



Tax Considerations for Rollovers



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The purpose of this notice is to provide general information that may be useful to our members and beneficiaries. This notice summarizes the federal tax rules that may apply to your CalSTRS benefit payment and provides limited information on California state tax rules. The rules are complex and contain many conditions and exceptions that are not included in this booklet. Before you take a CalSTRS benefit payment, consult the Internal Revenue Service, the California Franchise Tax Board or a professional tax adviser. You can find more information in IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements*; and IRS Publication 590-B, *Distributions From Individual Retirement Arrangements*, available at irs.gov or by calling 800-TAX-FORM (800-829-3676).



Introduction

You're receiving this notice because all or a portion of your CalSTRS Defined Benefit Supplement payment, Defined Benefit refund or Cash Balance Benefit payment may be eligible for a rollover to an IRA or an eligible employer plan. This notice is intended to provide you with general information as you decide whether to do such a rollover. Your CalSTRS Defined Benefit pension, a monthly lifetime retirement payment, is not rollover eligible.

Rules that apply to most CalSTRS payments are described in the "General Information About Rollovers" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

Certain California tax information also is included. In general, California law follows the Internal Revenue Code. However, there are continuing differences between California and federal law. For additional information, visit ftb.ca.gov or call 800-852-5711.

30-Day Notice Period and Your Right to Waive

Generally, CalSTRS cannot make a direct rollover or a payment to you until at least 30 days after you receive the *Special Tax Notice: Your Rollover Options*. After receiving the notice, which is part of the *Service Retirement, Disability Benefits, Refund, Cash Balance and Survivor Benefits* applications, you have at least 30 days to consider whether or not to have your distribution directly rolled over. If you do not wish to wait until this 30-day notice period ends before your payment is processed, you may waive the notice period by requesting a distribution. Your distribution will then be processed in accordance with your election as soon as possible after CalSTRS receives it.

General Information About Rollovers

What Is a Rollover?

A rollover is a distribution of all or part of your payment from a qualified retirement plan, such as the CalSTRS Defined Benefit, Defined Benefit Supplement and Cash Balance Benefit programs, to a qualified IRA or another eligible employer plan. Depending on the type of distribution, you may incur taxes or be required to fulfill certain conditions.

What Is a Qualified IRA?

An IRA is an individual retirement arrangement. A qualified IRA is a personal savings plan that gives tax advantages for setting aside money for retirement. You may roll over your CalSTRS payments to a Traditional IRA, including a SEP IRA, a SIMPLE IRA (beginning two years after you first participated in the SIMPLE IRA), or a Roth IRA. You cannot roll over your CalSTRS payment to a Coverdell Education Savings Account, formerly known as an education IRA, or to a SIMPLE IRA within the first two years of participating in the SIMPLE IRA.

What Is an Eligible Employer Plan?

An eligible employer plan is a plan qualified under the Internal Revenue Code, including sections:

- 401(a): defined benefit, profit-sharing, stock bonus and money purchase plans
- 401(k): profit-sharing, stock bonus and money purchase plans that include qualified cash or deferred compensation
- 403(a): annuity plans
- 403(b): tax-sheltered annuity plans
- 457(b): governmental employer plans

An eligible employer plan is not legally required to accept a rollover. Before you decide to roll over your payment to another employer plan:

- Find out if the plan accepts rollovers and, if so, the types of distributions it accepts as a rollover.

- Ask if any documents are required before the plan will accept a rollover.

What Payments Can Be Rolled Over?

CalSTRS payments that are rollover-eligible distributions can be rolled over to a qualified IRA or an eligible employer plan that accepts rollovers. CalSTRS will tell you what, if any, portion of your payment is not a rollover-eligible distribution. (See also “What Payments Cannot Be Rolled Over,” page 5.)

After-Tax Contributions

A plan that accepts rollovers may not accept certain types of distributions such as those from after-tax contributions. If this is the case and your distribution includes after-tax contributions, you may decide to roll over your entire distribution to an IRA, or split your rollover between an employer plan and an IRA. (See also page 9.)

The following rules apply to rollovers of after-tax contributions:

Rollovers Into a Traditional IRA. You can roll over your after-tax contributions to a Traditional IRA as a direct rollover or a 60-day rollover.

CalSTRS will tell you the amount of your payment that is the taxable portion and the amount that is the after-tax portion.

