

NOTICE OF PLAN DOCUMENT AMENDMENTS AND AMENDMENTS TO RULES AND REGULATIONS BY FIRE AND POLICE PENSION ASSOCIATION OF COLORADO ("FPPA")

On September 28, 2023, the Fire and Police Pension Association ("FPPA") held a public rule-making hearing to consider amendments to the Amended and Restated FPPA Rules and Regulations, the Statewide Money Purchase Plan Document, the FPPA Multi-Employer 457 Deferred Compensation Plan Document, the Colorado Springs New Hire Pension Plan Rules & Regulations, and the Colorado Springs New Hire Pension Plan Document for Police Component. Public comments were invited on the proposed revised rules and plan document amendments through September 21, 2023. No comments were received, and the revised rules and plan document amendments are deemed adopted.

A description of the subjects and issues involved in the amendments to the **Amended and Restated FPPA Rules and Regulations** and the **Statewide Money Purchase Plan Document** are as follows:


- Amending the Rules to clarify when a Member's salary in the year of retirement is annualized for calculating the Highest Average Salary.
- Amending the Rules and the Statewide Money Purchase Plan Document to clarify and make consistent the hierarchy of beneficiaries for refunds of contributions.
- Amending the Rules and the Statewide Money Purchase Plan Document for the age Members are required to begin minimum distributions to comply with provisions of the SECURE Act 2.0.
- Amending the Rules and the Statewide Money Purchase Plan Document to eliminate the requirement that minimum distributions be taken from Roth accounts to comply with provisions of the SECURE Act 2.0.
- Amending the Rules and the Statewide Money Purchase Plan Document to allow a surviving spouse the irrevocable right to elect to be treated as the deceased employee for purposes of the minimum distribution rules to comply with the SECURE Act 2.0.
- Adopting in the Rules an interest rate to charge when benefits have been overpaid.
- Amending the Rules to clarify the effective date of retirement for Members who elect a Normal retirement after having a temporary occupational disability.
- Amending the Rules and the Statewide Money Purchase Plan Document to update references to the Internal Revenue Code, Treasury Regulations, and federal legislation.

A description of the subjects and issues involved in the amendments to the **Colorado Springs New Hire Pension (CSNHPP) Plan Rules and Regulations** and the **Colorado Springs New Hire Pension Plan Document for Police Component** are as follows:

- Amending the Rules and the Police Component Plan Document for the age and service requirements for the exception to the 10% early withdrawal penalty to comply with the provisions of the SECURE Act 2.0.
- Amending the Rules for the age Members are required to begin minimum distributions to comply with provisions of the SECURE Act 2.0.
- Amending the Rules to allow a surviving spouse the irrevocable right to elect to be treated as the deceased employee for purposes of the minimum distribution rules to comply with the SECURE Act 2.0.
- Amending the Rules and Plan Document to update references to the Internal Revenue Code, Treasury Regulations, and federal legislation.

A description of the subjects and issues involved in the amendments to the **FPPA Multi-Employer 457 Deferred Compensation Plan Document** are as follows:

- Amending the Plan Document for the age Members are required to begin minimum distributions to comply with provisions of the SECURE Act 2.0.
- Amending the Plan Document to eliminate the requirement that deferrals to a Member's account can begin only on the first day of the month after enrolling as a participant in the Plan.
- Amending the Plan Document to require that catch-up contributions for participants whose wages exceed \$145,000 must be made on a Roth basis to comply with the provisions of the SECURE Act 2.0.
- Amending the Plan Document effective January 1, 2025, to allow participants attaining the ages of 60, 61, 62, and 63 to increase their catch-up contributions as provided in the SECURE Act 2.0.
- Amending the Plan Document to allow a surviving spouse the irrevocable right to elect to be treated as the deceased employee for purposes of the minimum distribution rules to comply with the SECURE Act 2.0.
- Adopting in the Plan Document a new subsection allowing a Member an additional amount of up to \$22,000 in a qualified disaster recovery distribution.

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- Adopting in the Plan Document, effective January 1, 2024, a new subsection to allow in-service distributions to survivors of domestic abuse.
 - Amending the Plan Document to update references to the Internal Revenue Code, Treasury Regulations, and federal legislation.

At the hearing, all interested individuals were given an opportunity to present arguments and evidence concerning the proposed rule changes. The Board adopted Resolutions 2023-05, 2023-06, 2023-07, 2023-08, and 2023-09 which included the proposed changes and the Statements of Basis, Purpose and Statutory Authority for all rule and plan document changes. Current versions of all the Amended and Restated FPPA Rules & Regulations, the Statewide Money Purchase Plan Document, the Colorado Springs New Hire Pension Rules and Plan Documents, and the FPPA Multi-Employer 457 Deferred Compensation Plan Document are on file in the FPPA offices, as well as on the FPPA website at fppaco.org. If you would like a copy of the amended rules and plan document, or the supporting statements, please contact the FPPA offices at telephone number (303) 770-3772 or (800) 332-3772.

Dated at Denver, Colorado, this 9th day of November 2023.

Any questions concerning this rulemaking should be directed to **Mike Sutherland, Benefits Counsel** at telephone number (303) 770-3772, ext. 2312.