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SECURE Act: An Employers Guide

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The Setting Every Community Up for Retirement Enhancement (SECURE) Act, was signed into law by President Trump on December 20, 2019, as part of the Further Consolidated Appropriations Act of 2020 (H.R. 1865). The purpose of this booklet is to provide clients with an overview of the pertinent provisions that will impact employers and banks.

What follows is a table summarizing the SECURE Act law changes. In total, there are 30 unique sections to the SECURE Act, some of which make multiple changes to both the Internal Revenue Code of 1986 (IRC) and the Employee Retirement Income Security Act of 1974 (ERISA). Some changes are carried out by the Internal Revenue Service (IRS) and other changes are carried out by the United State Department of Labor (DOL).

The table is intended to help employers identify whether the law changes matter to them (see The Skim) and whether an employer should be considering some action items for their plans. We additionally considered that some law changes will not necessarily affect an employer because the change affects account-based programs that are typically custodied by banks (e.g., IRAs and 529 plans). If a law change is directed more appropriately to banks rather than employers, see For Banks. Finally, if there has been any additional guidance issued as of the date of print for this booklet, you will see the additional guidance listed inside the annotation section.

KEY:	
	Main headings
	Cites. Citations to Sections of the SECURE Act
	For Nerds. Annotations for the nerds who want to know the specific laws that are affected
	For Banks. Comments specific to banks and how banks deliver services to their customers
	The Skim. Columns that are most important for those who only want to skim this article

<u>For More Information</u>

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New Law Changes	Description	Effective Date	Types of Plans Affected	Employer Action/Considerations
§ 101. Multiple employer plans; pooled employer plans.				
IRC §413(e) ERISA §3(2) ERISA §3(43) ERISA §3(44) ERISA §412(a) ERISA §103(a)(1)(B) ERISA §103(g)	Two or more unrelated employers may join together to form a Multiple Employer Plan (MEP) by having a "pooled plan provider". The pooled plan provider must be designated by the terms of the plan as a named fiduciary and must be registered with the IRS/DOL. The IRS/DOL have authority to issue guidance regulating pooled plan providers, including the ability to audit them. The rule contemplates that a "Model Plan" must be published by the IRS/DOL. Pooled plan providers are subject to ERISA's required fidelity bond rule. Employers inside the MEP are each responsible for the plan operations as separate plan sponsors. The MEP is entitled to file a single Form 5500 Annual Return as if it is a single ERISA plan, but must schedule out participating employers. Each employer is generally liable for their own compliance, but a plan can take action to prevent one or more noncompliant employers from causing disqualification of the entire plan (see e.g., "bad apple" rule in separate guidance).	Plan years beginning after Dec. 31, 2020.	This only applies to Multiple Employer Plans that intend to use a pooled plan provider (those types of plans can be profit sharing, 401(k), and individual retirement accounts).	Employers should be on the lookout for new vendors marketing MEPs. Employers should be cautious because selection of a pooled plan provider might implicate the employer's fiduciary duties for selection and monitoring of such providers. Banks should be on the lookout for new vendors marketing MEPs in the IRA context. ERISA cross-references in the IRC might suggest a bank should be selective with IRA types being considered.
§ 102. Increase in 10% cap for automatic enrollment safe harbor after 1st plan year.				
IRC §401(k)(13)	If a plan has automatic enrollment, then the automatically deducted salary deferral amount must not exceed 15% of compensation (old rule: not exceed 10%).	Plan years beginning after Dec. 31, 2019.	Only applies to **401(k) plans**, and only applies to those with automatic enrollment feature.	Optional **Plan Amendment** Opportunity: Employers might want to consider raising the automatic deferral amount.
§ 103. Rules relating to election of safe harbor 401(k) status.				
IRC §401(k)(12) IRC §401(k)(13) IRC §401(k)(12)(F) IRC §401(k)(13)(F)	The initial safe harbor notice that was historically required for profit sharing plans and plans with qualified automatic contribution arrangements (QACAs) is no longer required (except for matching safe harbor plans). Annual safe harbor notices are still required to allow participants to change elections once per year. An employer may amend its plan for a safe harbor design using profit sharing or QACA (but not matching safe harbor) any time before the 30th day before the close of the plan year OR any time before the last day for distributing excess contributions as long as the profit sharing contribution is at least 4%.	Plan years beginning after Dec. 31, 2019.	Only applies to **401(k) plans**.	Optional **Plan Amendment** Opportunity: Employers that have been considering possible safe harbor plan designs have more flexibility for plan amendments. Notice Relief: Employers with safe harbor designs, other than matching safe harbors, enjoy some relief from notice requirements.
§ 104. Increase in credit limitation for small employer pension plan startup costs.				
IRC §45E(b)	There is a tax credit for eligible employers starting a retirement plan, equal to 50% of the costs of starting a plan. The cap on claiming this credit has historically been \$500 for the first three years. This changes the cap to the greater of (a) \$500 or (b) the lesser of (i) \$250 for each non-highly compensated employee eligible to participate or (ii) \$5,000.	Taxable years beginning after Dec. 31, 2019.	**New plans** started by "eligible employers" that have no more than 100 employees who received more than \$5,000 of compensation in the preceding year.	Small employers who have been wary of starting a new retirement plan might be enticed with the larger tax credit to help defray the costs.