If you roll over after-tax contributions to a Traditional IRA, you're responsible for keeping track of the after-tax contributions and reporting them on your tax return. By doing so, you can determine the nontaxable amount of future distributions from your Traditional IRA.

Once you roll over your after-tax contributions to a Traditional IRA, they cannot be rolled over later to an employer plan.

Rollovers Into an Employer Plan. You can roll over after-tax contributions to an eligible 401(a), 403(a) or 403(b) employer plan using a direct rollover if the plan provides separate accounting for amounts rolled over, including separate accounting for the after-tax contributions and earnings on those contributions.

You cannot roll over after-tax contributions to a 457(b) plan.

If you want to roll over your after-tax contributions to an employer plan that accepts rollovers of after-tax contributions, you must request that CalSTRS make a direct rollover on your behalf. You cannot have the after-tax contributions paid to you first.

Rollover Into a Roth IRA. You can roll over after-tax contributions to a Roth IRA. The after-tax contributions will not be included in your taxable income (see page 10).

What Payments Cannot Be Rolled Over?

The following payments cannot be rolled over:

- **Payments spread over long periods.** You cannot roll over a payment if it is part of a series of equal (or almost equal) payments (periodic payments) that are made at least once a year and that will last for:
 - » Your lifetime or a period measured by your life expectancy, or
 - » Your lifetime and your beneficiary's lifetime, or a period measured by your joint life expectancies, or

- » A period of 10 years or more. This includes your Defined Benefit lifetime monthly payment—your CalSTRS retirement benefit.

- **Required minimum distributions.** When you reach age 70½ or retire, whichever is later, a certain portion of your CalSTRS payment cannot be rolled over because it's a "required minimum distribution" that must be paid to you under federal law. You'll receive it as a direct payment.
- **Corrective distributions of contributions that exceed tax law limitations.**
- **Distributions less than \$200.**

How Do I Make a Rollover?

There are two ways to make a rollover. You can make either a direct rollover or a 60-day rollover.

Direct Rollover

A direct rollover is a direct payment of your CalSTRS benefit payment to an IRA or an eligible employer plan. If you make a direct rollover, CalSTRS will make the payment directly to your IRA or employer plan. You can choose a direct rollover of all or any portion of your payment that is a rollover-eligible distribution.

If you make a direct rollover of only a portion of your CalSTRS payment and a portion is paid to you at the same time, the portion directly rolled over consists first of the amount that would be taxable if not rolled over.

Any portion of your CalSTRS payment that cannot be rolled over will be paid directly to you.



You may roll over your payment to a qualified IRA or an eligible employer plan that will accept the rollover.

You will not pay taxes on any portion of your CalSTRS payment for which you choose a direct rollover to a Traditional IRA or an eligible employer plan until you later withdraw funds. In addition, you'll have no income tax withheld from any taxable portion of your CalSTRS payment that is a direct rollover. For a direct rollover of the taxable portion of your CalSTRS payment to a Roth IRA, however, you'll pay taxes when you make the rollover.

Direct Rollover to a Qualified IRA. You can open a qualified IRA, including a Roth IRA, to receive the direct rollover. If you choose to have your payment made directly to a qualified IRA, contact the IRA sponsor, usually a financial institution, to find out how to have your payment made as a direct rollover to a qualified IRA at that institution.

If you're unsure of how to invest your money, you can temporarily establish an IRA to receive the payment. If you do this, make sure you can move all or a part of your payment to another qualified IRA at a later date without penalties or other limitations.

Contact the IRA sponsor to learn more. Also see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements*, for more information, including limits on how often you can roll over between IRAs.

Direct Rollover to a Plan. If you're employed by a new employer that has an eligible employer plan and you want to make a direct rollover to that plan, ask the plan's administrator if it will accept your rollover. An eligible employer plan is not legally required to accept a rollover.

If the employer plan accepts your rollover, the plan may restrict the circumstances under which you may later receive a distribution of the rollover amount or may require spousal consent before any subsequent distribution. Subsequent distributions of your rollover from the plan also may be subject to different tax rules than CalSTRS payments. Contact the plan's administrator to learn more before making a decision.

If your new employer's plan does not accept a rollover, you can choose a direct rollover to a qualified IRA.

Direct Rollover of a Series of Payments. If you receive a payment that can be rolled over to a qualified IRA or to an eligible employer plan that will accept it—and it's paid in a series of payments for less than 10 years—if you choose a direct rollover, all later payments in the series will be directly rolled over until you change your election. You may change your election for any later payment at any time.



