

## IRS Announces Extension of Pre-Approved 403(b) and Defined Benefit Plan Restatement Deadlines

The Internal Revenue Service (IRS) has issued guidance extending two imminent deadlines for plan sponsors utilizing IRS pre-approved plan documents for Internal Revenue Code (Code) Section 403(b) plans and defined benefit pension plans. These extensions provide much-needed relief for employers already dealing with COVID-19 related issues.

As explained in our January 9, 2020 [memorandum](#), 403(b) plan sponsors that wish to obtain assurance that the form of the plan satisfies the requirements of Code Section 403(b) and implementing IRS guidance were required to adopt an IRS pre-approved plan document by no later than March 31, 2020. This deadline has now been extended to **June 30, 2020**. Similarly, employers sponsoring a defined benefit pension plan utilizing an IRS pre-approved “prototype” or “volume submitter” plan document were required to adopt a restated plan document by no later than April 30, 2020. This deadline has now been extended to **July 31, 2020**. These extensions are automatic. No action is required by the employer to take advantage of the extensions.

If you have any questions about this memorandum, or if you need assistance with the restatement of a Code Section 403(b) plan or a defined benefit pension plan by the extended deadlines, please contact any [attorney](#) in our [Employee Benefits and Executive Compensation Practice Group](#), or the attorney at the firm with whom you are regularly in contact.



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