



Public Employees  
Retirement Association  
of New Mexico  
505-827-4700 or 1-800-342-3422  
P.O. Box 2123  
Santa Fe, NM 87504-2123  
www.state.nm.us/pera

# TERMINATION NOTICE

## Employer's Certification of Termination

Return original to PERA for processing.

Fill in PERA Employer number \_\_\_\_\_ Affiliated public employer name \_\_\_\_\_

Social Security \_\_\_\_\_

Member's name \_\_\_\_\_  
Last First

This is to certify that the above named member terminated employment on \_\_\_\_\_ month \_\_\_\_\_ day \_\_\_\_\_ year; that the member will not be re-employed within 30 days of termination, that this is a bona fide termination, (there is no intention of re-employing the member at this time.)

Authorized signature \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_ Telephone \_\_\_\_\_

## Member's Notice of Intent

Upon termination of employment, you may apply for a withdrawal of your accumulated member contributions or allow your contributions and service credit to remain in your PERA account. If you apply for a withdrawal, employer contributions made on your behalf are retained by PERA. If you withdraw your member contributions, you will forfeit the associated service credit. You must provide all divorce decrees and applicable marital property settlements prior to refund or rollover of your contributions. An employee cannot withdraw his or her contributions if he or she will be employed by an affiliated employer within 30 days after the termination date. (2.80.2100.8 NMAC) **Please check one of the following options:**

1. **Direct refund** - Demand is hereby made for a refund of the full amount credited to my account due to termination of employment.
2. **Direct partial roll over** - Please transfer this portion, \$ \_\_\_\_\_, of my tax-deferred contributions\* in my PERA account to an agent or custodian of an  IRA or  another qualified retirement plan.
3. **Direct roll over** - Please transfer the tax-deferred balance\* in my PERA account to an agent or custodian of an  IRA or  another qualified retirement plan.

**A rollover into a savings account is not allowed by the IRS. The following must be completed if either 2 or 3 above were selected.**

Name of financial institution with your IRA or qualified retirement plan \_\_\_\_\_

Address \_\_\_\_\_ street \_\_\_\_\_ city \_\_\_\_\_ state \_\_\_\_\_ Contact person \_\_\_\_\_

Plan federal tax ID number \_\_\_\_\_ IRA or qualified retirement plan account number \_\_\_\_\_

4. **Remain on Account** - I wish to allow my contributions and service credit to remain with PERA to my credit until further notice.

\* Contributions that were not tax-deferred will be refunded to the member regardless of the option chosen above.

## Member Certification

I hereby certify and affirm that the information I have provided in this termination notice is true and correct under penalty of law. I understand it is my responsibility to notify PERA of any address changes.

Member's signature \_\_\_\_\_ Date \_\_\_\_\_

Mailing address \_\_\_\_\_ street \_\_\_\_\_ city \_\_\_\_\_ state \_\_\_\_\_ zip \_\_\_\_\_ Telephone \_\_\_\_\_

Marital status:  Married  Never Been Married  Divorced (provide endorsed copy of divorce decree)  Widowed

**If married, a NOTARIZED spousal signature is required before PERA can process a refund or rollover.**

Signature of member's spouse \_\_\_\_\_ Date \_\_\_\_\_

State of New Mexico ) SS:

County of )

Subscribed and sworn to before me by \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires: \_\_\_\_\_

Notary Public

# Special Tax Notice Regarding Contribution Withdrawals

This notice contains important information you will need before you decide how to withdraw your contributions from the Public Employees Retirement Association.

As long as you are not employed by an affiliated public employer, you are eligible for a withdrawal of member contributions. You are not required to request a withdrawal of member contributions. If you have five or more years of service credit and do not withdraw your contributions, you will be eligible for a deferred retirement pension when you meet the age and service credit requirements for retirement under the coverage plan applicable to you at the time of your termination (Section 10-11-124, NMSA 1978). If you have one or more months of service credit with PERA and subsequently are employed by another public employer covered by the Educational, Judicial or Magistrate Retirement Acts for one or more months, and you have not withdrawn your contributions, your service credit under both retirement systems may be combined under the Public Employees Retirement Reciprocity Act (Section 10-13A-1 et seq. NMSA 1978).

There are three ways to withdraw your member contributions:

**(1) Total Amount Refunded to You**

- You will receive only 71.5% of the withdrawal, because PERA is required to withhold applicable taxes as follows:
  - 20% for the Internal Revenue Service
  - 8.5% for the New Mexico Taxation & Revenue Department
- Your withdrawal will be taxed in the current year unless you roll it over to a qualified tax-deferred plan. You may be able to use special tax rules that could reduce the tax you owe. However, if you make the withdrawal before age 59 1/2, you may also be subject to an additional 10% penalty for early withdrawal from a pension plan.
  - You can roll over the distribution to your IRA or to another qualified retirement plan that accepts your roll over within 60 days of making the withdrawal. The amount rolled over will not be taxed until you take it from the IRA or qualified retirement plan.
  - If you want to roll over 100% of the withdrawal to an IRA or a qualified retirement plan after it has been returned to you, you must first replace the 28.5% that was withheld. If you roll over only the 71.5% that you received, you will be taxed only on the 28.5% that was withheld and is not rolled over.

**(2) Direct Roll over of Eligible Contributions**

- Your distribution will not be taxed in the current year and no income tax will be withheld.
- Your roll over will be taxed later when you take it out of the IRA or other qualified retirement plan that accepted your roll over.
  - In general, only the "taxable" portion of your contributions is an eligible roll over distribution. If you have made "after-tax" contributions to PERA, these contributions will be nontaxable when they are refunded to you, and they cannot be rolled over.

**(3) Partial Direct Roll over - Partial Refund**

- This is a combination of options (1) & (2). You can specify how much you want rolled over (as long as it is eligible for roll over) and how much you want refunded to you. The portion refunded is subject to the same conditions listed above in (1) and the portion rolled over is subject to the same conditions listed in (2).

***For additional information regarding rollovers and lump sum distributions refer to IRS Publications 575, "Pension and Annuity Income" and Publication 590 "Individual Retirement Arrangements (IRAs)".***

***Termination notices and refund requests cannot be processed until PERA has received your final payroll information from your employer, and all contributions have been posted to your account. Therefore, a refund or rollover of contributions takes approximately 30-45 business days.***