The rules of the IRA or employer plan that holds your rollover determine your investment options, fees and rights to payments from the IRA or plan. For example, spousal consent is not required for distributions from IRAs, and IRAs cannot provide loans. Also, your rollover is subject to the tax rules that apply to the IRA or plan.

If you make a direct rollover, your rollover-eligible distributions won't be taxed at the time of distribution unless you roll over your distribution to a Roth IRA. You'll pay income taxes on the taxable portion you directly roll over when you withdraw your funds.

60-Day Rollover

If you receive a CalSTRS payment that's rollover eligible, you can still decide to roll over all or part of it by depositing it into an IRA or employer plan that accepts rollovers. You'll have 60 days after you receive your CalSTRS payment to deposit the amount you received in an IRA or an eligible employer plan.

If you make a 60-day rollover and don't make up the taxed portion from other sources—your savings, for example—you may have to pay additional penalties for an early distribution. See the example below.

A rollover into a Roth IRA is not tax free except for funds that are after-tax contributions (also see page 10).

How Can a Rollover Affect My Taxes?

Your taxes will depend on whether you decide to roll over an eligible payment and if you make a direct rollover or a 60-day rollover.

If you are under age 59½ and do not make a rollover, you will have to pay additional income taxes on the early distribution. If you make a rollover, you may not have to pay taxes on the payment until you receive distributions later. In addition, if you take distributions at age 59½ or older, you will not have to pay additional taxes on early distributions.

What Are the Tax Consequences If I Do Not Make a Direct Rollover?

If you don't make a direct rollover, CalSTRS is required to withhold 20 percent of your payment for federal income tax and 2 percent for California state tax, unless you elect not to have state tax withheld or you're not a California resident.

To roll over the entire payment in a 60-day rollover, you must use additional funds to make up for the federal and state income taxes withheld. If you don't roll over the entire amount of the payment, the portion not rolled over will be taxed—and it may also be taxed as an early distribution.

When you prepare your income tax returns for the year, unless you made a rollover within 60 days and met all other requirements, you must report the full amount of your CalSTRS payment as taxable income.

➤ How a Rollover Can Affect Your Taxes

Assume the taxable portion of your payment that can be rolled over is \$10,000, and you choose to have it paid to you. CalSTRS will withhold 20 percent for federal tax and 2 percent for California state tax, unless you elect not to have state tax withheld or you're not a California resident, leaving you with \$7,800. The \$2,200 withheld will be sent to the IRS and the California Franchise Tax Board as income tax withholding.

Within 60 days after receiving the \$7,800, you may roll over the entire \$10,000 to a Traditional IRA or an eligible employer plan. To do this, you would roll over the \$7,800 you received from CalSTRS and add \$2,200 from your out-of-pocket sources, such as your savings. In this case, the entire \$10,000 will not be taxed until you withdraw it from the Traditional IRA or employer plan. In addition, you may get a refund from the IRS and FTB of part or all of the \$2,200 withheld when you file your income tax return.

Be aware that if you roll over only \$7,800, the \$2,200 you didn't roll over will be taxed in the year it was withheld. It also may be subject to a penalty for early distribution. When you file your income tax return, you may still get a refund of part of the \$2,200 withheld. However, any refund may be larger if you roll over the entire \$10,000.

If I Do Not Make a Rollover, Will I Have to Pay the Additional Income Taxes on Early Distributions?

If you are under age 59½, you'll have to pay the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions of any CalSTRS payment, including amounts withheld for income tax, that you do not roll over unless one of the below exceptions applies. These taxes are in addition to the regular federal and state income taxes on the payment not rolled over.

The additional federal and state income taxes don't apply to the following CalSTRS payments:

- Payments made after you separate from service if you'll be at least age 55 in the year of the separation.
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy—or the lives or joint life expectancies of you and your beneficiary.
- Payments made due to disability.
- Payments after your death.
- Corrective distributions of contributions that exceed tax law limitations.
- Payments made directly to the government to satisfy a federal tax levy.
- Payments made under a qualified domestic relations order, or QDRO.
- Payments up to the amount of your deductible medical expenses.

If I Do a Rollover to an IRA, Will the Additional Income Taxes Apply to Early Distributions From the IRA?

