



Member Benefits Guide



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Chapter One: Benefits Summary

Membership

You become a TMRS member when you become employed by a TMRS participating city in a position that normally requires at least 1,000 hours of work in a year.

Contributions

You contribute a portion of your compensation to TMRS every month. That contribution will be either 5%, 6%, or 7% of your compensation, depending on your city's retirement plan provisions. Your city will deduct that contribution and send it to TMRS.

Your contributions are credited to your TMRS account and earn 5% interest each year you remain a member.

When you retire, your city will match your member contributions and interest at a rate chosen by your city. The rate will be 1:1, 1.5:1, or 2:1.

Your contributions, interest, and the city match will be combined to calculate your retirement benefit.

Service Credit

You earn service credit each month you are employed and make contributions. You can earn additional service credit for other types of previous employment, like government employment or active-duty military service.

Vesting

Vesting means you have enough service credit to be eligible for a monthly retirement benefit. Most cities require five years of service credit to vest, but a few require 10 years. Your service credit with all TMRS participating cities can be combined to meet the vesting requirement.

Retirement Eligibility

Retirement eligibility is based on your service credit and your age. Most cities require that you have five or more years of service credit and reach age 60 to be retirement eligible. A few require at least 10 years of service credit.

You can retire at any age if you have 20 years of service credit. A few cities require 25 years of service credit depending on the plan chosen by your city.

Retirement Benefit Options

When you retire, you will choose from three benefit options. Each will pay you a monthly benefit for the rest of your life.

Death Benefits

If you die before you retire, your beneficiary or estate will receive at least a refund of your account balance. If you are vested, your beneficiary may be eligible to receive a monthly retirement benefit. If you die after you retire, your beneficiary's benefit will depend on the retirement option you chose.

Your city may also provide a Supplemental Death Benefit (SDB). If it does, your designated beneficiary will receive it when you die.

Beneficiaries

A beneficiary is the individual(s) you select to receive your TMRS benefits when you die. You should name a beneficiary as soon as you begin work.

Because your prior beneficiary designations become invalid when you vest, you must redesignate a beneficiary when you become vested. If you are married, your spouse must consent if you name a beneficiary other than your spouse after you vest.

Disability Benefits

If you become disabled and can no longer perform your job, you may be eligible to retire immediately and receive a benefit if the disability is likely to be permanent.

Leaving City Employment Before You Retire

When you leave city employment, you have two choices: you can leave your account balance with TMRS or have it refunded to you.

If you are vested, you can leave your account balance with TMRS until you retire.

If you are not vested, you can leave your account balance with TMRS for up to five years.

If you refund your account balance, you forfeit any city matching funds and your TMRS membership ends.

MyTMRS

MyTMRS is an online member portal you can use to change your address, access your account statement, run retirement estimates, and change your beneficiary and contact information.

You should create a MyTMRS account as soon as you begin city employment.

Annual Account Statements

Each year, TMRS will provide you with an account statement.

The member account statement shows your account balance, total service credit, and estimated monthly retirement benefit. You cannot take a loan from or borrow against your TMRS account.

TMRS ID Number

For your security, you will be provided with your own unique six-digit TMRS identification number. You should use this number when you contact TMRS with questions about your account.

Chapter Two: Membership

You Make Contributions to TMRS

Your TMRS membership begins on your date of employment with your city.

Each pay period, part of your compensation will be deducted and sent by your city to TMRS and credited to your account.

Your contributions are credited with interest each year on December 31 based on the balance in your account on the prior January 1.

Vesting

Vesting makes you eligible to receive a monthly retirement benefit when you reach age 60. You become vested after either five or 10 years of service credit, depending on your city's plan provisions.

- If you become vested with one participating city, you are automatically vested with any other participating city.
- If you worked for a 10-year city and did not become vested, and then work for a five-year city, you will not become vested until your combined service credit with both cities totals 10 years, or you receive five years of service credit with the five-year city.

Service credit from previous government employment may count toward vesting.

Leaving City Employment

When you leave city employment, you can leave your contributions with TMRS or refund your account.

If you leave your contributions with TMRS and are vested, your account will continue to earn interest until you retire. If you are not vested, your account will earn interest for five years, at which time your membership terminates.

