

DRAFT

SUPPLEMENTAL RETIREMENT PLAN OF NORTH CAROLINA

WHEREAS, the State of North Carolina sponsors the Supplemental Retirement Income Plan of North Carolina (the “Plan”), which is designed to qualify under § 401(k) of the Internal Revenue Code of 1986;

WHEREAS, the North Carolina Department of State Treasurer and the Supplemental Retirement Board of Trustees (the “Board”) administer the Plan, including the maintenance of the Plan document, as revised through March 24, 2016 (the “Plan Document”); and

WHEREAS, the Board desires to amend the Plan Document to allow withdrawals related to hardships caused by Hurricane Matthew, consistent with Internal Revenue Service Announcement 2016-39.

NOW, THEREFORE, be it

RESOLVED, that, effective December 15, 2016, the Plan Document be and hereby is amended in the following respects:

1. Section 7.02(b) is amended as follows:

A Member shall be considered to have incurred a “hardship” if, and only if, he meets the requirements of paragraphs (c) and (d) below, or of Section 7.06 or 7.07.

2. A new Section 7.07 is added to the Plan Document to read, in its entirety, as follows:

7.07 Hurricane Matthew Relief

- (a) To the extent that a hardship withdrawal described in Section 7.02(a) is elected by a Member, as defined in Section 7.07(b), because of a hardship resulting from Hurricane Matthew (a “Matthew Member” seeking a “Matthew Withdrawal”), the hardship withdrawal provisions of the Plan set forth in Sections 7.02(b), 7.02(c), and 7.02(d) are modified to adopt the liberalized hardship withdrawal standards and procedural requirements set forth in Internal Revenue Service Announcement 2016-39 (“Announcement 2016-39”). For purposes of clarity, a Matthew Member electing a Matthew Withdrawal shall not be required to take a loan prior to taking a Matthew Withdrawal and shall not be restricted in making contributions based on a Matthew Withdrawal. Also, for purposes of clarity, a Matthew Withdrawal shall otherwise continue to be subject to the requirements of Section 7.02(a). A Matthew Withdrawal will be treated as a hardship withdrawal for all purposes under the Code except as otherwise provided herein or by law.

- (b) A "Matthew Member" is a Member whose:
 - (i) Principal residence on October 4, 2016, (or October 3, 2016, for Florida or the incident date as specified by FEMA, as applicable (the "Applicable Date")) was located in one of the counties that have been identified for individual assistance by the Federal Emergency Management Agency ("FEMA") because of the devastation caused by Hurricane Matthew ("Covered Areas");
 - (ii) Place of employment was located in one of the Covered Areas on the Applicable Date; or
 - (iii) Lineal ascendant or descendant, dependent or spouse had a principal residence or place of employment in one of the Covered Areas on the Applicable Date.
- (c) The Primary Administrator will (i) make a good faith effort to comply with the Plan's procedural requirements for hardship withdrawals made by Matthew Members; (ii) make a reasonable attempt to assemble any missing documentation as soon as practicable; and (iii) otherwise act consistent with Announcement 2016-39.
- (d) This Section 7.07 applies to hardship distributions made to Matthew Members on or after the Applicable Date and no later than March 15, 2017.