New Law Changes	Description	Effective Date	Types of Plans Affected	Employer Action/Considerations
§ 105. Small employer automatic enrollment credit.				
IRC §45T IRC §38(b)	Creates a new $500 credit per taxable year for the first three years in which an "eligible employer" includes an automatic enrollment arrangement in a qualified plan.	Taxable years beginning after Dec. 31, 2019.	Applies to **401(k) plans** and **SIMPLE IRA** plans sponsored by an "eligible employer."	Optional **Plan Amendment** Opportunity: Small employers might consider adding an automatic enrollment feature to their plans if they are enticed by the tax credit. (Also available for new plans with auto feature, in addition to new plan startup cost credit).
§ 106. Certain taxable non-tuition fellowship and stipend payments treated as compensation for IRA purposes.				
IRC §219(f)	The definition of compensation for IRA purposes will now include any amount includible in gross income and paid to an individual in the pursuit of graduate or postdoctoral study.	Taxable years beginning after Dec. 31, 2019.	**IRAs**: Individual retirement accounts and individual retirement annuities.	Banks should consider updating their systems to ensure the definition of compensation for IRA contribution purposes takes into consideration fellowships and stipends.
§ 107. Repeal of maximum age for traditional IRA contributions.				
IRC §219(d) IRC §408(d)(8)(A)	Individuals can now take an itemized deduction for IRA contributions made after age 70 1/2 (historically disallowed). Individuals making qualified charitable distributions from their IRAs will have their charitable deduction reduced by contributions made after age 70 1/2.	Contributions made for taxable years beginning after Dec. 31, 2019. Distributions made for taxable years beginning after Dec. 31, 2019.	**IRAs**: Individual retirement accounts and individual retirement annuities.	Banks should consider updating their systems to allow for IRA contributions after age 70 1/2 and should update any systems for tracking charitable deductions limits.
§ 108. Qualified employer plans prohibited from making loans through credit cards and other similar arrangements.				
IRC §72(p)	If a plan allows for participant loans, this change provides that any loans offered through the use of a credit card or any similar arrangement will now be deemed distributions (and taxable, plus subject to excise tax for possible early withdrawal) from the plan.	Loans made after Dec. 20, 2019.	Only plans that offer **participant loans using credit cards** inside profit sharing plans, 401(k) plans, money purchase pension plans, 403(b) plans, 457(b) plans.	Employers that allow participant loans using credit cards should take **immediate action** (either amend a loan policy or possibly a plan amendment) to avoid adverse tax consequences to participants. Caution those employers who might have "any similar arrangement" (not yet defined).
§ 109. Portability of lifetime income options.				
IRC §401(a)(38) IRC §401(k)(2)(B) IRC §403(b)(11) IRC §403(b)(7) IRC §457(d)(1)	Tax-qualified defined contribution plans, 401(k) plans, 403(b) plans, and 457(b) plans are allowed to (1) make direct trustee-to-trustee transfers of lifetime income investments or (2) distribute a lifetime income investment in the form of an annuity on or after the date that is 90 days prior to the date on which the lifetime income investment is no longer an authorized investment.	Plan years beginning after Dec. 31, 2019.	Only plans that offer a **lifetime income investment type**, but could be inside profit sharing, 401(k), money purchase pension, 403(b), and 457(b) plans; plus governmental 457(b) plans.	Optional **Plan Amendment** Opportunity: Some employers might consider adding a lifetime income investment option. Some employers might consider amendments to the plan's distributable rights in order to allow for these new distribution rights.