If you choose to refund your TMRS account, your membership terminates, and you forfeit your right to receive a lifetime monthly retirement benefit. You will receive your account balance, but no city matching funds.

Retirement Eligibility

You become eligible to retire at age 60 with either five or 10 years of service, or at any age with 20 or 25 years of service, depending on your city's plan. When you do, you can begin receiving a lifetime monthly retirement benefit based on your contributions, interest, and the city's matching funds.

Choosing a Beneficiary

One of your most important decisions is choosing your beneficiary, and you should do so when you begin working and again when you become vested.

When you die, your beneficiary may receive a TMRS benefit if you are vested. Otherwise, they will receive a refund of your account.

If you are married, your spouse must consent if you name a beneficiary other than your spouse after you vest.

Membership Termination

Your TMRS membership will terminate when you die, refund your account, or retire.

Chapter 3: Earning Service Credit

Service Credit

Service credit is used to determine vesting and retirement eligibility requirements. You receive one month of service credit for each month of active employment with a TMRS participating city. If you leave one TMRS participating city and begin working with another in the same month, you will only receive one month of service credit.

You can earn service credit in several other ways, too.

Restricted Prior Service Credit

Restricted Prior Service Credit is credit for previous full-time employment with certain other public employers.

Cities can grant Restricted Prior Service Credit for previous full-time employment with:

- Any public authority or agency created by the United States
- Any state or territory of the U.S.
- Any political subdivision of any state in the U.S.
- Any public agency or authority created by a state or territory of the U.S.
- Any Texas institution as a college campus security employee
- Any branch of the U.S. military
- In addition, cities can grant Restricted Prior Service Credit if you refunded your account with:
 - Employees Retirement System of Texas
 - Teacher Retirement System of Texas
 - Judicial Retirement System of Texas (Plan 1 or 2)
 - City of Austin Employees Retirement System
 - TMRS

Prior Service Credit

If you were working for a city when it joined TMRS, the city may provide you with Prior Service Credit. Prior Service Credit includes monetary credit that will be used to increase your retirement benefit.

If your city funded, partially or in full, any retirement benefits for you before the city joined TMRS, you may receive time-only service credit that adds no monetary value to your TMRS account.

If you terminate your TMRS membership before you retire, any Prior Service Credit you received will become void.

Military Service Credit

You can receive service credit for military service in two ways:

First, if you work for a participating city that provides military service credit, you can receive service credit for up to 60 months of your military service.

Second, if you are called to active duty while employed with the city, you can receive military service credit under the

federal Uniformed Services Employment and Reemployment Rights Act (USERRA).

To be eligible under USERRA, you must be re-employed by your city within 90 days of your release or discharge from active duty, subject to exceptions for recovery from illness or injury incurred or aggravated during your active duty. In addition, you may choose to submit member contributions that would have been made by your city had you not been called to active duty. You have up to three times the length of your military service but not more than 60 months after your release or discharge to make these contributions.

Or you may be eligible to receive Military Service Credit pursuant to specific TMRS plan provisions adopted by your city.

To qualify for Military Service Credit, you must have been called to active duty and not been dishonorably discharged, and you cannot receive credit for the same military service in any other Texas retirement system.

Buying Back Service Credit

If you refund your account, but then return to work for a TMRS participating city, you may be able to buy back the service credit you refunded.

To buy back service credit, you must be employed with the city at the time the city adopted the buyback provision. In addition, you must have 24 consecutive months of service with the city to be eligible to buy back your service credit.

To buy back service credit, you must pay your refunded amount plus interest in a lump sum.

Family and Medical Leave Act (FMLA)

If you take unpaid leave under the federal Family and Medical Leave Act (FMLA), you stop receiving TMRS service credit. When you return to work, you will start receiving service credit again.

Service with Other Texas Retirement Systems

The State of Texas allows individuals with service in two or more designated retirement systems to combine their service credit to meet retirement eligibility in each system. TMRS recognizes service with the:

- Teacher Retirement System of Texas
- Employees Retirement System of Texas
- Judicial Retirement System of Texas (Plan 1 or 2)
- Texas County and District Retirement System
- City of Austin Employees Retirement System

You must notify TMRS if you have service credit with these systems.

