

TEXAS GOVERNMENT CODE
TITLE 8. PUBLIC RETIREMENT SYSTEMS
SUBTITLE C. TEACHER RETIREMENT SYSTEM OF TEXAS
CHAPTER 825. ADMINISTRATION
SUBCHAPTER A. BOARD OF TRUSTEES

TGC, §825.0032. INELIGIBILITY FOR BOARD AND OF CERTAIN EMPLOYEES.

- (a) Except as provided by Subsection (b), a person is not eligible for appointment to the board if the person or the person's spouse:
 - (1) is employed by or participates in the management of a business entity or other organization receiving funds from the retirement system;
 - (2) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization receiving funds from the retirement system; or
 - (3) uses or receives a substantial amount of tangible goods, services, or funds from the retirement system, other than compensation or reimbursement authorized by law for board membership, attendance, or expenses.
- (b) Subsection (a) does not apply to employment by, participation in the management of, or ownership or control of an interest in a business entity or other organization on behalf of the retirement system. Subsection (a)(3) does not apply to a person who is nominated for appointment under Section [825.002](#)(c), (d), or (e).
- (c) A person may not be a trustee or an employee of the retirement system employed in a "bona fide executive, administrative, or professional capacity," as that phrase is used for purposes of establishing an exemption to the overtime provisions of the federal Fair Labor Standards Act of 1938 (29 U.S.C. Section 201 et seq.) if:
 - (1) the person is a paid officer, employee, or consultant of a Texas trade association in the field of investment or insurance; or
 - (2) the person's spouse is a paid officer, employee, or consultant of a Texas trade association in the field of investment or insurance.
- (d) Repealed by Acts 2007, 80th Leg., R.S., Ch. 1230, Sec. 27, eff. September 1, 2007.
- (e) In this section, a Texas trade association means a cooperative and voluntarily joined association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest.
- (f) A person may not serve as a trustee or act as the general counsel to the board or the retirement system if the person is required to register as a lobbyist under Chapter [305](#) because of the person's activities for compensation on behalf of a business or an association related to the operation of the board.