

SBCERA Resolution No. 2026-1

**RESOLUTION ADOPTING UPDATED TAX COMPLIANCE REGULATIONS FOR THE
SAN BERNARDINO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

WHEREAS, the Board of Retirement for the San Bernardino County Employees' Retirement Association ("SBCERA") administers SBCERA for the benefit of its members and their beneficiaries; and

WHEREAS, SBCERA is intended to comply with the requirements of the Internal Revenue Code of 1986 (the "Code"), as amended or replaced from time to time and the regulations issued thereunder as applicable; and

WHEREAS, in 2011, SBCERA filed a determination letter and a related voluntary correction program (the "VCP") filing with the Internal Revenue Service (the "IRS") in order to maintain its status as a "qualified" plan under Code section 401(a); and

WHEREAS, the IRS issued to SBCERA on March 26, 2014, a favorable determination letter regarding its continued tax-qualified status and a related VCP compliance statement; and

WHEREAS, SBCERA, as part of the 2011 applications, submitted to the IRS model tax regulations to be adopted as part of SBCERA's tax compliance with the Code; and

WHEREAS, as a condition of the favorable determination letter and VCP compliance statement, the Board of Retirement adopted the tax regulations, which are considered part of SBCERA's plan document (the "Tax Regulations"); and

WHEREAS, in 2015, SBCERA filed a second determination letter application, which included updated Tax Regulations, and received a favorable determination letter from the IRS dated August 19, 2016; and

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WHEREAS, SBCERA has not made any changes to the federal tax requirements in the Tax Regulations since 2016; and

WHEREAS, SBCERA wishes to update the Tax Regulations to comply with changes in tax law since 2016, and to conform the Tax Regulations to current administrative practices.

THEREFORE BE IT RESOLVED, that effective as of January 8, 2026, the following regulations in the form attached hereto as SBCERA Policy No. 31 are adopted for SBCERA:

- Internal Revenue Code Internal Revenue Code Section 401(a)(17) and PEPR: Compensation Limits
- Internal Revenue Code Section 415(b): Annual Benefit Limit
- Internal Revenue Code Section 415(c): Annual Additions Limit
- Internal Revenue Code Sections 401(a)(31) & 402(c): Rollovers
- Internal Revenue Code 401(a)(9): Required Minimum Distributions Rules
- Internal Revenue Code Section 401(a): Distribution Restrictions for Return to Work and Separation from Service
- Internal Revenue Code Section 401(a): Normal Retirement Age

IN WITNESS WHEREOF, the above Resolution for SBCERA is hereby adopted by the BOARD on this 8th day of January, 2026.

**SAN BERNARDINO COUNTY EMPLOYEES'
RETIREMENT ASSOCIATION**

By: _____
Marc Bracco, Chair

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STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN BERNARDINO)

I, **Deborah S. Cherney**, Secretary to the BOARD of SBCERA, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the BOARD, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of January 8, 2026.

Deborah S. Cherney