

TMRS Retirement Application

SECTION 1: MEMBER INFORMATION

Name

Social Security Number

Mailing Address

Personal Email Address

City

State

Zip

Cell Phone Number

I want to retire in _____ (Month/Year). Your TMRS retirement date will be the last day of the month selected.

I understand that:

- My TMRS retirement date cannot be before the date I terminate employment with all TMRS participating cities.
- My TMRS retirement date cannot be before the date I file this application with TMRS.
- If I am reemployed within 12 months of my retirement date by the TMRS city where I retired, my benefit will be suspended and forfeited until I terminate employment. I will resume membership in TMRS and make required contributions as an active member.

For Public Safety Employees Only:

I certify that when I separated from service with my last TMRS city listed in Section 2, I was a qualified public safety employee and my principal duties required specialized training in (select one):

- ☐ Police Protection ☐ Firefighting Services ☐ Emergency Medical Services
☐ Corrections Officer ☐ Forensic Security Employee

SECTION 2: CERTIFICATION BY LAST TMRS EMPLOYING CITY

I certify that:

- The above individual has/will terminate(d) employment with the city of _____ on or before the last day of _____ (Month/Year) and that all of the applicant's retirement contributions do/will represent compensation earned prior to the date of termination from the city.
- If completed, the qualified public safety employee information provided above is accurate as of the date of termination.

Signature of Authorized City Contact

Date

Printed Name and Title

SECTION 3: RETIREMENT OPTIONS

MARITAL STATUS (Select One) ☐ Married ☐ Not Married

Select **One** Retirement Option:

- ☐ **Retire Life Only:** You only will receive a lifetime monthly benefit. This option does not provide survivor benefits.
- ☐ **Retiree Life and Survivor:** You will receive a reduced lifetime monthly benefit. When you die, your beneficiary will receive a lifetime monthly benefit equal to your benefit multiplied by the percentage selected below.
- ☐ 100% ☐ 75% ☐ 50%
- ☐ **Retiree Life and Guaranteed Term:** You will receive a reduced lifetime monthly benefit. The guaranteed term you select below begins at your TMRS retirement date. If you die before the guaranteed term is over, your beneficiary(ies) will receive a monthly benefit until the guaranteed term ends.
- ☐ 15 years ☐ 10 years ☐ 5 years

SECTION 4: PRIMARY BENEFICIARY DESIGNATION

If you select the Retiree Life and Survivor retirement option, you may only designate one primary beneficiary. For other retirement options, any benefit due will be divided equally between surviving primary beneficiaries. If you would like to name more than four primary beneficiaries, or if you would like to designate an estate, trust, or charity, please contact TMRS for instructions. Your designation below revokes all prior beneficiary designations.

Name	Social Security Number	Relationship	Date of Birth (MM/DD/YYYY)
_____	_____	☐ Spouse ☐ Other	_____
_____	_____	☐ Spouse ☐ Other	_____
_____	_____	☐ Spouse ☐ Other	_____
_____	_____	☐ Spouse ☐ Other	_____

Custodian for Beneficiary(ies) under age 21

Custodian Name

Custodian's Social Security Number

SECTION 5: ALTERNATE BENEFICIARY DESIGNATION (Optional)

All primary beneficiaries above must be deceased or revoked by reason of divorce before a benefit will be divided equally among surviving alternate beneficiaries. If you would like to name more than four alternate beneficiaries, or if you would like to designate an estate, trust, or charity, please contact TMRS for instructions.

Name	Social Security Number	Relationship	Date of Birth (MM/DD/YYYY)
_____	_____	☐ Spouse ☐ Other	_____
_____	_____	☐ Spouse ☐ Other	_____
_____	_____	☐ Spouse ☐ Other	_____
_____	_____	☐ Spouse ☐ Other	_____

Custodian for Beneficiary(ies) under age 21

Custodian Name

Custodian's Social Security Number

SECTION 6: SPOUSAL CONSENT

If you are married, Texas law requires you to provide your spouse with a lifetime benefit after your death unless your spouse consents to the retirement option and the beneficiary you selected. Your spouse must complete the section below in front of a notary if one of the following scenarios apply:

- You selected the Retiree Life Only option,
- You selected the Retiree Life and Guaranteed Term option,
- You selected the Retiree Life and Survivor option and did not name your spouse as your primary beneficiary.