If you receive a payment from an IRA when you're under age 59½, you'll have to pay the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the additional federal and state income taxes for early distributions from an IRA are the same as the exceptions listed for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- There is no exception for payments after separation from service that are made after age 55.
- The exception for QDROs doesn't apply. However, a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse.
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies whether or not you've had a separation from service.
- There may be additional exceptions for:
 - » Payments for qualified higher education expenses.
 - » Payments up to \$10,000 used in a qualified first-time home purchase.
 - » Payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks—or would have been eligible to receive unemployment compensation but for self-employed status.

Contact the IRA sponsor for more information.

Voluntary Withholding

If any portion of your payment is taxable but is not rollover eligible (see page 5), the mandatory withholding rules don't apply. In this case, you may elect not to have withholding apply to that portion. If you do nothing, both federal and state income tax withholding will be taken out of this portion of your payment unless you're not a California resident. If you're a nonresident, no state tax will be withheld unless you elected California state tax withholding.

If You Want to Withhold California State Tax

If you live outside of California and would like California state tax withheld from your Defined Benefit payment—your CalSTRS monthly retirement benefit—complete the *Income Tax Withholding Preference Certificate* (form AD 0908), available at CalSTRS.com/forms. To withhold California state tax from your Cash Balance Benefit Program payment, complete the *Cash Balance Income Tax Withholding Preference* (form CB 584), available at CalSTRS.com/forms.

Special Rules and Options

If Your Payment Includes After-Tax Contributions

After-tax contributions included in your CalSTRS payment are not taxed. If a payment is only part of your benefit, an allocable portion of your after-tax contributions is included in the payment, so you cannot take a payment of only after-tax contributions. However, if you have pre-1987 after-tax contributions maintained in a separate account, a special rule may apply to determine whether the after-tax contributions are included in a payment. In addition, special rules apply when you make a rollover, as described below.

You may roll over to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day rollover. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs to determine your taxable income for later payments from the IRAs. If you make a direct rollover of only a portion of your CalSTRS payment and at the same time the rest is paid to you, the portion directly rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you're receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions. In this case, if you directly roll over \$10,000 to an IRA that's not a Roth IRA, no amount is taxable because the \$2,000 amount not directly rolled over is treated as being after-tax contributions. If you make a direct rollover of your entire CalSTRS payment to two or more destinations at the same time, you can choose which destination receives the after-tax contributions.

If you do a 60-day rollover to an IRA of only a portion of a CalSTRS payment made to you, the after-tax contributions are treated as rolled over last. For example, assume you receive a distribution of \$12,000, of which \$2,000 is after-tax contributions, and you make no direct rollover. In this case, if you roll over \$10,000 to an IRA that's not a Roth IRA in a 60-day rollover, no amount is taxable because the

\$2,000 amount not rolled over is treated as being after-tax contributions.

You may roll over all of a payment that includes after-tax contributions to an employer plan but only through a direct rollover—and only if the receiving plan separately accounts for after-tax contributions and is not a 457(b) plan. You can do a 60-day rollover of the part of your CalSTRS payment that includes after-tax contributions to an employer plan but only up to the amount of the payment that would be taxable if not rolled over.

If You Miss the 60-Day Rollover Deadline

Generally the 60-day rollover deadline cannot be extended. However, the IRS has limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevent you from completing the rollover by the 60-day rollover deadline.

For more information regarding waivers of the 60-day rollover requirement, see “Retirement Plan FAQs Relating to Waivers of the 60-Day Rollover Requirement” at [irs.gov](https://www.irs.gov) (type in “60-day waiver” in the search function).

If You Were Born On or Before January 1, 1936

If you were born on or before January 1, 1936, and receive a lump-sum distribution that you don't roll over, special rules for calculating the tax on the payment may apply.

You may elect to have your lump-sum distributions taxed under favorable rates. The election is also available to your beneficiaries, including your current or former spouse who was named as an alternate payee under a QDRO—a qualified domestic relations order. The special tax treatment is not available for any portion of the lump-sum distributions rolled over to another plan. You may choose among the following options for computing the tax on your lump-sum distribution:

- 10-year averaging of the entire distribution.
- 10-year averaging of the post-1973 portion of the distribution.
- Having the portion of the distribution attributable to your pre-1974 participation in CalSTRS taxed at a flat 20 percent capital gains rate.

The rules on special tax treatments are complex. For more information, see IRS Publication 575, *Pension and Annuity Income*, and IRS form 4972, *Tax on Lump-Sum Distributions*, and consult a professional tax adviser.

