

RESOLUTION NO. 2024-01

**RESOLUTION OF THE CALSAVERS RETIREMENT SAVINGS BOARD
RELATING TO THE APPROVAL TO AMEND AGREEMENT WITH THE FRANCHISE TAX
BOARD FOR EMPLOYER COMPLIANCE ENFORCEMENT SERVICES**

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 100010(a)(1) provides the Board the power and authority to make and enter into contracts necessary for administration of the CalSavers Retirement Savings Trust;

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, The California Code of Regulations, Tit. 18 Sections 19286-19288 provides the Franchise Tax Board the authority to collect penalty revenue from employers that do not comply with the requirements established in Title 21 of the Government Code or associated regulations; and

WHEREAS, the Board approved agreement CRSB04-20 with Franchise Tax Board for Employer Compliance Enforcement Services on May 19, 2021;

WHEREAS, agreement CRSB04-20 allows for the parties to review and amend terms periodically; and

WHEREAS, an amendment to agreement CRSB04-20 is necessary to support system enhancements to the database Franchise Tax Board uses to support CalSavers’ penalty collection efforts;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director, or in their absence, the Chair, or the Chair’s designee, is hereby directed and authorized to amend agreement CRSB04-20 in substantially the same form as presented on this date

Attest:


Chairperson

Date of Adoption:

2/13/24