I understand that my spouse must provide me with a lifetime benefit after their death unless I consent to the retirement option and the beneficiary they selected. I hereby consent to the retirement option and the beneficiary selected by my spouse.

Spouse's Signature _____

State of _____ County of _____

_____ acknowledges this instrument before me on

Printed Spouse's Name

Month/Day/Year

Notary Public's Signature

(NOTARY SEAL)

SECTION 7: ONE-TIME LUMP-SUM DISTRIBUTION OPTION

You have the option to receive a one-time lump-sum distribution when you retire equal to the amount of either 12, 24, or 36 Retiree Life Only monthly benefit payments. If you choose to receive a lump-sum distribution, your monthly retirement benefit will be reduced. The lump-sum amount cannot be more than 75% of your account balance.

☐ Yes, I want to receive a one-time lump-sum distribution equal to the following number of monthly benefit payments.

☐ 12

☐ 24

☐ 36

☐ No, I do not want to receive a one-time lump-sum distribution. (Go to Section 8: Direct Deposit)

LUMP-SUM PAYMENT OPTIONS

☐ **Pay Directly to Me:** I want my entire lump-sum distribution (less 20% withholding) electronically deposited to my bank as authorized by my signature on this form. Go to Section 8: Direct Deposit to provide your banking information.

Note: The IRS may require a 10% early withdrawal tax penalty on this payment. Qualified public safety employees may qualify for a tax penalty waiver. See the Special Tax Notice for details.

☐ **Rollover All to an Employer Plan or IRA:** I want all or part of my lump-sum distribution issued as a rollover to an Employer Plan or IRA according to the instructions below.

☐ **Partial Rollover with Remainder Paid Directly to Me:** I want part of my lump-sum distribution issued as a rollover to an Employer Plan or IRA according to the instructions below. I want the remaining amount of the lump-sum distribution (less 20% withholding) paid directly to me and electronically deposited using the information provided in Section 8: Direct Deposit and as authorized by my signature on this form. Note: The IRS may require a 10% early withdrawal tax penalty on the amount paid directly to you. Qualified public safety employees may qualify for a tax penalty waiver. See the Special Tax Notice for details.

ROLLOVER AMOUNT

☐ All

☐ _____%

☐ \$ _____

ROLLOVER ACCOUNT DESCRIPTION

☐ Employer Plan (e.g., 401k, 403b, governmental 457b)

☐ Traditional IRA / SIMPLE IRA

☐ Roth IRA

ROLLOVER INSTITUTION INFORMATION

Institution Name

Institution Address Line 1

Institution Address Line 2

City

State

Zip

Payee's Account Number

SECTION 8: DIRECT DEPOSIT

FINANCIAL INSTITUTION INFORMATION

You must be the account owner. For a trust account, contact TMRS for additional instructions

Institution Name

Institution Phone Number

Routing Number (nine digits)

Payee Account Number

Type of Account (Check One)

☐ Checking

☐ Savings

SECTION 9: REQUIRED DOCUMENTS

The following documents are required:

- A copy of your driver license or government-issued identification
- If you selected the Retiree Life and Survivor option, a copy of your beneficiary's driver license or government-issued identification

SECTION 10: MEMBER CERTIFICATION AND SIGNATURE

I certify that:

- All the information I have provided is correct, and I understand that making false or misleading statements in an application to TMRS violates Texas Law.
- I have read the Special Tax Notice Regarding Plan Payments and waive the requirement of 30 days' notice.
- If I chose a rollover, my Employer Plan or IRA indicated is eligible to receive the rollover.

I authorize:

- TMRS to pay, after I die, all of my TMRS benefits for this account to the beneficiary(ies) listed on this form. If a beneficiary dies, or I divorce a beneficiary (and I have not chosen a Retiree Life-Survivor option), then this designation becomes void for that beneficiary.
- TMRS to deposit my benefit electronically to the financial institution and the account indicated, and, if I selected a rollover, to issue my specified rollover amount to the rollover institution and account indicated.
- TMRS and the financial institution(s) to correct any credit entries made in error and authorize the financial institution to disclose to TMRS my address, contact information, and the names and addresses of all joint owners, signatories, beneficiaries or other persons associated with the account(s).