If you refunded your TMRS account, and join one of the systems above, you can get credit for your TMRS service with that system. This service credit has no monetary value and counts only as time.

Workers' Compensation

If you receive workers' compensation payments directly from your city, you continue to receive service credit.

If you receive workers' compensation payments directly from an insurer, you will not receive service credit unless your city pays your TMRS contributions based on your workers' compensation payment.

You should check with your city's human resources department to determine how workers' compensation contributions are administered.

Chapter 4: Retirement

Retirement Eligibility

To be retirement eligible and receive a lifetime monthly retirement benefit you must:

- Have 20 years of TMRS service credit (some cities require 25), or
- Have five years of TMRS service credit (some cities require 10) at age 60.

To confirm your retirement eligibility and run a retirement estimate, log in to your MyTMRS account or call the Member Service Center.

If You Work for More than One TMRS City

If you work for more than one TMRS city, your time with all of them is combined to meet retirement eligibility.

If you work for cities that have different service credit requirements, you must meet the higher requirement. Call the Member Service Center to confirm your retirement eligibility.

Calculating Your Retirement Benefit

Your monthly retirement benefit is based on:

- Your retirement option
- Your account balance
- Your city's matching funds and other credits
- Your life expectancy
- Your beneficiary's life expectancy, if applicable

Retirement Benefit Options

TMRS offers three retirement benefit options.

Retiree Life Only

The Retiree Life Only option provides you with a monthly retirement benefit for life, but all payments cease the month after you die. This option provides the largest monthly benefit.

Retiree Life and Survivor

The Retiree Life and Survivor option provides a lifetime monthly retirement benefit and a beneficiary with a lifetime monthly benefit after your death. Your beneficiary's monthly benefit will be equal to 50%, 75% or 100% of your monthly benefit depending on which percentage you choose at retirement.

Retiree Life and Guaranteed Term

The Retiree Life and Guaranteed Term option provides a lifetime monthly retirement benefit and a beneficiary with a monthly benefit if you die before the end of the guaranteed payment term. The payment term can be either 5, 10, or 15 years and begins when you retire.

Changing Your Retirement Benefit Option or Beneficiary After You Retire

Once you receive a monthly benefit payment, you cannot change your benefit option or beneficiary except as described below.

Retiree Life Only

You can only change your Retiree Life Only benefit option if you marry after you retire and name your new spouse as beneficiary for a survivor benefit.

Retiree Life and Survivor

If you chose the Retiree Life and Survivor option and your prior beneficiary divorces or predeceases you, and you marry again, you can change that benefit option and name your new spouse as beneficiary for a Survivor benefit.

Retiree Life and Guaranteed Term

You can only change your Retiree Life and Guaranteed Term benefit option if you marry after you retire and name your new spouse as beneficiary for a survivor benefit.

For the Guaranteed Term benefit, you can change your beneficiary at any time.

If you want more information about changing your benefit option, contact the Member Service Center.

Marriage After Retirement

If you marry after retirement and wish to change your retirement option or beneficiary, you must do so before the first anniversary of your marriage and can do so only one time.

If Your Beneficiary Dies

If your beneficiary dies, contact the Member Service Center. If you selected the Retiree Life Only and Survivor option when you retired, you may be eligible for an increase in your monthly benefit payment.

Spousal Consent

If you are married when you apply to retire and you choose a retirement option other than Retiree Life and Survivor or name a beneficiary other than your spouse, your spouse must consent.

Partial Lump Sum Distribution (PLSD)

When you retire, you can receive a partial lump sum distribution (PLSD) from your retirement account equal to 12, 24, or 36 times the Retiree Life Only monthly benefit. The PLSD can be paid to you or rolled over into a qualified retirement plan. A PLSD will reduce your and any beneficiary's monthly retirement benefit.

Cost of Living Adjustments (COLAs)

Your city may provide retirees and their beneficiaries with a cost-of-living adjustment (COLA) that increases your monthly retirement benefit.

If your city provides a COLA, it is calculated by using the Consumer Price Index (CPI) to determine the rate of inflation since you retired, or 12 months before the COLA's effective date. A city's COLA may either be 30%, 50% or 70% of the change in the CPI.

