

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

400T0339

## SENATE BILL NO. 29

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

1 FOR AN ACT ENTITLED, An Act to authorize the establishment of a designated Roth  
2 contribution program within the state deferred compensation plan.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 3-13 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The board may establish a designated Roth contribution program within the deferred  
7 compensation plan. For the purposes of this section, a designated Roth contribution is an  
8 elective salary deferral that is:

- 9 (1) Designated irrevocably by the participant at the time of the deferred election as a  
10 designated Roth contribution that is being made in lieu of all or a portion of the  
11 pre-tax elective deferrals the participant is otherwise eligible to make under the plan;  
12 and  
13 (2) Treated by the employer as includable in the participant's income at the time the  
14 participant would have received that amount in compensation if the participant had  
15 not made a deferred election.



1       The board shall, pursuant to chapter 1-26, promulgate rules relating to distributions,  
2 conversions, transfers, rollovers, and limitations with regard to the designated Roth contribution  
3 program in accordance with federal law.