Member's Signature

Date Signed (MM/DD/YYYY)

Submit this form to TMRS:

Mail: P.O. Box 149153 • Austin, Texas 78714-9153

Fax: 512.476.5576



Revised 12/2023

SPECIAL TAX NOTICE REGARDING PLAN PAYMENTS FROM THE TEXAS MUNICIPAL RETIREMENT SYSTEM

You are receiving this notice because all or a portion of a payment you are receiving from the Texas Municipal Retirement System (TMRS) is eligible to be rolled over to an IRA or an employer plan. This notice contains important information you will need before you decide how to receive your TMRS benefits.

Rules that apply to most payments from TMRS are described in the "General Information About Rollovers" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

If you have additional questions after reading this notice, you can contact the Texas Municipal Retirement System at (800) 924-8677 or by mail at P.O. Box 149153 Austin, Texas 78714-9153.

GENERAL INFORMATION ABOUT ROLLOVERS

How can a rollover affect my taxes?

You will be taxed on a payment from TMRS if you do not roll it over. If you are under age 59½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (unless an exception applies).

If you do a rollover to a traditional IRA or an eligible employer plan, you will not have to pay tax until you receive payments later from the IRA or plan, and the 10% additional income tax will not apply if those payments are made after you are age 59½ (or if an exception applies).

If you do a rollover to a Roth IRA, you will be taxed on the amount rolled over (reduced by any after-tax amount). However, if you are under age 59½ at the time of the rollover, the 10% additional income tax will not apply. See the section below titled "If you roll over your payment to a Roth IRA" for more details.

Where may I roll over the payment?

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, Savings Incentive Match Plan for Employees of Small Employers (SIMPLE) IRA plan (after you have been participating in the SIMPLE IRA for two years), section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, no spousal consent rules apply to IRAs and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

How do I do a rollover?

There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

If you do a direct rollover, TMRS will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.

If you do not do a direct rollover, you may still do a rollover by making a deposit into an IRA or eligible employer plan that will

accept it. You will have 60 days after you receive the payment to make the deposit. If you do not do a direct rollover, TMRS is required to withhold 20% of the payment for federal income taxes. This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).

How much may I roll over?

If you wish to do a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from TMRS is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Required minimum distributions after age 70½ (if you were born before July 1, 1949) or age 72 (if you were born after June 30, 1949 and before January 1, 1951) or age 73 (if you were born on or after January 1, 1951) or after death
- Corrective distributions of contributions that exceed tax law limitations

TMRS can tell you what portion of a payment is eligible for rollover.

If I don't do a rollover, will I have to pay the 10% additional income tax on early distributions?

If you are under age 59½, you will have to pay the 10% additional income tax on early distributions for any payment from TMRS (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from TMRS:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Payments from a governmental defined benefit pension plan made after you separate from service if you are a public

safety employee and you (1) are at least age 50 in the year of the separation from a TMRS employer or (2) have at least 25 years of service under the plan;

- Payments made due to disability
- Payments made while you are terminally ill
- Payments after your death
- Corrective distributions of contributions that exceed tax law limitations
- Payments made directly to the government to satisfy a federal tax levy
- Payments made under a qualified domestic relations order (QDRO)
- Payments up to the amount of your deductible medical expenses

If I do a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?

If you receive a payment from an IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- There is no exception for payments after separation from service that are made after age 55 (or age 50 or following 25 years of service for qualified public safety employees).

- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse).
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.
- There are additional exceptions for (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, and (3) payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

You should contact the IRA administrator for questions regarding early distributions.

Will I owe State income taxes?

This notice does not describe any State or local income tax rules (including withholding rules). Texas does not currently have a personal income tax.

SPECIAL RULES AND OPTIONS

If your payment includes after-tax contributions

After-tax contributions included in a payment are not taxed. If a payment is only part of your benefit; an allocable portion of your after-tax contributions is generally included in the payment, so you cannot take a payment of only after-tax contributions. In addition, special rules apply when you do a rollover, as described below.

