



TRS Summary of Proposed Rule

31.5 Notice and Forfeiture Requirements for Certain Service Retirees

and

31.6 Second EAR Warning Payments

What is being amended: TRS rules currently state that service retirees who exceed the limits on working after retirement are not subject to a second warning and partial forfeiture of their monthly annuity until they *receive* a first warning from TRS; and that they are not subject to full forfeiture until they *receive* the second warning from TRS. The proposed amendments change these rules to state that a service retiree is subject to a second warning and partial forfeiture in the month after TRS “issues” the first warning instead of when the retiree “receives” the warning. Similarly, the proposed amendments provide that a retiree is subject to full forfeiture in the month after TRS “issues” a second warning to a retiree.

Why this is being proposed: The proposed amendments ensure that TRS rules align with statutory notice requirements made under Government Code § 824.601.