

Public Agenda Item #14b

Review, Discussion and Consideration of the Board of Trustees, Texas
Administrative Code, Title 34, Part IV, Required Rule Reviews and
Amendments to:
Chapter 63 (Board of Trustees)

February 23, 2016

Mike Ewing, Legislative Attorney, Governmental Affairs

Required Rule Review

Chapter 63, Board of Trustees



- Texas law requires review of rules every four years. Staff reviewed Chapter 63 per § 2001.039, Tex. Gov't Code.
- Notice of rule review for Chapter 63 was published in the May 8, 2015 issue of the *Texas Register*. No comments were received by ERS.
- Reasons for adopting rules in Chapter 63 continue to exist with amendments.

Amendments

Chapter 63, Board of Trustees



- § 63.1, concerning Duties of the Board of Trustees
 - *Amended to clarify that the Board's appellate jurisdiction of appeals is provided in Chapter 67, Hearings on Disputed Claims*

- § 63.3, concerning Election of Trustees (Nomination Process)
 - *Amended to clarify the maximum number of signatures ERS will accept on a petition (at least 300 signatures but no more than 600 signatures)*
 - *Amended to clarify that petitions submitted on behalf of a candidate must include original signatures*

Amendments (cont'd)

Chapter 63, Board of Trustees



- § 63.4, concerning Election of Trustees (Ballot)
 - *Amended to clarify that ERS will set the time and location for the drawing for the order of names to appear on the ballot*
 - *Amended to remove reference to a run-off election*
- Notice of proposed amendments were published in the January 8, 2016 issue of the *Texas Register*. ERS did not receive any comments.

Required Rule Review and Adoption of Amendments



Staff Recommendation

Staff Recommends:

- Adopt proposed amendments to Chapter 63 (Board of Trustees) as presented
- Re-adopt Chapter 63 (Board of Trustees) as amended by the Board