You may roll over to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day rollover. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs (in order to determine your taxable income for later payments from the IRAs). If you do a direct rollover of only a portion of the amount paid from TMRS and at the same time the rest is paid to you, the portion directly rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions. In this case, if you directly roll over \$10,000 to an IRA that is not a Roth IRA, no amount is taxable because the \$2,000 amount not directly rolled over is treated as being after-tax contributions. If you do a direct rollover of the entire amount paid from TMRS to two or more destinations at the same time, you can choose which destination receives the after-tax contributions.

If you do a 60-day rollover to an IRA of only a portion of the payment made to you, the after-tax contributions are treated as rolled over last. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions, and no part of the distribution is directly rolled over. In this case, if you roll over \$10,000 to an IRA that is not a Roth IRA in a 60-day rollover, no

amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions.

You may roll over to an employer plan all of a payment that includes after-tax contributions, but only through a direct rollover (and only if the receiving plan separately accounts for after-tax contributions and is not a governmental section 457(b) plan). You can do a 60-day rollover to an employer plan of part of a payment that includes after-tax contributions, but only up to the amount of the payment that would be taxable if not rolled over.

If you miss the 60-day rollover deadline

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. To apply for a waiver, you may file a private letter ruling request with the IRS. You may also claim eligibility for a waiver by providing the plan administrator with a self-certification letter. See Rev. Proc. 2016-47 for a sample certification letter. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs).

If you were born on or before January 1, 1936

If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, Pension and Annuity Income.

If you roll over your payment to a Roth IRA

If you roll over the payment from TMRS to a Roth IRA, a special rule applies under which the amount of the payment rolled over (reduced by any after-tax amounts) will be taxed. However, the 10% additional income tax on early distributions will not apply (unless you take the amount rolled over out of the Roth IRA within 5 years, counting from January 1 of the year of the rollover).

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59½ (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In

applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs), and IRS Publication 590-B, Distributions from Individual Retirement Arrangements (IRAs).

You cannot roll over a payment from TMRS to a designated Roth account in an employer plan.

SURVIVOR BENEFICIARIES AND QUALIFIED DOMESTIC RELATIONS ORDERS

Payments after death of the participant. If you receive a distribution after the participant's death that you do not roll over, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the participant was born on or before January 1, 1936.

If you are a surviving spouse. If you receive a payment from TMRS as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70½ (if you were born before July 1, 1949), age 72 (if you were born after June 30, 1949 and before January 1, 1951), or age 73 (if you were born on or after January 1, 1951). You should contact the IRA administrator for questions regarding early distributions.

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited

IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 70½ (if he/she was born before July 1, 1949), age 72 (if he/she was born after June 30, 1949 and before January 1, 1951), or age 73 (if he/she was born on or after January 1, 1951)).

If you are a surviving beneficiary other than a spouse. If you receive a payment from TMRS because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

Payments under a qualified domestic relations order. If you are the spouse or former spouse of the participant who receives a payment from TMRS under a qualified domestic relations order (QDRO), you generally have the same options the participant would have (for example, you may be able to roll over the payment to your own IRA or an eligible employer plan that will accept it), if the QDRO so permits. Payments under the QDRO are taxable to the payee and will not be subject to the 10% additional income tax on early distributions.

OTHER SPECIAL RULES

If you are an eligible retired public safety officer and your pension payment is used to pay for health coverage or qualified long-term care insurance

Because TMRS is a governmental plan, if you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income plan payments paid directly to the provider as premiums, or

paid directly to you and used by you to pay premiums, to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

If you are a nonresident alien

If you are a nonresident alien and you do not do a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, TMRS is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty.

For more information, see also IRS Publication 519, U.S. Tax Guide for Aliens, and IRS Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information, see IRS Publication 3, Armed Forces' Tax Guide.

FOR MORE INFORMATION

You may wish to consult with TMRS, or a professional tax advisor, before taking a payment from TMRS. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, Pension and Annuity Income; IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs); IRS Publication 590-B, Distributions from Individual Retirement Arrangements (IRAs); and IRS Publication 571, Tax-Sheltered Annuity Plans (403(b) Plans). These publications are available from a local IRS office, on the web at www.irs.gov, or by calling 1-800-TAX-FORM.