

**TITLE 715. TEACHERS' RETIREMENT SYSTEM  
CHAPTER 10. GENERAL OPERATIONS**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 3. Service Eligibility
  - 715:10-3-1 Requirements for creditable service [AMENDED]
- Subchapter 5. Establishing Other Service Credits
  - 715:10-5-1 Oklahoma service credit after July 1, 1943 [AMENDED]
  - 715:10-5-4 Cost to purchase Oklahoma service [NEW]
  - 715:10-5-4.1 Payment of Contribution Deficit for Education Employees Service Incentive Plan [AMENDED]
  - 715:10-5-9 Re-establishing withdrawn service [AMENDED]
  - 715:10-5-11 Military service limited to maximum of five years [NEW]
- Subchapter 7. Membership Vesting and Termination
  - 715:10-7-1 Vesting of membership in TRS [AMENDED]
- Subchapter 9. Survivor Benefits
  - 715:10-9-6 Probate Waivers [NEW]
- Subchapter 11. Withdrawal from Membership and Refund of Deposits
  - 715:10-11-2 Withdrawal of optional membership while still employed [AMENDED]
- Subchapter 13. Contributions for Membership Service
  - 715:10-13-1 Regular annual compensation requirements [NEW]
  - 715:10-13-13 Contributions while receiving payments from Workers' Compensation[AMENDED]
- Subchapter 15. Service Retirement
  - 715:10-15-3 Date of retirement; making application [AMENDED]
  - 715:10-15-7.2 Retirement formula for members retiring under provisions of the Education Employees Service Incentive Plan ("EESIP") [AMENDED]
  - 715:10-15-10 Retirement plans [AMENDED]
  - 715:10-15-10.2.Partial lump-sum payments [AMENDED]
  - 715:10-15-11 Designation of beneficiaries for retirement options [AMENDED]
  - 715:10-15-16 Review by Medical Board [AMENDED]
- Subchapter 17. Post-Retirement Employment
  - 715:10-17-12 Earnings report by remitting agencies [AMENDED]
  - 715:10-17-13 Election to return to qualifying employment [AMENDED]
- Subchapter 25. Qualified Domestic Relations Order
  - 715:10-25-1 Definition [AMENDED]
  - 715:10-25-2 Filing a qualified domestic order [NEW]
  - 715:10-25-3 Contents of qualified domestic order [NEW]
  - 715:10-25-4 Payment to alternate payee [NEW]
  - 715:10-25-5 Termination of a qualified domestic order [NEW]

**SUMMARY:**

OTRS is proposing to: amend 715:10-3-1 to provide more structure on how service credit is calculated and provide for rounding of service credit awarded; amend 715:10-5-4 provide information, guidance, and procedures on how the cost to purchase Oklahoma service is calculated; amend 715:10-5-4.1 to provide that all EESIP payments must be completed at least ninety days prior to retirement; amend 715:10-5-1 to fix a clerical error; amend 715:10-5-9 to require all payments for withdrawn service to be completed at least ninety days prior to retirement; amend 715:10-5-11 to provide a procedure for the purchase of military service; amend 715:10-7-1 to provide that the five years required for vesting requires

a member to have five years of service credit; amend 715:10-9-6 to provide procedure for the submission of a probate waiver; amend 715:10-11-2 to make it clearer that a forfeiture of benefits when an optional member withdraws does not forfeit any future benefits the member may become entitled to; amend 715:10-13-1 to provide examples of what payments meet the definition of regular annual compensation; amend 715:10-13-13 to allow employers to continue remitting contributions on an employee's full regular annual compensation during a period when an employee is receiving Workers' Compensation; amend 715:10-15-3 to make it clear that the Intent to Retire must be returned to OTRS no less than 60 days prior to the date of retirement; amend 715:10-15-7.2 to provide that an employee who participates in EESIP, and then becomes employed by a non-participating EESIP employer, does not lose their EESIP wear-away performed prior to employment by a non-participating employer; amend 715:10-15-10 to clarify that certain retirement options allow the naming of a joint annuitant; amend 715:10-15-10.2 to provide a procedure for the payment of partial lump sum options; amend 715:10-15-11 providing guidance as to the designation of beneficiary in case of divorce; amend 715:10-15-16 to provide that a member granted temporary disability cannot apply for permanent disability until they are within one month of the expiration of the temporary disability; amend 715:10-17-12 to provide a deadline for the submission of the Employer Year End Report; amend 715:10-17-13 to provide clarity regarding the return to active contributing status after retirement; amend 715:10-25-1 through 715:10-25-5 to provide a procedure and guidance regarding the submission of Qualified Domestic Orders.

**AUTHORITY:**

70 O.S. Section 17-101, et seq., especially Section 17-106(10); Teachers' Retirement System Board of Trustees

**COMMENT PERIOD:**

Written comments may be made from January 5, 2016 through February 5, 2016, filed and available for inspection in the Office of the Executive Director, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma, from 8:30 a.m. until 5:00 p.m., Monday through Friday, excluding holidays, or by mailing same to the Executive Director, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

**PUBLIC HEARING:**

A public hearing will be held from 9:00 a.m. to 10:00 a.m. on February 11, 2016, at the offices of the Teachers' Retirement System, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma. Written notice of intent to make oral comments is encouraged. Individuals who file a written notice to comment will be scheduled to speak before comments are accepted from the audience. Written notice may be filed with the Executive Director, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, until 5:00 p.m. on February 9, 2016. Written notice may be mailed to: Executive Director, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, and also will be available on the TRS website ([www.ok.gov/TRS](http://www.ok.gov/TRS)).

**RULE IMPACT STATEMENT:**

The Oklahoma Teachers' Retirement System will issue a rule impact statement. Copies of the statement will be available on the TRS website ([www.ok.gov/TRS](http://www.ok.gov/TRS)) or may be obtained from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, beginning January 18, 2016, between 8:30 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

**CONTACT PERSON:**

Julie Ezell, Rules Liaison (405) 521-4746.