

AN ACT

Codification
District of Columbia
Official Code
2001 Edition

Summer 2013

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 to comply with applicable tax qualification provisions of the Internal Revenue Code for governmental retirement plans.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Temporary Amendment Act of 2012”.

Sec. 2. The Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code § 1-901.01 *et seq.*), is amended as follows:

(a) Section 123 (D.C. Official Code § 1-905.03) is amended to read as follows:
“Sec. 123. Tax treatment of plan.

Note,
§ 1-905.03

“The replacement plan described in section 121 shall be deemed a “governmental plan” as defined in section 414(d) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 *et seq.*) (“Internal Revenue Code”), which is intended to qualify under section 401(a) of the Internal Revenue Code, and all benefits provided from the replacement plan shall be deemed governmental plan benefits maintained by the District.”.

(b) Section 203 (D.C. Official Code § 1-911.03) is amended to read as follows:
“Sec. 203. Alienation of benefits.

Note,
§ 1-911.03

“Benefits of the retirement programs provided for in this act shall not be assigned or alienated, except to the extent expressly permitted by this act or by another applicable law and with respect to a domestic relations order that substantially meets all of the requirements of section 414(p) of the Internal Revenue Code, as determined solely by the Retirement Board.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia