



Internal Revenue Code Section 415 Notice

Calendar Year 2023

To all persons who first become a member of the Orange County Employees Retirement System on or after January 1, 1990:

By virtue of your employment with _____,
Print Agency Name Here

you will become a member of the Orange County Employees Retirement System (OCERS), and will be eligible to receive retirement benefits from OCERS pursuant to the applicable provisions of the County Employees Retirement Law of 1937, as amended (Government Code Section 31450 et seq.).

You should be aware that the United States Congress has enacted legislation which places limitations on what a public retirement system can pay in retirement benefits to any of its members, and still retain its status as a tax-qualified pension plan. Such limitations apply to persons who first become members of the public retirement system on or after January 1, 1990. **These limitations, which are set forth in Section 415 of the Internal Revenue Code, are adjusted annually to reflect any changes in the cost of living.**

The limitation for a person who retires at age 65 is \$265,000 in calendar year 2023. (The limitations in pension benefits are lower for persons who retire at an earlier age.)

In response to Section 415 of the Internal Revenue Code, the California Legislature has enacted Section 31673.1(a) of the Government Code (Chapter 1448 of the 1989 Statutes) which applies the Internal Revenue Code limitations to any person who first becomes a member of the Orange County Employees Retirement System on or after January 1, 1990. Therefore, as you accrue a right or entitlement to retirement benefits under this Retirement System, in no event will such right or entitlement exceed the limitations contained in Section 415 of the Internal Revenue Code, or any other limitations imposed on public retirement systems by the Internal Revenue Code.

The Orange County Employees Retirement System

I acknowledge that I have read and been given a copy of this notice:

Employee Signature

Date

Print Name