

RESOLUTION NO. 2021-04

**RESOLUTION OF THE CALSAVERS RETIREMENT SAVINGS BOARD
AUTHORIZING THE EXECUTIVE DIRECTOR TO CONDUCT EMPLOYER COMPLIANCE
ENFORCEMENT**

WHEREAS, the CalSavers Retirement Savings Board (the "Board") and the CalSavers Retirement Savings Program (the "Program") are established in Title 21 (commencing with Section 100000) of the Government Code;

WHEREAS, Government Code Section 100033(a) provides the Board the power and duties necessary to administer the enforcement of employer compliance;

WHEREAS, Government Code Section 100033(b)(1)(2) assigns the Board with the responsibility of noticing employers of penalty action if they fail to allow their eligible employees to participate in the CalSavers Program, and establishes penalties for noncompliance;

WHEREAS, Revenue and Taxation Code Section 19285-19290.1 provides the Franchise Tax Board the authority to collect penalty revenue from employers that not comply with the requirements established in Title 21 of the Government Code or associated regulations;

WHEREAS, Government Code Section 100010(a)(5) establishes the board may authorize the executive director to conduct any business necessary for the efficient operation of the board; and

WHEREAS, Section 10008 of Title 10 of the California Code of Regulations establishes the Board may delegate authority for enforcement of employer compliance to the executive director;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director, is hereby directed and authorized to enforce employer compliance with Title 21 (commencing with Section 100000) of the Government Code, including all failures by an Eligible Employer to allow its Eligible Employees to participate in the Program.

Attest: _____
Chairperson

Date of Adoption: 6/22/21