

DEFINED CONTRIBUTION RETIREMENT PLAN | 2021 COMPLIANCE CALENDAR Calendar Plan Year and Calendar Employer Tax Year

Retirement plan sponsors are responsible for compliance with many ongoing reporting, disclosure and notice requirements. This Retirement Plan Compliance Calendar summarizes the major requirements that apply to Defined Contribution (“DC”) plans for 2021. Due dates are based on a calendar year plan year and are applicable to plans subject to the Employee Retirement Income Security Act of 1974 (“ERISA”). Please contact your USI Consulting Group representative if you have questions regarding these requirements and their application to your plan(s).

Month	Requirement	Due Date	Status
JANUARY	Review 2021 Plan Limits: Adhere to IRS dollar limitations on benefits and contributions.	January 1 - December 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to furnish Form 1099-R to recipients of distributions and/or deemed distributions in 2020.	January 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
FEBRUARY	Last day to file Form 945 to report federal income tax withheld from distributions in 2020.	February 1	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to furnish fourth quarter 2020 benefit statement to a participant or beneficiary in an individual account plan that permits participant investment direction.	February 14	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
MARCH	Last day to file Form 1096 and Form 1099-R on paper with the IRS for prior year distributions and/or deemed distributions.	March 1	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to refund excess contributions (for failed ADP test) and refund or forfeit (if forfeitable) excess aggregate contributions (for failed ACP test) for 2020 to avoid 10% excise tax (unless plan is an EACA).	March 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Application for Waiver for Minimum Funding Standard due for Money Purchase plans, where applicable (due no later than the 15th day of the 3rd month after the close of the plan year for which the waiver is requested).	March 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to file Form 1099-R electronically with the IRS for prior year distributions and/or deemed distributions.	March 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day (unextended deadline) to file Form 5330 and pay excise tax on 2019 plan year excess contributions or excess aggregate contributions where excess amounts not distributed (or forfeited).	March 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
APRIL	The CARES Act eliminated Required Minimum Distributions for 2020. ¹	April 1	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

¹ In most years April 1st is the last day to make RMDs for participants who initially became subject to the RMD rules in the prior year, but in response to the COVID-19 pandemic the CARES Act eliminated any RMD requirements relating to 2020. Therefore, no participant will have a required beginning date (RBD) of April 1, 2021. In addition, under the SECURE Act, the RMD age has changed from 70 ½ to 72 for anyone who did not attain age 70 ½ by December 31, 2019. For these individuals, their RBD is April 1 of the calendar year following the later of the year in which the individual attains age 72 or retires. Like before, 5% owners must begin their RMDs once they attain age 72, even if they continue working.

Month	Requirement	Due Date	Status
APRIL	Last day to distribute excess deferrals in excess of 402(g) dollar limits for 2020 (in excess of \$19,500) to applicable participants.	April 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	(For plans with a tax year ending December 31, without corporate tax extension) Last day for C corporation employer plan sponsors to make contributions and take tax deductions for 2020 (Form 1120).	April 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Deadline to file Form 7004 (Request Automatic Extension for Corporate Tax Returns to October 15).	April 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
MAY	Last day to furnish first quarter 2021 benefit statement to a participant or beneficiary in an individual account plan that permits participant investment direction.	May 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
JUNE	Last day to refund excess contributions (failed ADP test) and refund or forfeit (if forfeitable) excess aggregate contributions (failed ACP test) for 2020 to avoid 10% excise tax – in case of an EACA.	June 30	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
JULY	Last day to furnish Summary of Material Modifications (SMM) to participants and beneficiaries receiving benefits (due no later than 210 days after the end of the plan year in which the plan change is adopted.)	July 29	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to file Form 5500 for 2020 without extension (due seven months after plan year ending December 31, unless extension applies).	July 31*	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to file Form 8955-SSA without extension (report certain information relating to each participant with a deferred vested benefit).	July 31*	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to provide a notice to terminated vested participants describing deferred vested retirement benefits (in conjunction with Form 8955-SSA).	July 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to file Form 5558 – Application for Extension of Time to File Certain Employee Plan Returns (Form 5500) (due on or before normal due date for filing Form 5500).	July 31*	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day (without 5500 extension) to furnish annual benefit statement to a participant or beneficiary in an individual account plan that does not provide for participant investment direction.	July 31 (or the day Form 5500 is filed, if earlier)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day (unextended deadline) to file Form 5330 and pay excise tax on nondeductible contributions. For example, late deposits of employee deferrals, prohibited transactions, certain employee stock ownership plan dispositions, and certain prohibited allocations of qualified securities by and ESOP (if applicable).	July 31*	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
AUGUST	Last day to furnish second quarter 2021 benefit statement to a participant or beneficiary in an individual account plan that permits participant investment direction.	August 14	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
SEPTEMBER	Last day to pay balance of remaining required contributions for 2020 plan year to satisfy minimum funding requirements for plans subject to minimum funding requirements such as money purchase pension and target benefit plans.	September 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to furnish Summary Annual Report for 2020 plan year to participants and beneficiaries if an extension to file Form 5500 was not obtained (9 months after year-end or 2 months after filing Form 5500).	September 30	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
OCTOBER	Distribute Annual 401(k) Plan Safe Harbor Notice (No more than 90 days and at least 30 days prior to the beginning of the 2022 plan year). Provide notice to eligible employees; Employers who want the ability to provide a Qualified Non-Elective Contribution (QNEC) 3% employer contribution must issue a 401(k) Plan Safe Harbor Contingent notice to eligible employees.	October 1 (through December 2)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

* IRS deadline extended to the next business day if due date falls on weekend or legal holiday (Internal Revenue Code Section 7503).

Month	Requirement	Due Date	Status
OCTOBER	Distribute Qualified Default Investment Alternative (QDIA) Notice (No more than 90 days and at least 30 days prior to the beginning of the 2022 plan year). Provide annual notice to all participants (including alternate payees and beneficiaries) to inform of their rights to direct investments and how their accounts will be invested if they do not direct investments.	October 1 (through December 2)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Distribute Annual Automatic Enrollment Notice (No more than 90 days and at least 30 days prior to the beginning of the 2022 plan year). Provide annual notice to all eligible employees (can be combined with QDIA notice).	October 1 (through December 2)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	403(b) Annual Contribution Notice (No more than 90 days and at least 30 days prior to the beginning of the 2022 plan year). Provide annual notice to all eligible employees.	October 1 (through December 2)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to file Form 5500 (with Form 5558 filing extension). This is a 2 ½ month extension if Form 5558 was filed timely.	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to file Form 8955-SSA (with Form 5558 filing extension). This is a 2 ½ month extension if Form 5558 was filed timely.	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to provide a notice to terminated vested participants describing deferred vested retirement benefits (in conjunction with Form 8955-SSA).	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day (with 5500 extension) to furnish annual benefit statement to a participant or beneficiary in an individual account plan that does not provide for participant investment direction.	October 15 (or the day Form 5500 is filed, if earlier)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to adopt and implement retroactive corrective plan amendment to correct 2020 410(b) coverage or 401(a)(4) nondiscrimination failures.	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day for C corporation employer plan sponsors to make contributions and take a tax deduction for 2020 if 6-month automatic extension to file federal income tax return was obtained (Form 1120).	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to give notice to IRS of Qualified Separate Lines of Business (QSLOB), where applicable (Form 5310-A).	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
NOVEMBER	Last day to furnish third quarter 2021 benefit statement to a participant or beneficiary in an individual account plan that permits participant investment direction.	November 14	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
DECEMBER	Last day to provide annual participant notices [safe harbor, automatic enrollment, QDIA, 403(b)] (see above notice requirements in October).	December 1	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day (with 5500 extension) to furnish Summary Annual Report for 2020 plan year.	December 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to refund excess contributions (failed ADP test) and refund or forfeit (if forfeitable) excess aggregate contributions (failed ACP test) for the 2020 plan year (for failed ADP/ACP test with 10% excise tax).	December 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day to make Required Minimum Distributions (RMD) to applicable participants for distribution calendar years other than for the first distribution calendar year.	December 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day for plan sponsors to adopt discretionary plan amendments that became effective during the current plan year.	December 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	Last day of the Plan Year - Review the Plan Forfeiture Account. Allocate Forfeiture accounts. Review the plan document regarding the allocation of Forfeiture monies.	December 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

* IRS deadline extended to the next business day if due date falls on weekend or legal holiday (Internal Revenue Code Section 7503).

Plan Document Compliance Deadlines for 2021 and 2022

BBA Bipartisan Budget Act. This Act made numerous changes to the hardship distribution provisions. The IRS has extended the deadline that applies to pre-approved plans with respect to amendments that must be made to a plan as a result of these new hardship rules until December 31, 2021.

Defined Contribution Plan Document Restatement. Plan Sponsors of a pre-approved plan document (for example, prototype plan) have until July 31, 2022 to restate plan documents.

SECURE Act (Setting Every Community up for Retirement Enhancement Act). This Act was signed into law on Friday, December 20, 2019. Provisions include Required Minimum Distributions (RMD); Withdrawals for Birth or Adoption; Long-Term Part-Time Employees Eligibility; Lifetime Income Disclosure Requirements; Safe Harbor Contribution Rule Changes; Pooled Employer Plans; Defined Benefit Plan Changes; an extended adoption deadline for new plans; and other miscellaneous changes.

Qualified retirement plans have until the last day of the first plan year beginning on or after January 1, 2022 (or later as prescribed by the IRS) to adopt an amendment for the SECURE Act with retroactive application. Qualified governmental plans and collectively bargained plans have until the last day of the first plan year beginning on or after January 1, 2024 to be amended.

CARES Act (Coronavirus Aid, Relief, and Economic Security Act). This Act was signed into law on March 27, 2020 and addressed the economic impacts associated with the Coronavirus. Provisions include Coronavirus-Related Distributions; Waiver of Required Minimum Distributions; and Plan Funding Relief.

Governmental plans have until the last day of the first plan year that begins on or after January 1, 2024 to adopt amendments.

Participant Fee Disclosures (ERISA Section 404a-5)

Initial Participant Fee Disclosure. Provide initial fee disclosure to newly eligible participants, which must be provided on or before the date the participant can first direct their investments.

Annual Participant Fee Disclosure. Provide annual fee disclosure to active participants, which is required to be provided to participants within 14 months of the prior year notice.

Quarterly Participant Fee Disclosure. Provide quarterly fee disclosure to active participants at least quarterly (every calendar quarter).

Disclosure of any change in fees. Provide disclosure of any change in fees to participants at least 30 days, but no more than 90 days prior to the effective date of the change.

This Update has been prepared for informational purposes only and is not designed to be a comprehensive analysis of any topic discussed herein and should not be relied upon as the only source of information. Additionally, this Update is not intended to represent advice or a recommendation specific to your plan.

Neither USI nor its affiliates and/or employees/agents offer legal or tax advice. Prior to acting on this information, we recommend that you seek independent advice specific to your situation from a qualified legal/tax professional.

The information contained herein is meant for general educational purposes only.