COLAs are effective in January, and you must be retired for 13 months from a city that provides a COLA for you or your beneficiary to receive it.

Return of Account Balance

If you die before your account balance is completely paid through monthly retirement benefits, your estate or your beneficiary, or their estate, will receive the remaining balance.

Account Balances of Less than \$10,000

If your total contributions and interest, city matching funds, and any other credits are \$10,000 or less when you retire, TMRS must pay you that amount in a lump sum. You will not receive a monthly retirement benefit.

Retirement Benefit Statements

Retirees receive an annual Retirement Benefit Statement that includes their monthly retirement benefit amount, withholding, and COLA, if any, for the coming year.

Returning to Work (RTW) After Retirement

If you return to work for a different TMRS participating city from which you retired, there is no impact to your TMRS monthly benefit.

If you return to work for the same TMRS participating city from which you retired:

- Within 12 months of retirement, your TMRS monthly benefit payments will be forfeited for as long as you work, but you will earn a new TMRS retirement benefit while you work.
- More than 12 months after your TMRS retirement date, you can continue to receive your TMRS monthly benefit payments.

Social Security and Your TMRS Benefit

Receiving Social Security benefits does not affect your TMRS benefit. However, Social Security regulations are complex, and you should call Social Security to determine what impact, if any, your TMRS benefit may have on your Social Security benefit.

Chapter 5: Applying for Retirement

How to Apply for Retirement

When you are ready to retire, go to tmrs.com, download the Retirement Checklist fact sheet under the “For Members” tab, and check with your city’s human resources group for your city’s retirement requirements.

You must provide TMRS with all required documentation before your application can be processed. Your application cannot be received by TMRS more than 90 days before your retirement date.

Before you meet with city staff to discuss your retirement, take these steps to familiarize yourself with your TMRS benefits:

- **Schedule a Counseling Session to Review Your Retirement Account.** Call the TMRS Member Service Center at 800-924-8677 or go to tmrs.com and schedule a counseling session to review your retirement benefit options, beneficiary designations, and retirement paperwork.
- **Run Retirement Benefit Estimates in MyTMRS.** Estimate your monthly retirement benefit for different retirement dates and select the best retirement date for you.
- **Choose the month you want to retire.** Remember, you must terminate city employment by the end of that month.
- **Complete Your TMRS Retirement Application and IRS Form W4-P.** Complete the TMRS retirement application and IRS Form W4-P tax withholding form, both of which are available on tmrs.com.
- **Certify Your TMRS Retirement Application.** Your retirement application must be certified by a city representative.
- **Submit your retirement application.** Your retirement application must be submitted by the last day of the month you choose to retire. To ensure that your first benefit payment is not delayed, submit your paperwork as early as possible.

Retirement Date

Your retirement date must be the last day of a calendar month when you end employment with all TMRS participating cities.

Benefit Payments

Retirement benefit payments are made on the last day of each month. Your first benefit payment will be paid the month following your retirement date.

Chapter 6: Disability Retirement

Applying for a Disability Retirement

If you become disabled and are no longer able to perform your job, and the disability is likely to be permanent, you may be eligible to receive a disability retirement benefit.

To apply for a disability retirement benefit, you must complete TMRS' disability application, which may be obtained from your city, or by calling TMRS' Member Service Center.

TMRS will determine if you meet the disability retirement requirements. You will need to be examined by a physician and must include a physician's statement with your application. You also need a statement from your city and a copy of your job description.

Disability Benefit

If your disability retirement application is approved, you will receive a monthly retirement benefit that will be based on your TMRS contributions and interest at the time of your application, your city's matching funds, other credits, and your life expectancy.

If you are approved for a disability retirement benefit, you may be required to provide evidence of continued your disability annually until you reach age 60.

Other Earnings

Other income you earn while receiving a TMRS disability retirement benefit will not reduce your benefit amount.

Chapter 7: Death Benefits

Designating Your Beneficiary

After your death, your beneficiary may be able to receive a TMRS benefit.

Your beneficiary is the individual you select to receive your TMRS benefits when you die. If you do not designate a beneficiary, your benefit payment will be paid to your estate.

