

3/24/98 Rereferred To Judiciary

FEB 27 1998
Place On Calendar

HOUSE FILE 2477
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 595)
(SUCCESSOR TO HF 664)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning compliance with the terms of an employee
2 pension plan and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2477

1 Section 1. NEW SECTION. 730.6 EMPLOYEE PENSION PLANS --
2 PENALTY.

3 1. For purposes of this section:

4 a. "Employee pension plan" means a qualified pension plan
5 subject to the requirements of section 401(k) of the Internal
6 Revenue Code.

7 b. "Timely deposit" means within a period of time
8 consistent with federal requirements governing the time
9 employers are required to deposit an employee's pension
10 contribution into an employee pension plan.

11 2. A person who knowingly and without the consent of the
12 employee fails to timely deposit an employee's contributions
13 following a payroll deduction of the contribution from the
14 employee's pay into the employee pension plan for the employee
15 violates this section.

16 3. A person who violates this section commits a serious
17 misdemeanor.

18 EXPLANATION

19 This bill provides that a person commits a serious
20 misdemeanor if the person knowingly and without the consent of
21 the employee fails to timely deposit an employee's
22 contribution made through a payroll deduction into an employee
23 pension plan. An employee pension plan is defined as a
24 qualified plan under section 401(k) of the Internal Revenue
25 Code. Timely deposit is defined consistently with federal
26 requirements.

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