
SEPTEMBER 13, 2021

AGENDA ITEM 8
ACTION ITEM

CALSAVERS RETIREMENT SAVINGS BOARD

Resolution No. 2021-08 to Readopt Emergency Regulations to Section 10002 of Chapter 15 of Title 10 of the California Code of Regulations Regarding the Registration Deadline for Employers with More than 100 Employees

Summary

The CalSavers Retirement Savings Board (“Board”) will consider authorizing the executive director to readopt emergency regulations amendments to Section 10002 of Chapter 15 of Title 10 of the California Code of Regulations previously approved by the Board.

Detail

Title 21 (commencing with Section 100000) of the Government establishes the Board and the CalSavers Retirement Saving Program (“Program”). Section 100048 of the Government Code authorizes the Board to adopt regulations to implement the Program and deems the adoption, amendment, repeal, and re-adoption of those regulation as addressing an emergency for the purposes of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

At the April 15, 2020, Board meeting, the Board approved Resolution 2020-02, which authorized the executive director to begin the emergency rulemaking process to extend the registration deadline for employers with more than 100 employees from June 30, 2020 to September 30, 2020, in Section 10002 of Chapter 15 of Title 10 of the California Code of Regulations. At the December 7, 2020, meeting, the Board approved Resolution 2020-08 for the re-adoption of those regulations. Staff are seeking Board approval to readopt these regulations amendments in Section 10002 for the second and final time before they expire October 2, 2021.

Timeline:

- Board approval of regulations amendments to Section 10002: April 15, 2020
- Board approval of first re-adoption: December 7, 2020
- Expiration date if not re-adopted: October 2, 2021
- Final expiration date after re-adoption: December 31, 2021

Staff are currently working to make these, and other emergency regulations amendments made in 2020, permanent through the regular rulemaking process. The re-adoption authority requested in these resolutions is necessary to ensure the amendments remain in effect until the regular rulemaking is completed.

Recommendation

Staff recommend the Board approve Resolution 2021-08 to authorize the executive director to readopt emergency regulations amendments in Section 10002 of Chapter 15 of Title 10 of the California Code of Regulations.

Attachments

- Attachment 8A: Resolution 2021-08: Resolution of the CalSavers Retirement Savings Board to Readopt Emergency Regulations Amendments Regarding the Registration Deadline for Employers With More Than 100 Employees
- Attachment 8B: Text of Regulations