

**IDAPA 59 – PUBLIC EMPLOYEES RETIREMENT SYSTEM OF IDAHO**  
**59.01.01 – RULES FOR THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)**  
**DOCKET NO. 59-0101-2301**

**NOTICE OF INTENT TO PROMULGATE RULES –  
ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 59-1301, 59-1314, 59-1372, 59-1383 and 59-1392, Idaho Code.

**MEETING SCHEDULE:** Two public meetings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on PERSI's website (<https://www.persi.idaho.gov/home-2/persi-rulemaking/>) and [townhall.idaho.gov](http://townhall.idaho.gov).

<b>Tuesday, October 3, 2023 at 9 a.m. (MT)</b>	<b>Thursday, October 12, 2023 at 9 a.m. (MT)</b>
<b>Attend in person at: Public Employees Retirement System of Idaho (PERSI) 607 North 8th Street Boise, ID 83702</b>	

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

**DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

PERSI Rule, IDAPA 59.01.01.508.02 is amended to define the commencement year when a member is required to take a minimum distribution as defined in the Internal Revenue Code section 401(a). This change is a result of Secure 2.0 Act 2022. PERSI rule 259.01.01.544 is deleted as it is unnecessary.

The negotiated rulemaking is being presented as part of the PERSI plan to review each rule chapter every 5 years. Other than the changes provided above, there are no specific rulemaking changes planned by PERSI at this time except for evaluation and amendment consistent with the Governor's Executive Order 2020-01: Zero-Based Regulation. It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. PERSI intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order. PERSI will review the documents that are currently incorporated by reference in this rule and update that list as applicable.

**Please Return Proof to OARC by 5:00 p.m., Friday, September 1, 2023**

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**PUBLIC EMPLOYEES RETIREMENT SYSTEM OF IDAHO**  
**Rules for the Public Employee Retirement System of Idaho**

**Docket No. 59-0101-2301**  
**ZBR Negotiated Rulemaking**

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**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, contact Cheryl George, at (208) 287-9231. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following PERSI website: <https://www.persi.idaho.gov/home-2/persi-rulemaking/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 27, 2023.

DATED this 6th day of September, 2023.

Don Drum  
Executive Director  
Public Employees Retirement System of Idaho  
P.O. Box 83720, Boise, ID 83720-0078  
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Email [Don.Drum@PERSI.idaho.gov](mailto:Don.Drum@PERSI.idaho.gov)