

Senator Gene Davis proposes to substitute the following bill:

FIREFIGHTER RETIREMENT AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Gene Davis

AN ACT RELATING TO RETIREMENT; CREATING A DEFERRED COMPENSATION
BENEFIT FOR MEMBERS OF THE FIREFIGHTERS' RETIREMENT SYSTEM; AND
PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

49-5-303, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **49-5-303** is enacted to read:

**49-5-303. Supplemental benefit established -- Deferred compensation plan options
-- Contribution by employer and employee -- Immediate vesting of contributions -- Plans to
be separate -- Tax-qualified status of plans.**

(1) There is established a supplemental deferred compensation benefit for members of this
system.

(a) (i) For members of level A under Section 49-5-301, the member or employer shall
contribute on behalf of the member the difference between 13.31% and the contribution rate
established under Section 49-5-301 to a deferred compensation plan qualified under Section 401(k)
of the Internal Revenue Code that is sponsored by the board.

(ii) If the contribution rate established under Section 49-5-301 is greater than 13.31%, a
401(k) contribution is not required under Subsection (1)(a)(i).

(iii) The member may also make elective contributions to the same qualified 401(k) plan
which receives the contribution described in Subsection (1)(a)(i), but only up to an amount

26 permitted by federal law.

27 (b) (i) For members of level B under Section 49-3-301, the member or employer shall
28 contribute on behalf of the member the difference between 16.71% and the contribution rate
29 established under Section 49-5-301 to a deferred compensation plan qualified under Section 401(k)
30 of the Internal Revenue Code that is sponsored by the board.

31 (ii) If the contribution rate established under Section 49-5-301 is greater than 16.71%, a
32 401(k) contribution is not required under Subsection (1)(a)(i).

33 (iii) The member may also contribute to the same qualified 401(k) plan which receives the
34 contribution described in Subsection (1)(b)(i), but only up to an amount permitted by federal law.

35 (c) The member may not make elective contributions to any other qualified 401(k) plan
36 sponsored by a state or local government.

37 (2) The total amount contributed under Subsection (1)(a) or (b) vests to the member's
38 benefit immediately and is nonforfeitable.

39 **Section 2. Effective date.**

40 This act takes effect on July 1, 2000.