could cross-reference the initial enrollment period rules in § 41.1 rather than restating them within this section.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

83.3. TRS could state the deferral option in subsection (c) once and apply it by cross-reference, rather than repeating the first-day-of-the-month-following construction throughout the section.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

| Field                      | Detail                                                                          |
|----------------------------|---------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Ins. Code Chapter 1575 (TRS-Care); Tex. Gov't Code § 825.102 (rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                           |
| <b>Reduction Category</b>  | Streamlining Opportunity; Duplicative                                           |

**Assessment 84: Title 34, Part 3, Chapter 47, § 47.10 - Determination of Whether an Order is a Qualified Domestic Relations Order**

**Recommended Changes:**

84.1. TRS could clarify that the pre-January 1, 2015 determination criteria in subsection (b) are limited to legacy orders, and present the current prescribed-form approach in subsection (a) as the default, so the two regimes are not read as cumulative.

TRS Noted: good with this

| Field                      | Detail                                                                                                                        |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Gov't Code Chapter 804 (qualified domestic relations orders), including § 804.003 and § 804.005; § 825.102 (rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                                         |

|                           |                                    |
|---------------------------|------------------------------------|
| <b>Reduction Category</b> | Streamlining Opportunity; Obsolete |
|---------------------------|------------------------------------|

**Assessment 85: Title 34, Part 3, Chapter 41, § 41.33 - Definitions Applicable to the Texas School Employees Uniform Group Health Coverage Program**

**Recommended Changes:**

85.1. TRS could replace the dependent definition that tracks Insurance Code § 1579.004 with a cross-reference to the statutory definition, retaining only the clarifying parent-child-relationship detail the statute does not supply.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

85.2. TRS could cross-reference the general definitions in Insurance Code § 1579.002 rather than restating terms already defined by statute.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

85.3. TRS could consolidate the not-a-Dependent clarifications in subsection (1)(D) into a single concise exclusion provision.

TRS Noted: Upon further review, TRS declines to make any changes to these health care rules at this time because a new Chief Health Care Officer for TRS' Health Division is incoming.

| Field                      | Detail                                                                                                                                                                                                             |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Statutory Authority</b> | Tex. Ins. Code Chapter 1579 (Texas School Employees Uniform Group Health Coverage, TRS-ActiveCare), including § 1579.002 (general definitions) and § 1579.004 (dependent); Tex. Gov't Code § 825.102 (rulemaking). |
| <b>Authority Type</b>      | Mixed                                                                                                                                                                                                              |
| <b>Reduction Category</b>  | Duplicative; Streamlining Opportunity                                                                                                                                                                              |