

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	Qualified plans	Good faith amendments were required for qualified DC plans by the later of the: 1) end of the Plan Year in which the EGTRRA provision is effective (generally, end of 2002 plan year) or 2) end of the GUST remedial amendment period. April 30, 2010 is the deadline for qualified 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 12/31/07. 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.
	Increase in DC benefit limit			
	Top-Heavy rules			
	Catch-up contributions for those age 50 or older	403(b)		
	New vesting schedule for matching contributions	457(b)		
	Eligible rollover distributions and contributions allowed between 403(b), 457 and qualified plans			
	See the Summary of EGTRRA Changes for more information			

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) 457(b)	Calendar years beginning on or after 1/1/2003	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 roll over the distribution to an IRA	Qualified plans and 403(b) plans	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

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Final 401(k)/(m) regulations	A number of changes, including: timing of elective and matching contributions ADP/ACP testing changes	Qualified plans and 403(b) plans with 401(k) 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) plans 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
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	If the plan meets relief under Notice 2007-69: first day of the first Plan year beginning after June 30, 2008	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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415 final regulations	Changes to the definition of 415 compensation (post severance compensation)	Qualified plans and 403(b) plans 457(b)	Limitation years beginning on or after July 1, 2007	GUST documents: 2007 Required Amendment EGTRRA documents and 403(b) "EGTRRA" documents have the final 415 regulations incorporated 457(b) plans may use 2008 PPA – HEART Amendment for 415 clarifications; documents generated after August 5, 2008 have 415 clarifications (amendment was generally not required for 415 purposes)
PPA	See separate chart of PPA provisions - <i>coming soon</i> .	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)	Will be included in 2009 required amendment. 403(b) "EGTRRA" documents have PPA provisions incorporated. 457(b) documents have incorporated after August 5, 2008; 2007 PPA provisions were in 2007 PPA Amendment; 2007 and 2008 PPA provision are in 2008 PPA – HEART Amendment

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403(b) final regulations	<p>Exemptions from Universal Availability modified</p> <p>Plan Document required for non-ERISA plans</p> <p>Various other provisions were modified or clarified regarding plan termination, plan transfers and exchanges, among others</p>	403(b) plans	<p>January 1, 2009 for most plans (taxable years after 12/31/08) to update to "EGTRRA" version of the 403(b)</p> <p>Church-related organizations whose authority to amend the plan is held by a church convention have until taxable years after 12/31/09</p>	<p>"GUST" versions of 403(b) plan are not maintained after 12/31/07</p> <p>"EGTRRA" versions of 403(b) plan are up to date for final 403(b) regulations</p>

