

RESOLUTION NO. R2020-_____

A RESOLUTION AUTHORIZING CITY PICK UP OF PUBLIC SAFETY AND
FIREFIGHTER EMPLOYEE RETIREMENT CONTRIBUTIONS

WHEREAS, the City employs employees who are eligible for and participate as members in the new Public Safety and Firefighter Tier II Contributory Retirement System administered by the Utah Retirement Systems; and

WHEREAS, during the 2020 General Session, the Utah Legislature passed S.B. 56, which amended certain portions of the Utah Code including Utah Code Ann. § 49-23-301; and

WHEREAS, those amendments and 26 U.S.C. § 414(h)(2) (Internal Revenue Code) allow the City to pick up and pay required employee contributions on behalf of eligible employees; and

WHEREAS, the City desires to pick up those required contributions;

Now, therefore, BE IT RESOLVED, by the South Salt Lake City Council that:

1. The City, beginning July 1, 2020, shall prospectively pick up and pay required employee contributions for all employees who are members of the New Public Safety and Firefighter Tier II Contributory Retirement System.
2. That the picked up contributions shall be designated as employee contributions for state law purposes but are being paid by the City in lieu of the required employee contributions.
3. That the picked up contributions will not be included in the gross income of the employees for tax reporting purposes until distributed from the Utah Retirement Systems in order for those contributions to appropriately be treated as employer contributions under the Internal Revenue Code.
4. That the picked up contributions are a supplement and not a salary reduction for the employees.
5. That from and after the date of this pick up, a state employee may not have a cash or deferred election right with respect to the designated employee contributions, including that the employees may not be permitted to opt out of the pick up and may not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City on behalf of its employees to the Utah Retirement Systems.
6. This Resolution is effective on July 1, 2020 unless otherwise restricted by state or federal law.

(signatures appear on separate page)

APPROVED AND ADOPTED by the City Council of the City of South Salt Lake, Utah, on this _____ day of _____, 2020.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

Council vote as recorded:

Bynum	_____
deWolfe	_____
Huff	_____
Mila	_____
Pinkney	_____
Siwik	_____
Thomas	_____

ATTEST:

Craig D. Burton, City Recorder