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§ 110. Treatment of custodial accounts on termination of Section 403(b) plans.				
IRC §403(b)(7)	By June 20, 2020, the Secretary of Treasury must issue guidance to assist employers who terminate 403(b) plans subject to custodial agreements that severely limit an employer's ability to fully distribute accounts. The guidance must be retroactively effective for taxable years beginning after Dec. 31, 2008.	No effective date, but enacted on Dec. 20, 2019.	**Terminated** (or employers who plan to terminate) **403(b)** Plans.	Employers who terminated 403(b) Plans since 2009 and experienced lingering liability exposure because a custodian would not distribute assets, please stay tuned for possible future relief.
§ 111. Clarification of retirement income account rules relating to church-controlled organizations				
IRC §403(b)(9)	Clarifies that 403(b) plans' definition of "employee" includes duly ordained, commissioned, or licensed ministers and employees of a tax-exempt organization that is controlled by a church or association of churches.	Oddly enough, this update applies in perpetuity (for tax years beginning before, on, or after the date of enactment).	**Church** sponsored **403(b)** plans.	No action needed, but 403(b) church plans enjoy greater certainty for the definition of "employee."
§ 112. Qualified CODAs must allow long-term employees (more than 500 but less than 1,000 hours) to participate.				
IRC §401(k)(2)(D) IRC §401(k)(15)	Employers are required to allow long-term, part-time employees (those working 500-1000 hours for three consecutive 12-month periods who meet the age requirement of 21 years of age) to make elective deferrals to 401(k) plans. Plan entry is the earlier of (A) the first day of the first plan year following date the employee met those requirements or (B) the date six months after the date the employee met those requirements. Employers are not required to make employer contributions on behalf of these employees. However, for vesting purposes, a 12-month period for which the employee has at least 500 hours of service will be treated as a year of service. Employers may elect to exclude these employees from nondiscrimination testing and top-heavy rules. Employers with collectively bargained plans are not subject to this rule.	Taxable years beginning after Dec. 31, 2020; however, 12-month periods beginning before Jan. 1, 2021 will not be taken into account when determining which employees are long-term.	Any plans with a **401(k)** feature	**Plan Amendment Required**: Employers with 401(k) plans should anticipate working through a 2020 plan amendment before the end of this year, that will take effect starting in 2021. Some employers might need to update internal tracking systems for counting hours.
§ 113. Penalty-free withdrawals from retirement plans for individuals in case of birth of child or adoption.				
IRC §72(t)(2)	Allows a limited waiver from the normal 10% excise tax penalty for a qualified birth or adoption distribution up to $5,000 which may be taken during the one-year period following the birth of a child or finalization of legal adoption of eligible adoptee. An eligible adoptee is an individual, other than the child of the taxpayer's spouse, who is under age 18 or is physically or mentally incapable of self-support. Amounts distributed may be repaid subject to certain restrictions.	Distributions made after Dec. 31, 2019.	Any **tax-qualified plan** and **IRAs** (profit sharing plans, 401(k) plans, money purchase pension plans, 403(b) plans, defined benefit plans).	Optional **Plan Amendment** Opportunity: If an employer wants to take advantage of this new rule it will likely need to adopt a plan amendment. Optional document revisions: Banks likely need to revise IRA documents before customers could take advantage of this new rule.

New Law Changes	Description	Effective Date	Types of Plans Affected	Employer Action/Considerations
§ 114. Increase in age for required beginning date for mandatory distributions.				
IRC §401(a)(9) IRC §408(b) *IRS Notice 2020-06*	Participants are required to take minimum distributions from tax qualified defined contribution plans and most IRAs after attaining a specific age. The historic age has been 70 1/2. This rule changes the required minimum distribution (RMD) starting age to 72. *Near the end of Jan., the IRS issued some relief, to delay the notice letters that are normally due by Jan. 31st out to April 15, 2020.*	For distributions made after Dec. 31, 2019, with respect to individuals who attain age 70 1/2 after such date.	Any **tax-qualified plan** and IRAs (profit sharing plans, 401(k) plans, money purchase pension plans, 403(b) plans, defined benefit plans) [except not Roth IRAs].	Employers should take **immediate action** to update RMD notice letters. Employers should plan on updating systems to track new age. Banks should take **immediate action** just like employers to update notice letters and track new age.
§ 115. Special rules for minimum funding standards for community newspaper plans.				
IRC §430(m) ERISA §303(m)	Offers relief to community newspaper plan sponsors by changing the interest rate assumption for funding obligations and stretching out a longer amortization period.	Plan years ending after Dec. 31, 2017.	Only **defined benefit** pension plans sponsored by a community newspaper.	Struggling community newspaper pension plans have relief for contributions.
§ 116. Treating excluded difficulty of care payments as compensation for determining retirement contribution limitations.				
IRC §408(o)(5) IRC §415(c)(8)	"Difficulty of care" payments are qualified foster care payments that are (1) excluded from taxable gross income; and (2) not counted for purposes of retirement contributions. This change allows individuals who receive difficulty of care payments to (1) still enjoy an exclusion from income; (2) but also count the funds as compensation AND make a contribution into a retirement plan.	Plan years beginning after Dec. 31, 2015.	Only applies to difficulty of care payments, but could affect any **tax-qualified plan** or **IRA**.	Employer plans likely need a plan amendment to update the definition of compensation. Banks likely need a document revision for IRAs to update the definition of compensation.
§ 201. Plan adopted by filing due date for year may be treated as in effect as of close of year.				
IRC §401(b)	Employers that adopt certain plans after the close of a taxable year but before the company tax return deadline may elect to treat the plan as having been adopted as of the last day of the taxable year.	Plans adopted for taxable years beginning after Dec. 31, 2019.	Stock bonus, pension, profit sharing, or annuity plan.	Employers looking to adopt new plans near the end of 2020 (and future years) will have more flexibility.
§ 202. Combined annual report for group of plans.				
IRC §6058 ERISA §104 IRC §6011(e)(6)	Requires the IRS/DOL to create a new "consolidated" return for a Form 5500 Annual Return filing. Plans must be defined contribution plans with the same trustee, same fiduciary, same administrator, same plan year, and same investment options. Information for each plan on an annual return shall be treated as a separate return.	Implemented not later than Jan. 1, 2022. Returns with respect to plan years beginning after Dec. 31, 2019.	**Defined contribution** plans (like profit sharing, money purchase, and 401(k)).	Employers who have considered a plan merger but chose to keep plans separate might have a way to experience relief from the high costs of auditing multiple plans without needing a plan merger. Employers who have been filing multiple Form 5500's should evaluate planning opportunities.

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§ 203. Disclosure regarding lifetime income.				
ERISA §105(a)(2)(B) ERISA §105(a)(2)(D)	Creates a new disclosure rule for plans holding lifetime income investments. The disclosure must set forth the lifetime income stream equivalent of the total benefits accrued with respect to a participant or beneficiary. Not later than Dec. 20, 2020, a model lifetime income disclosure must be issued by the DOL with prescribed language for how lifetime funds use life assumptions.	No formal effective date, but a disclosure must be sent out once every 12-month period (for benefit disclosures furnished no more than 12 months from the date the DOL issues guidance).	Only plans that offer a **lifetime income investment** type, but could be inside profit sharing, 401(k), money purchase pension, 403(b), and 457(b) plans; plus governmental 457(b) plans.	Employers who offer lifetime income investments will need to stay tuned for model disclosures and begin sending new disclosures out.
§ 204. Fiduciary safe harbor for selection of lifetime income provider.				
ERISA §404(e)	Clearly indicates that selection of a lifetime income provider is a plan sponsor fiduciary act. There are several mechanics to this new rule, but if all are satisfied then the plan sponsor will be deemed to have satisfied their fiduciary duties.	No effective date (assume effective for any selections made after enactment date of Dec. 20, 2019).	Only plans that offer or want to begin offering a **lifetime income investment** type, but could be inside profit sharing, 401(k), money purchase pension, 403(b), and 457(b) plans; plus governmental 457(b) plans.	Employers who offer lifetime income investments might consider running an RFP for providers now and following this rule. Employers who want to begin offering lifetime income investments should use this rule as a roadmap for best practices.
§ 205. Modification of nondiscrimination rules to protect older, longer service participants.				
IRC §401(o) IRC §401(a)(26)	Creates new carve-outs from normal nondiscrimination tests. For a defined benefit plan, the plan can identify a closed class of participants, subject to limited windows of time, and exclude those participants from normal testing. For defined contribution plans that engage in aggregate testing with defined benefit plans, the concept of certain limited closed classes may be excluded from testing. Eligible plans must be in effect for at least 5 years and not have a substantial increase in benefits, rights, or features during the 5-year period preceding the date of the closed class. Certain employees who have been participants during a 7-year period preceding the date of the closed class who came into the plan from a merger or acquisition might qualify as disregarded employees. There are special rules for spun-off plans to another employer.	Various, and complicated, but generally covers amendments that apply after Dec. 31, 2013, closed classes as of April 5, 2017, and all others after the enactment date of Dec. 20, 2019.	**All retirement plans.**	Swiss Cheese Caution: This new section is filled with plenty of tax planning loopholes. We expect future guidance will make attempts to close several loopholes in the near future. Employers should expect some vendors might market unique planning ideas to them for carving off senior-level employees or spinning off plans to avoid some nondiscrimination tests.
§ 206. Modification of PBGC premiums for CSEC plans.				
ERISA §4006(a)(3)	The Cooperative and Small Employer Charity Pension Flexibility Act of 2014 (CSEC Act) provides certain charities, schools, and volunteer organizations with an exemption from certain pension plan rules if they offer a defined benefit plan. This new change offers flat rate premium calculations of $19 per participant for CSEC plans and certain variable rate premiums for unfunded vested benefits.	No effective date (assume effective for calculating PBGC premiums associated with benefits accruing on or after enactment date of Dec. 20, 2019).	Only **defined benefit** pension plans offered by organizations that fit the **CSEC** definitions.	Cooperatives, charities, and small employers who were struggling with PBGC premiums might see some relief.

