

**State of California
Office of Administrative Law**

In re:
CalSavers Retirement Savings Board

Regulatory Action:

Title 10, California Code of Regulations

Amend section: 10002

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2024-0325-03

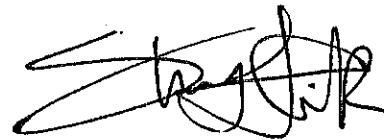
OAL Matter Type: Emergency Readopt (EE)

In this deemed emergency readopt pursuant to Government Code section 100048, the CalSavers Retirement Savings Board is amending regulations to require an Eligible Employer registering with the CalSavers Retirements Savings Program to provide both their Federal Employer Identification Number and California Employer Payroll Tax Account Number.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 4/10/2024 and will expire on 7/10/2024. The Certificate of Compliance for this action is due no later than 7/9/2024.

Date: April 10, 2024



**Steven J. Escobar
Senior Attorney**

Original: Fiona Ma, State Treasurer
and Chair

Copy: Tristan Woolacott

For: Kenneth J. Pogue
Director

NOTICE PUBLICATION/REGULATION SUBMISSION

STD. 400 (REV. 10/2019)

EMERGENCY

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2024-0325-03EE	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

OFFICE OF ADMIN. LAW
2024 MAR 25 PM 3:41

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

APR 03 2024
3:17 PM

AGENCY WITH RULEMAKING AUTHORITY CalSavers Retirement Savings Board	AGENCY FILE NUMBER (If any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) CalSavers Retirement Savings Program Amendments	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2023-0608-01E and 2023-1207-01EE
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	REPEAL
TITLE(S) 10	

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

PER AGENCY REQUEST SJE

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) 4/10/2024

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____

7. CONTACT PERSON Tristan Woolcott	TELEPHONE NUMBER (916) 653-1744	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) twoolcott@sto.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>David Teykaerts</i>	DATE 3/14/2024
TYPED NAME AND TITLE OF SIGNATORY David Teykaerts, Executive Director, CalSavers Retirement Savings Program	

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ENDORSED APPROVED

APR 03 2024

Office of Administrative Law

California Code of Regulations

Title 10: Investment

Chapter 15: CalSavers Retirement Savings Board

Section 10002. Employer Registration.

(a) Registration Deadlines.

- (1) Eligible Employers employing more than 100 Employees shall register with the Program no later than September 30, 2020.
 - (2) Eligible Employers employing more than 50 Employees shall register with the Program no later than June 30, 2021.
 - (3) Eligible Employers that have employed five or more Employees for more than one continuous calendar year, based on the criteria established in Section 10001(a), shall register with the Program no later than June 30, 2022.
 - (4) Eligible Employers with four or fewer Employees shall register with the Program no later than December 31, 2025.
- (b) An Employer that becomes an Eligible Employer due to having an average of five or more employees for a calendar year, as established in Section 10001(a), shall register with the Program no later than December 31 of the year in which the Employer is notified by the Program about their eligibility.
- (c) An Employer's number of employees shall be determined under the methodology prescribed in Section 10001(a).
- (d) Exempt Employers are prohibited from participating in the Program.
- (e) An Eligible Employer shall register with the Program using the Program's website (employer.calsavers.com), by phone (855-650-6916), by overnight mail (CalSavers, 95 Wells Avenue, Suite 155, Newton, MA 02459), or by regular mail (CalSavers, P.O. Box 55759, Boston, MA 02205-5759).
- (f) In order to register, an Eligible Employer shall provide the following information to the Administrator through one of the methods listed in subsection (e):
- (1) Employer name, legal name, and "doing business as" name, if applicable;
 - (2) Federal Employer Identification Number and the California Employer Payroll Tax Account Number;
 - (3) Employer mailing address;
 - (4) Employer physical address; and
 - (5) Name, title, phone number, and email address of an individual designated by the Employer as the primary contact for the Program.

Note: Authority cited: Sections 100010 and 100048, Government Code. Reference: Sections 100032 and 100043, Government Code.