You should immediately designate a beneficiary when you become a TMRS member, and you should review your beneficiaries every year and after any major life event, such as marriage, divorce, or the birth of a child.

You can designate anyone as your beneficiary. However, if you are married and want to designate someone other than your spouse after you vest, you will need your spouse's consent to do so.

You can designate primary and alternate beneficiaries. Primary beneficiaries split any benefits due when you die. Alternate beneficiaries only receive benefits if all primary beneficiaries predecease them. If any beneficiary dies, their designation becomes invalid.

If you designate a minor as a beneficiary and do not designate a custodian, your benefit will be paid to the minor's parent or legal guardian.

After you vest, any beneficiary designation made before vesting is not valid. When you become vested, you must redesignate your beneficiary even if you don't change who they are. If you do not redesignate your beneficiary, your benefits will be paid in this order:

- To your spouse
- To your children
- To the last beneficiary you designated prior to becoming vested

If you have no spouse, no children, or haven't designated a beneficiary, the benefit will be paid to your estate.

You can change your beneficiary at any time prior to retirement.

Beneficiary Payments

If you die before you vest, your beneficiary will receive your account balance. If you haven't designated a beneficiary, your account balance will be paid to your estate. Your account balance does not include any city matching funds.

If you die after you vest, your beneficiary can choose one of the following benefits:

- A monthly benefit for life
- A monthly benefit for 15 years
- Your account balance

If your beneficiary chooses a monthly benefit, the city's matching funds will be included.

If your spouse is your beneficiary, they may choose to delay receiving their lifetime benefit until you would have reached age 60 and your account balance will continue to earn interest until that time. Your spouse must make this choice within 180 days from your date of death.

If you die after you retire, your beneficiary will be paid according to the benefit option you selected at retirement.

Supplemental Death Benefits

Your city may provide a Supplemental Death Benefit (SDB) to its employees and retirees. If it does, your beneficiary will receive one of the following benefits:

- For employees: Your beneficiary will receive a payment equivalent to your annual salary
- For retirees: Your beneficiary will receive a payment of \$7,500

You can change your SDB beneficiary at any time.

Chapter 8: Leaving City Employment

If You Are Not Vested

When you leave employment with all TMRS cities, you may leave your account balance with TMRS, refund your account balance, or apply for retirement. Your options depend on your vested status and retirement eligibility.

If you are not vested, you can leave your account balance with TMRS, and your account will be credited with 5% interest annually for up to five years. After five years, your TMRS membership will end, your TMRS account will no longer be credited with interest, and you should refund your account balance.

You can also refund your account balance immediately after you leave city employment.

If You Are Vested

If you are vested, you can leave your account balance with TMRS, and your account will be credited with 5% interest annually, or you can refund your account balance at any time. However, if you refund your account balance you will forfeit your lifetime retirement benefit.

If you're retirement eligible and decide to retire, your account balance will be matched by your city, and you will receive a monthly retirement benefit for life and possibly the life of your beneficiaries.

If You Refund Your Account Balance

You do not need to refund your account balance when you leave city employment. **If you do, your balance will not include any city matching funds. And if you are vested, you will forfeit your lifetime retirement benefit.**

Your refund application requires your city to certify when your last contribution will be deducted from your final pay and that your employment has ended. Your refund will be cancelled if you return to work for a TMRS participating city before it is paid to you.

Chapter 9: Divorce

Divorce and Your Benefit

Divorce can have a significant impact on your TMRS benefit.

If you and your spouse agree not to divide your TMRS benefit, the divorce decree should specify this. If it does, and you have retired, call the Member Service Center and ask how your TMRS benefit payments may increase.

If your TMRS benefit is divided in a divorce, keep the following in mind:

- Texas law requires the court to issue a Qualified Domestic Relations Order (QDRO). TMRS also must approve a QDRO, and TMRS can do so only if the QDRO meets legal requirements applicable to the TMRS plan. To avoid unnecessary trips to court, we recommend that you use TMRS' QDRO forms found in the *Divorce Before Retirement* and *Divorce After Retirement* publications, as appropriate.
- No benefit payment can be made to your former spouse until you end employment with all TMRS cities and refund your account balance or retire.
- Your former spouse will receive the portion of your benefit awarded to them by the QDRO.
- If your former spouse dies before you either refund your account balance or retire from TMRS, they will not receive any portion of your TMRS benefit and their interest in it terminates.

For additional information about how divorce can impact your TMRS benefits, please refer to TMRS' publications *Divorce Before Retirement* or *Divorce After Retirement* available on tmrs.com.

Because Texas divorce law is complicated, we recommend you discuss these options with legal counsel.

Chapter 10: Taxes

Your Monthly Contributions

Federal tax law and Internal Revenue Service (IRS) rules are complex. TMRS cannot provide tax advice, so you should consult a tax advisor for questions about taxes on your TMRS benefit.

Your TMRS contributions are not included in your taxable income.

If You Refund Your Account Balance

If you refund your account balance, it will be included in your taxable income.

Federal income tax law requires TMRS to withhold 20% unless it is rolled over to an eligible retirement plan listed under “Rollovers” below.

If you terminate employment before age 55 and refund your account balance before age 59½, you may incur an additional 10% tax unless you qualify for an exception available to certain public safety employees.

When You Retire

When you retire, your TMRS retirement benefits will be included in your taxable income.

If you worked for TMRS city prior to January 1, 1984, a portion of your monthly benefit may not be taxable. This portion will appear on your Form 1099-R as the “monthly exclusion amount.”

Partial Lump Sum Distributions

When you retire, you can receive a Partial Lump Sum Distribution (PLSD). If you do, it will be included in your taxable income. Federal income tax law requires TMRS to withhold 20% unless it is rolled into an eligible retirement plan listed under “Rollovers” below.

If you receive a PLSD before age 59½, but you terminated your TMRS city employment before age 55, you may incur an additional 10% tax unless you qualify for an exception available to certain public safety employees.

Rollovers

You can defer taxes and avoid tax penalties if you rollover your refund or PLSD into an eligible retirement plan, including:

- Governmental 457(b) plan
- 403(b) plan
- 401(a) plan (including 401(k) plans)
- IRAs
- Roth IRA (after 20% is deducted for federal income tax)
- SIMPLE IRAs that you have participated in for two years

Special rules apply to rollovers to Roth IRAs, including additional income taxes and withholding requirements that may not apply to other types of rollovers.

Supplemental Death Benefit (SDB)

A Supplemental Death Benefit is tax-free.

IRS Form 1099-R

If you receive a TMRS benefit, you will receive IRS Form 1099-R annually that provides the amount of tax withheld by TMRS. Retirees can access their Form 1099-R and change withholding elections on MyTMRS.

Special Tax Notice

For more information about the tax treatment of TMRS benefits, see the “Special Tax Notice Regarding Plan Payments” on tmrs.com.

Chapter 11: Member Resources

Fact Sheets. Fact Sheets provide a concise overview of TMRS benefits. You can find them on tmrs.com.

Individual Counseling Sessions. You can schedule online or in-person counseling sessions with a TMRS representative to answer your questions about TMRS benefits.

Laws and Rules. Texas laws and rules that apply to TMRS are available on tmrs.com. TMRS publications like this Guide are informal summaries of those laws and rules, which govern all TMRS benefits.

Member Account Statements. Members receive an annual statement that summarizes their service history, retirement account balance, and provides retirement estimates.

Member and Retiree Newsletters. Twice a year, TMRS publishes *TMRS Times* for active members and *RetirementWise* for retirees.

Member Service Center. Representatives can answer all your questions during normal business hours at 800-924-8677.

Mobile App. TMRS' mobile app provides access to all TMRS information from the palm of your hand.

MyTMRS. Located on tmrs.com, you can use MyTMRS to run retirement estimates, designate your beneficiaries, access your account information, and much more.

Retirement Benefit Statements. Retirees receive an annual retirement benefit statement that confirms their monthly benefit amount, tax withholdings, and other information.

Retirement Estimates. You can run retirement estimates 24/7 on MyTMRS or by calling the Member Service Center.

TMRS.com. TMRS' website is the best resource for information about TMRS and your benefits.

Webinars. TMRS hosts monthly Member webinars. Visit tmrs.com for details.