New Law Changes	Description	Effective Date	Types of Plans Affected	Employer Action/Considerations
§ 301. Benefits provided to volunteer firefighters and emergency medical responders.				
IRC §139B(c)(2) IRC §139B(d) IRC §3121(a)(23)	Qualified volunteer firefighters and volunteer emergency medical responders have enjoyed exclusions for qualified reimbursement payments of $30/month of volunteered services. This change increases the allowable benefit payment up to $50 and extends the date in IRC for income exclusion.	Tax years beginning after Dec. 31, 2019.	This is not an employee benefit plan item. This is an **individual income tax** issue related to exclusion from taxable gross income.	Employers who have staff that are volunteer firefighters or emergency medical responders might need to update payment practices and IRS reporting.
§ 302. Expansion of Section 529 plans.				
IRC §529(c)(8) IRC §529(c)(9) IRC §221(e)(1)	Expands Section 529 college savings plans to allow for payment of certain expenses related to registered apprenticeship programs and certain qualified education loan repayments (up to $10,000). If a Section 529 plan pays for qualified education loan repayments, there is an offset against the itemized deduction for student loan interest. *[NOTE: There might be an individual income tax planning concept in here, but individual income tax planning is outside the scope of this article]*	Distributions made after Dec. 31, 2018.	This is not an employee benefit plan item. It applies to **Section 529** Plans created by individuals.	Banks that offer 529 Plans will need to update systems to allow for two new types of payable expenses. Some 529 documents might require revisions to describe the new allowable expenses.
§ 401. Modification of required distribution rules for designated beneficiaries.				
IRC §401(a)(9)(H) IRC §401(a)(9)(E)	If an individual is receiving required minimum distributions and the individual dies before distribution of his or her entire interest, then this new rule applies. This new rule can also apply in certain circumstances where an individual has not yet commenced required minimum distributoins. Historically, a distribution to a "designated beneficiary" could have been in annual installments over the life expectancy of the designated beneficiary; and distributions to a beneficiary who is not a "designated beneficiary" would have to take a full distribution within 5 years after the participant's death. This change modifies the "designated beneficiary" rules to impose a new 10-year distribution window if the individual is not an "eligible designated beneficiary." An "eligible designated beneficiary" is a brand new term and it encompasses five different subcategories of individuals (e.g., surviving spouse, disabled beneficiary, chronically ill individual, etc). Eligible designated beneficiaries are entitled to modified life expectancy payouts.	Distributions to individuals with respect to participants who die after Dec. 31, 2019.	**Defined contribution** plans (like profit sharing, money purchase, and **401(k)**) and IRAs.	**Plan Amendment Required**: Employers should expect to adopt a plan amendment because most plan documents outline exactly how required distributions must be paid for death benefits. *[Note: Individual planning is outside the scope of this article, but individuals may want to contact an estate planning attorney if they have "stretch" IRA language inside estate planning documents].* Banks should anticipate revisions to IRA documents in order to update required distribution death benefit terms.
§ 402. Increase in penalty for failure to file.				
IRC §6651(a)	Increases the general penalty for failure to file all types of returns to the lesser of $435 or 100% of the amount of tax due (old rule was $330).	For returns the due date of which (including extensions) is after Dec. 31, 2019.	This is not unique for benefit plans. It applies to **all taxpayers** (individuals, companies, plans, etc.).	If a taxpayer has been avoiding unfiled tax returns, this might be an incentive to file now (and start the statute of limitations).