If You Roll Over Your Payment to a Roth IRA

If you roll over your CalSTRS payment to a Roth IRA, a special rule applies under which the amount of the payment rolled over—reduced by any after-tax amounts—will be taxed. However, the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions will not apply unless you take the amount rolled over out of the Roth IRA within five years, counting from January 1 of the year of the rollover.

If you roll over your payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed, including earnings after the rollover. A qualified distribution from a Roth IRA is a payment made after you're age 59½—or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000—and after you have had your Roth IRA for at least five years. In applying this five-year rule, you count from January 1 of the year for which your first contribution was made to the Roth IRA.

Payments from the Roth IRA that aren't qualified distributions will be taxed to the extent of earnings after the rollover, including the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions, unless an exception applies. You don't have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements*, and IRS Publication 590-B, *Distributions From Individual Retirement Arrangements*.

CalSTRS is not responsible for assuring you're eligible to make a rollover to a Roth IRA. Consult a professional tax adviser if you want to roll over your payment to a Roth IRA.

If You Aren't a CalSTRS Member

Payments After a Member's Death

If you receive a distribution after a CalSTRS member's death that you don't roll over, the distribution generally will be taxed in the same manner described in this notice. However, the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions don't apply. The special rules described under the section "If You Were Born on or Before January 1, 1936" apply only if the CalSTRS member was born on or before January 1, 1936.

Surviving Spouses

If you receive a CalSTRS payment as the surviving spouse of a deceased member, you have the same rollover options that the member would have had. In addition, if you choose to make a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA, so payments made to you before you're age 59½ will be subject to the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions, unless an exception applies. In addition, required minimum distributions from your Traditional IRA don't have to start until after you're age 70½.

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions. However, if the member had started taking required minimum distributions, you'll have to receive required minimum distributions from the inherited IRA. If the member had not started taking required minimum distributions, you won't have to start receiving required minimum distributions from the inherited IRA until the year the member would have been age 70½.

Surviving Beneficiaries Other Than Spouses

If you receive a CalSTRS payment because of the member's death and you're a designated beneficiary other than a surviving spouse, the only rollover option you have is a direct rollover into an inherited IRA. Payments from the inherited IRA will not be subject to the 10 percent additional federal income tax and 2.5 percent additional state income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

Payments Under a Qualified Domestic Relations Order

If you're the spouse or former spouse of a CalSTRS member who receives a payment from CalSTRS under a QDRO, you generally have the same options the member would have. For example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it. Payments under the QDRO will not be subject to the 10 percent additional federal income tax or 2.5 percent additional state income tax on early distributions.

If You're a Nonresident Alien

If you're a nonresident alien and you don't make a direct rollover to a U.S. IRA or a U.S. employer plan, CalSTRS is generally required to withhold 30 percent of the payment for federal income tax. If the amount withheld exceeds the amount of tax you owe, which may happen if you do a

60-day rollover, you may request an income tax refund by filing IRS Form 1040-NR and attaching your IRS Form 1042-S. File IRS Form W-8BEN to claim that you're entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, *U.S. Tax Guide for Aliens*; IRS Publication 515, *Withholding of Tax on Nonresident Aliens Foreign Entities*; and FTB Publication 1100, *Taxation of Nonresidents and Individuals Who Change Residency*.

Other Special Rules

If a payment is one in a series of payments for less than 10 years, your choice whether to make a direct rollover will apply to all later payments in the series, unless you make a different choice for later payments.

If your payments for the year are less than \$200, CalSTRS will not process a direct rollover and is not required to withhold federal or state income tax. However, you may do a 60-day rollover.

When electing how to receive a CalSTRS payment that is rollover eligible, any amount you don't designate for a rollover will be paid directly to you. Any payment made to you is subject to the tax consequences in this notice.

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information, see IRS Publication 3, *Armed Forces' Tax Guide*.

➤ For More Information

Find more information on the federal tax treatment of payments from employer plans in IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements*; IRS Publication 590-B, *Distributions From Individual Retirement Arrangements*; and IRS Publication 571, *Tax-Sheltered Annuity Plans (403(b) Plans)*. These publications are available from a local IRS office, at irs.gov or by calling 800-829-3676.

For information on state income tax, contact the California Franchise Tax Board at ftb.ca.gov or call 800-852-5711 (or 916-845-6500 if calling from outside the U.S.). Also see FTB Publication 1005, *Pension and Annuity Guidelines*.

We recommend contacting a professional tax adviser before taking a payment from CalSTRS.

CalSTRS Resources



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