

AGENDA ITEM DETAILS

Subject: Review, Discussion and Consideration of Proposed Rules of the Board of Trustees, Texas Administrative Code, Title 34, Part IV, Chapter 63 (Board of Trustees) – (ACTION)

RECOMMENDED ACTION:

Move that the Board of Trustees of the Employees Retirement System of Texas adopt the proposed amendment to Chapter 63, concerning Board of Trustees, as reflected in Exhibit A and this agenda item.

Background:

ERS proposes an amendment to 34 Texas Administrative Code (TAC) Chapter 63, concerning Board of Trustees, by amending § 63.4, Election of Trustees (Ballot).

Proposed Amendment to Chapter 63, Board of Trustees

- **Section 63.4, Election of Trustees (Ballot)**, is proposed to be amended to authorize the board or the board's designee to cancel an election and certify the lone candidate as the trustee-elect if only one candidate is certified.

The proposed amendment to Chapter 63 is set forth in the attached Exhibit A, is incorporated herein by reference and is proposed under Tex. Gov't Code § 815.003(a), which authorizes the ERS Board of Trustees to adopt rules to govern trustee elections. The proposed amendment does not affect any other statute.

Notice of the proposed amendment was published in the April 23, 2021 issue of the Texas Register (46 TexReg 17). ERS did not receive any comments on the proposed amendment.

ERS Recommendation

Based on the information in Exhibit A, ERS recommends adopting the proposed amendment to 34 TAC Chapter 63.

ATTACHMENTS:

1. Exhibit A – Proposed Amendment to TAC 63
2. Slides - Rules of the Board of Trustees