New Law Changes	Description	Effective Date	Types of Plans Affected	Employer Action/Considerations
§ 403. Increased peanlties for failure to file retirement plan returns.				
IRC §6652(e) IRC §6652(d) IRC §6652(h)	Increases penalties for all retirement plans, annuities, and fringe benefit plans. Old law: (1) Form 8895-SSA for deferred vested benefits disclosures, subject to penalties of $1 for each participant, up to $5,000 for each plan year. (2) Form 5500 for annual return, subject to penalties of $25 each day of failure, up to $15,000 per return. (3) Distribution notices, subject to penalties of $10 for each failed notice, up to $15,000 during any calendar year. New law: (1) Form 8895-SSA for deferred vested benefits disclosures, subject to penalties of $10 for each participant, up to $50,000 for each plan year. (2) Form 5500 for annual return, subject to penalties of $250 each day of failure, up to $150,000 per return. (3) Distribution notices, subject to penalties of $100 for each failed notice, up to $50,000 during any calendar year.	Applies to returns, statements, and notices required to be filed and provided after Dec. 31, 2019.	All **retirement plans** and **annuities** (including profit sharing, money purchase pension, 401(k), defined benefit, 403(b)) and certain reportable **fringe benefit** plans.	If an employer has been avoiding unfiled tax returns or ignoring notice requirements, this might be an incentive to file now or provide notices now (and start the statute of limitations). Also note the availability of reduced penalty in the Delinquent Filer Voluntary Correction Program for Form 5500's that have not been filed.
§ 404. Increase information sharing to administer excise taxes.				
IRC §6103(o)	Creates an information sharing mechanism between the IRS and US Customs and Border Patrol for purposes of exacting heavy vehicle use excise taxes.	No effective date (assume that information sharing has been allowed since enactment date of Dec. 20, 2019).	This is not an employee benefit plan item. It is a possible income tax issue for companies subject to **heavy vehicle use taxes**.	Employers typically subject to heavy vehicle use taxes might expect increased enforcement means by the IRS.
§ 501. Modification of rules relating to the taxation of unearned income of certain children.				
IRC §1(j) IRC §55(d)(4)(A)	Unearned income for children historically allowed up to $1,100 tax free, next $1,100 at child's tax rate, and over $2,200 at parent's tax rate. The Tax Cuts and Jobs Act of 2017 (TCJA) changed the upper tax rate to be a trust tax rate. This change repeals the TCJA change (back to parent's tax rate, not trust tax rate).	Taxable years beginning after Dec. 31, 2019; taxpayer may elect to apply to taxable years which begin in 2018 and/or	This is not an employee benefit plan item. It is an **individual income tax** issue related to the so-called **kiddie tax**.	N/A - It is outside the scope of this article to address planning for individual income tax issues.
§ 601. Provisions relating to plan amendments.				
IRC §411(d)(6) ERISA §204(g)	Changes under the SECURE Act enjoy a remedial amendment period out to the 2022 plan year (2024 plan year for Section 414(d) governmental plans), or a later date if IRS/DOL provides otherwise. Caution: Before you can make a remedial amendment with a retroactive effective date, you must establish that your plan operated in accordance with the new SECURE Act changes.	No effective date, but consider it operable as of enactment date of Dec. 20, 2019.	**All taxpayers** with all types of plans.	Employers might take comfort in the delayed amendment period, but must be absolutely clear that plan operations are in accordance with SECURE Act changes in order to avail themselves of the remedial amendment delay.