

Annual Compliance and Notice Requirements

FIRST QUARTER

JANUARY 31

- Confirm with nondiscrimination testing provider that all requirements have been met for plans requiring ADP/ACP testing prior to March 15
- Mail IRS Form 1099-R to participants who received a distribution in the prior year
- File Form 945 (Annual Return of Withheld Federal Income Tax)

FEBRUARY 28

- File Form 1099-R on paper with the IRS (or March 31 if filing electronically)

MARCH 1

- To meet the March 15 deadline, consider submitting refund requests for ADP/ACP nondiscrimination testing failures to your nondiscrimination testing provider

MARCH 3

- In order to meet the March 15 deadline, make sure your service provider has received the approval necessary to process excesses

MARCH 15

- Issue ADP/ACP nondiscrimination testing failures refund checks to avoid the 10% excise tax. *(Note: Plans that satisfy the requirements of an Eligible Automatic Contribution Arrangement (EACA) have a June 30 deadline)*
- File Employer (other than C Corp) tax returns, and deposit employer contributions—unless there is a corporate filing extension

SECOND QUARTER

APRIL 1

- Issue checks for initial Required Minimum Distributions (RMDs)

APRIL 15

- Distribute excess deferrals
- File C Corp tax returns, and deposit employer contributions - unless there is a filing extension

JUNE 30

- Issue ADP/ACP nondiscrimination testing failures refund checks to avoid the 10% excise tax on EACA plans

THIRD QUARTER

JULY 28

- Issue Summary of Material Modifications (SMM)

JULY 31

- File the Form 5500 return (unless filing for an extension)
- File Form 5558 for automatic extension of time to file Form 5500
- File Form 5330 (Return of Excise Taxes Related to Employee Benefit Plans)

SEPTEMBER 15

- File Employer (other than C Corp) tax returns, and deposit employer contributions (extended deadline)
- Minimum funding deadline for money purchase and target benefit plans

SEPTEMBER 30

- Distribute the summary annual report (SAR) (unless Form 5500 filing extension was requested)

FOURTH QUARTER

OCTOBER 15

- File Form 5500 return (for extended filers)
- File C Corp tax returns, and deposit employer contributions (extended deadline)
- Deadline to file retroactive amendment to correct prior year 410(b) or 401(a)(4) failures

DECEMBER 1

- Deadline to amend plan to elect safe harbor status using a nonelective contribution for the current plan year
- Distribute applicable participant notices: Automatic Contribution Arrangement (ACA) notice, EACA notice, Qualified Automatic Contribution Arrangement (QACA) notice, Qualified Default Investment Alternative (QDIA) notice, and/or safe harbor notice
- Distribute 404a-5 Plan and Investment Disclosureⁱ

DECEMBER 15

- Distribute the Summary Annual Report (SAR) (for extended filers)

DECEMBER 31

- Issue checks for annual Required Minimum Distributions (RMDs)
- Adopt discretionary amendments for the current plan year

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Dates are applicable to plans and companies that follow a December 31 plan/tax year-end date. Dates will vary for plans and companies that follow different year-end dates.

ⁱ Plan fiduciaries are required to distribute their 404a-5 Plan and Investment Disclosures at least once in each 14-month period.