

WSR 24-17-140
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed August 21, 2024, 9:09 a.m.]

Subject of Possible Rule Making: Revising WAC regarding cafeteria plans to improve clarity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Some department of retirement systems (DRS) WAC regarding cafeteria plans include language regarding deferred payments, while IRS requirements say that cafeteria plans cannot include deferred compensation. The language in these DRS WAC do not actually conflict with IRS requirements because "deferred payments" and "deferred compensation" have different legal meanings within the context of the tax code. However, DRS will revise the WAC language to avoid any confusion.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bianca Stoner, DRS, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7291, TTY 711, email drs.rules@drs.wa.gov, website www.drs.wa.gov/rules.

August 21, 2024
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