

## Summary of State Auto-IRA Exemption & Reporting Requirements – 2022/06/10

The following information is based on FCMM's brief review of the information we found concerning state-administered Auto-IRA programs. Please note, this list does not include all information respective to a state's program. The information is limited and only to be used as a quick reference for employers, alerting them to an Auto-IRA in their state. *There are unique terms related to exemption criteria and reporting that have not been included in this summary.* If an employer is located in a state with an Auto-IRA program, further research should be conducted to determine the specific rules and conditions it must follow.

### CALIFORNIA:

#### CalSavers Retirement Savings Program

Exempt Employers are those who:

- *Have < 5 employees*
- *Are classified as a "religious organization"*
- *Already offer an employer-sponsored retirement plan*

Requirement to report exemption?

**UNCLEAR** – *May only need to report certain exemption type(s)*

*Regulations state that an employer may, but need not, notify the program of its exemption. The [website FAQs](#) state, "If you already offer a qualified retirement plan above, please inform us of your exemption on the employer portal."*

### COLORADO:

#### Colorado Secure Savings Program

Exempt Employers are those who:

- *Have < 5 employees*
- *Already offer an employer sponsored-plan in preceding 2 years*

Requirement to report exemption?

**UNCLEAR** – *Rules to be finalized in July 2022*

### CONNECTICUT

#### Connecticut Retirement Security Exchange

Exempt Employers are those who:

- *Have < 5 employees on Oct 1 of previous calendar year*
- *Are classified as a "religious organization"*
- *Already offer an employer-sponsored retirement plan*
- *Were not in existence at all times during the current and preceding calendar years*

Requirement to report exemption?

**UNCLEAR** – *May only need to report certain exemption type(s);*

*Website states, "Employers who provide a qualified retirement plan to their employees should [certify their exemption](#)"*

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### ILLINOIS

#### [Illinois Secure Choice Savings Program](#)

Exempt employers are those who:

- *Have < 5 employees*
- *Have been in business < 2 years*
- *Already offer an employer-sponsored retirement plan*

Requirement to report exemption?

**YES – must [report exemption online](#), indicating the reason and providing supporting documentation.**

### MAINE

**Maine Retirement Savings Program** (website for this program not found)

Exempt Employers are those who:

- *Already offer an employer sponsored-plan in current calendar year or past 2 calendar years*

Requirement to report exemption?

**UNCLEAR** – Program not fully implemented; anticipate implementation in April 2023

### MARYLAND

#### [Maryland Small Business Retirement Savings Program \(“Maryland\\$aves”\)](#)

Exempt Employers are those who:

- *Already offer an employer sponsored-plan [but 403(b) plans are not specifically listed].*

Requirement to report exemption?

**UNCLEAR** – Program not fully implemented; anticipate implementation in mid-2022, but website only has minimal information...”sign up to receive updates...”

### NEW JERSEY

**New Jersey Secure Choice Savings Program** (Website for this program not found)

Exempt Employers are those who:

- *Have < 25 employees*
- *Offered its employees an employer sponsored-plan in past 2 calendar years*

Requirement to report exemption?

**UNCLEAR** – Program not fully implemented, state website says program is not yet operational.

### NEW YORK

#### 1) [New York CITY](#)

Exempt Employers are those who:

- *Have < 5 employees*
- *Already offer an employer sponsored-plan in preceding 2 years*

Requirement to report exemption?

**NO**

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### 2) **New York STATE Secure Choice Savings Program** (website for this program not found)

Exempt Employers are those who:

- *Have < 10 employees*
- *Already offer an employer sponsored-plan in preceding 2 years*

Requirement to report exemption?

**NO**

## OREGON

### **Oregon Retirement Savings Plan**

Exempt Employers are those who:

- *Already offer an employer-sponsored retirement plan*

Requirement to report exemption?

**YES – must certify exemption online.**

**Required to report/certify exemption – Certificate of Exemption must be obtained for the employer to be exempt.**

## VIRGINIA

### **Virginia 529**

Exempt Employers are those who:

- *Have < 25 employees*
- *Already offer an employer sponsored-plan in preceding 2 years*

Requirement to report exemption?

**NO**

## WASHINGTON [SEATTLE ONLY]

### **Seattle Retirement Savings Plan** (Website for this program not found)

Exempt Employers are those who:

- *Already offer an employer sponsored-plan to its employees working in city limits of Seattle.*

Requirement to report exemption?

**UNCLEAR** – Program not fully implemented.