



HUMAN RESOURCES DEPARTMENT  
FORT BEND COUNTY, TEXAS

Kent M. Edwards, PHR  
Director of Human Resources

**MEMORANDUM**

To: Judge KP George  
Commissioner Vincent Morales  
Commissioner Grady Prestage  
Commissioner Andy Meyers  
Commissioner Ken DeMerchant

From: Kent Edwards,  
Director of Human Resources

Subject: HR Agenda Items for May 12, 2020 Commissioners Court

Date: May 4, 2020

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The following information is a summary of the HR Agenda Items for the May 12, 2020 Commissioners Court.

Discussion Item – Human Resources – Take all appropriate action to adopt the amendment to include the Coronavirus Aid, Relief, and Economic Security (CARES) Act provisions as presented by Nationwide Retirement Solutions as it pertains to the Fort Bend County's 457(b) Deferred Compensation Plan, and authorize County Judge to execute all documents necessary to implement this change.

Explanation:

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law on March 27, 2020. Provisions of the Act allow Participants to access funds from their Fort Bend County's 457(b) Deferred Compensation Plan if meet the eligibility requirements. Fort Bend County's 457(b) Deferred Compensation Plans include Nationwide Retirement Solutions.

Human Resources approves of the proposed item.

Should you have any questions, please do not hesitate to contact me 281/ 341-8631.

KE/ir



This form is to be used to elect Plan provisions made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

**1. Plan Information**

Plan Number: 0035410001 Plan Name: Nationwide Retirement

**2. Plan Type(s) (select all that apply)**

ALL  457(b)  401(k)  401(a)  403(b)  Other: \_\_\_\_\_

**3. Election of Provisions (select all that apply)**

**Coronavirus-Related Distributions**

A coronavirus-related distribution is available to participants who have been impacted by COVID-19 and otherwise may not be eligible for a distribution under the terms of the Plan.

- Participants may take up to \$100,000.00 across all Plans controlled by this employer between January 1, 2020 and December 31, 2020
- Distributions per participant may not exceed 100% of their total vested balance(s)
- Participants must self-certify they meet at least one of the following qualifications:
  - They have been diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention
  - They have a spouse or dependents diagnosed with such virus or disease by such a test
  - They have experienced adverse financial consequences stemming from such virus or disease as a result of: being quarantined, furloughed, laid off, reduced work hours, unable to work due to lack of child care, closing or reduction of hours of a business owned or operated by the individual
- 10% early withdrawal tax may be waived
- Ordinary income tax may be paid in equal installments over a three-year period, beginning in tax year 2020
- Participants may repay distributions, exclusive of contribution limits, within the three-year period

**Enhanced Loans**

If this Plan doesn't currently permit loans, you will need to contact Nationwide for assistance setting up a loan program for your Plan.

For a 180-day period beginning March 27, 2020 and ending September 23, 2020, the Plan may offer loans to participants who are impacted by COVID-19. The terms of the loan differ from traditional loans:

- Increases current retirement Plan loan limits to the lesser of \$100,000 or 100% of the participant's vested account balance.
- Participants have the option to suspend loan repayments until at least January 1, 2021. Loan interest will continue to accrue during the suspension of payments.
- Participants must self-certify they meet at least one of the following qualifications:
  - They have been diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention
  - They have a spouse or dependents diagnosed with such virus or disease by such a test
  - They have experienced adverse financial consequences stemming from such virus or disease as a result of: being quarantined, furloughed, laid off, reduced work hours, unable to work due to lack of child care, closing or reduction of hours of a business owned or operated by the individual

**4. Authorization**

I, as the Plan Sponsor or an authorized person acting on behalf of the Plan Sponsor for the above named Plan(s), elect the CARES Act provision(s) indicated above.

I understand that Nationwide will waive the payment of non-systematic RMDs due in 2020 per the CARES Act unless a participant contacts Nationwide and requests to receive their RMD.

- If the Plan would like a different arrangement for RMD distributions, please contact your Nationwide representative.

Nationwide will update your Plan documents (if applicable) to reflect the above changes.

**Authorized Signer:**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: Adobe Signature is not permitted.**