ftwilliam.com Summary of Amendments and due dates for Defined Contribution plans (including 457(b) and 403(b) plans)

NOTE: terminating plans are required to be up to date for all plan amendments before terminating. This means the "due date" section of the chart is generally not applicable to terminating plans and the plan generally must adopt the amendment, if applicable to the plan, before termination.

Act / Rule	Provisions	Plan(s) Affected	Due Date	ftwilliam.com Document specifics
EGTRRA (Economic Growth and Tax Relief Reconciliation Act of 2001)	Increase to Compensation limit Increase in DC benefit limit Top-Heavy rules Catch-up contributions for those age 50 or older New vesting schedule for matching contributions Eligible rollover distributions and contributions allowed between 403(b), 457 and qualified plans See the Summary of EGTRRA Changes for more information	Qualified plans 403(b) 457(b)	Good faith amendments were required for qualified DC plans. April 30, 2010 is the deadline for defined contribution prototype and volume submitter documents to restate for EGTRRA.	All ftwilliam.com GUST documents have the good faith amendment incorporated as an addendum. GUST documents will not be maintained after 12/31/08. EGTRRA versions of qualified DC documents are up to date for EGTRRA 403(b) "EGTRRA" version is up to date for EGTRRA. 457(b) plans on ftwilliam.com are up to date for EGTRRA.

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Act / Rule	Provisions	Plan(s) Affected	Due Date	ftwilliam.com Document specifics
401(a)(9) final regulations	Required minimum distribution rules	Qualified plans, 403(b) and 457(b) plans	Calendar years beginning on or after 12/31/2003	GUST documents: Amendment - 401(a)(9) All qualified DC EGTRRA documents have incorporated All versions of the ftwilliam.com 403(b) document have incorporated. All versions of 457(b) documents on ftwilliam.com have incorporated
Mandatory rollover (401(a)(31)) (EGTRRA)	If cashout is between $1,000 and $5,000 and terminated participant does not request a distribution or rollover from the plan, the plan must rollover the distribution to an IRA.	Qualified plans and 403(b)	Latest of (1) December 31, 2005, (2) the end of the plan year that contains March 28, 2005, or (3) the tax filing deadline for the employer's tax year containing March 28, 2005.	GUST documents: Amendment - Mandatory Roll All new plan documents created after February 15, 2005 contain the mandatory rollover language.
Roth 401(k) (EGTRRA)	Roth contributions allowed for qualified plans and 403(b) plans.	Qualified Plans with a 401(k) feature and 403(b) plans	Optional provision for the plan: plan must be amended by the last day of the first plan year in which the plan permits Roth contributions	GUST documents: Amendment - Roth 401(k) All new plan documents generated after December 4, 2005 contain the Roth 401(k) language.

Act / Rule	Provisions	Plan(s) Affected	Due Date	ftwilliam.com Document specifics
Final 401(k)/(m) regulations	A number of changes, including: timing of elective and matching contributions ADP/ACP testing changes Hardship distributions of elective deferrals	Qualified plans and 403(b) plans with elective deferrals, matching contributions or after tax contributions	First plan year beginning on or after January 1, 2006	GUST documents: Amendment - Final 401(k) regs All new plan documents generated after May 25, 2006 contain the Final 401(k)/(m) regulations language.
Heinz decision and section 1.411(d)-3 regulations	Prohibition on amendments that add a restriction or condition on vesting	Qualified plans and 403(b) if the plan is subject to ERISA	For plan amendments adopted after August 9, 2006	GUST documents: 2007 Required Amendment All new plan documents generated after October 17, 2007 contain the 1.411(d)-3 regulations language
401(a)(9) regulations: Normal Retirement Age	Normal retirement age cannot be earlier than typical retirement age for the industry (age 62 or older safe harbor)	Qualified plans - only Money purchase or Target Benefit plans	later of: Due date for filing the income tax return of the taxable year that includes May 22, 2007 or last day of plan year that includes May 22, 2007 (relief may be provided under Notice 2007-69)	GUST documents: 2007 Required Amendment All new plan documents generated after October 17, 2007 contain the new normal retirement age regulations language

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Act / Rule	Provisions	Plan(s) Affected	Due Date	ftwilliam.com Document specifics
415 final regulations	Changes to the definition of 415 compensation (post severance compensation)	Qualified plans and 403(b) 457(b)	limitation years beginning on or after July 1, 2007	GUST documents: 2007 Required Amendment EGTRRA documents have the final 415 regulations incorporated 457(b): 2008 PPA – HEART Amendment. Documents generated after August 5, 2008 have changes incorporated
PPA	PPA includes numerous required plan amendments and a number of optional provisions. Also include technical corrections from WRERA See the 9/24/09 Technical Update for details on the PPA provisions included in the DC Plan PPA Amendment.	Qualified plans 403(b) 457(b)	Qualified DC plans: on or before the last day of the plan year beginning on or after January 1, 2009 403(b) plans - as of effective date of the provisions 457(b) plans: retroactive amendments up through the last day of the plan year beginning on or after January 1, 2009 (or 2011 for governmental plans)	Included in 2009 PPA amendment. Documents generated after September 24, 2009 have PPA Amendment as an addendum. 403(b) EGTRRA documents have PPA provisions incorporated; PPA Amendment (includes HEART Act provisions) is optional. Documents generated after September 24, 2009 have PPA Amendment as an addendum. 457(b) documents have all PPA provisions incorporated after August 5, 2008. 2007 PPA provisions were in 2007 PPA Amendment. All PPA provisions are in 2008 PPA – HEART Amendment

Act / Rule	Provisions	Plan(s) Affected	Due Date	ftwilliam.com Document specifics
403(b) final regulations	Exemptions from Universal Availability modified Plan Document required for non-ERISA plans Various other provisions were modified or clarified regarding plan termination, plan transfers and exchanges, among others	403(b) plans	January 1, 2009 for most plans (taxable years after 12/31/08) to "EGTRRA" version of the 403(b) Church-related organizations have until January 1, 2010 for most plans (taxable years after 12/31/09)	"GUST" versions of 403(b) plan are not maintained after 12/31/08 "EGTRRA" versions of 403(b) plan are up to date for final 403(b) regulations
HEART Act	Death Benefits Under USERRA (401(a(37)) Benefit Accruals for Death or Disability During Qualified Military Service. (optional, 414(u)(9)) Differential Military Pay (only applicable to employers choosing to provide differential military pay) Qualified reservist distributions 12/31/07 sunset removed	Qualified plans 403(b) 457(b) - (Death benefits under USERRA only applicable to governmental 457(b) plans; Qualified reservist distributions do not apply to 457(b) plans)	By the last day of the first plan year beginning on or after January 1, 2010 Governmental plans must adopt the HEART Act provisions by the last day of the first plan year beginning on or after January 1, 2012	Qualified plans and 403(b) plans: included in 2009 PPA Amendment. 457(b): documents have HEART Act provisions incorporated if generated after August 5, 2008. Otherwise, 2008 PPA – HEART Amendment is available

Act / Rule	Provisions	Plan(s) Affected	Due Date	ftwilliam.com Document specifics
WRERA Notice 2009-82	Waiver of 2009 RMDs (See PPA on page 4 for PPA technical corrections)	Qualified plans; 403(b) and 457(b)	By the last day of the first plan year beginning on or after January 1, 2011 Governmental plans must adopt by the last day of the first plan year beginning on or after January 1, 2012	All plans will have included in either 2010 or 2011 required amendment.