

# Compliance calendar for defined contribution plans

Annual reference for recurring compliance and notice requirements

## January

### January 31

Deadline for sending Form 1099-R to participants who received distributions during previous year.

## February

### February 28

Deadline for filing Form 1099-R on paper, if eligible, with IRS to report distributions made in previous year. Deadline for electronic filing is March 31.

## April

### April 1

Required beginning date for certain participants attaining age 72 or retiring after age 72 in prior year [Deadline for taking first required minimum distribution (RMD) under Internal Revenue Code (IRC) Section 401(a)(9)].

## March

### March 15

Deadline for processing corrective distributions for failed actual deferral percentage (ADP)/actual contribution percentage (ACP) test without 10% excise tax.

Note: A special deadline may apply to plans that satisfy the requirements of an eligible automatic contribution arrangement (EACA). See "June."

Deadline for filing partnership and S-corporation tax returns and contribution deadline for deductibility (without extension) for calendar-year partnerships and S-corporations.

Deadline for requesting automatic extension (to September 15) for partnership and S-corporation tax returns.

### March 31

Deadline for electronic filing of Form 1099-R with IRS to report distributions made in previous year.

## May

## June

### June 30

Deadline for processing corrective distributions for failed ADP/ACP test from certain plans with an EACA without 10% excise tax.

### April 15

Deadline for processing corrective distributions for IRC Section 402(g) excess deferrals.

Deadline for filing individual and C-corporation tax returns and contribution deadline for deductibility (without extension) for calendar-year self-employed individuals and C-corporations.

Deadline for requesting automatic extension (to October 15) for individual and C-corporation tax returns.

## July

### July 29

Deadline for sending Summary of Material Modification (SMM) (210 days after end of plan year in which the amendment was adopted).

### July 31

Deadline for filing Form 5500 (without extension).

Deadline for filing Form 5558 to request automatic extension of time to file Form 5500 (to October 15).

Deadline for filing Form 5330 to report and pay excise taxes on prohibited transactions and excess 401(k) plan contributions that occurred in prior year.

## August

## September

### September 15

Extended deadline for filing partnership and S-corporation tax returns and final contribution deadline for deductibility for calendar-year partnerships and S-corporations.

### September 30

Deadline for distributing Summary Annual Report (SAR) to participants, unless deadline for Form 5500 was extended, then two months after due date for Form 5500 (December 15).

## October

### October 15

Deadline for adopting a retroactive amendment to correct an IRC Section 410(b) coverage or IRC Section 401(a)(4) nondiscrimination failure.

Extended deadline for filing Form 5500.

Extended deadline for individual and C-corporation tax returns and final contribution deadline for deductibility.

## November

## December

### December 1

Deadline for sending annual 401(k) and 401(m) safe harbor notice for plans that satisfy the safe harbor requirements using a matching contribution, or those plans using a nonelective contribution but also have an additional matching contribution.

Deadline for sending annual qualified default investment alternative (QDIA) notice.

Deadline for sending annual automatic contribution arrangement (ACA) notice.

Deadline for amendment to convert existing 401(k) plan to safe harbor nonelective design for current year, provided certain requirements are met (3% nonelective contribution).

*For administrative ease, the notices above may be combined.*

### December 15

Extended deadline for distributing SAR to participants.

### December 31

Deadline for processing corrective distributions for failed ADP/ACP test with 10% excise tax.

Deadline for correcting a failed ADP/ACP test with qualified nonelective contributions (QNECs) if the plan uses current-year testing.

Final deadline to convert existing 401(k) plan to safe harbor nonelective design for current plan year, provided certain requirements are met (4% nonelective contribution). Amendment needed by the close of the following plan year.

Deadline for amendment for plans to remove or convert to safe harbor status for next plan year (certain exceptions apply).

Deadline for amending plan for discretionary changes implemented during plan year (certain exceptions apply, e.g., adding salary deferrals, cutting back accrued benefits).

RMDs due under IRC Section 401(a)(9) unless extension for first RMD is available (see April).

## Reminder:

## Required fee disclosures

### Plan sponsor/Service provider

- Initial disclosure: Required within a reasonable period before the contract is entered into or renewed.
- Annual disclosure: Required following changes in investment information.
- Additional disclosures: Required no later than 60 days after the effective date of the change for changes in compensation or services provided.

### Participant

- Initial disclosure: Required on or before the date when participants can first direct investments.
- Annual disclosure: Required to be updated and distributed at least annually.
- Additional disclosures: Required at least 30 days, but no more than 90 days, prior to certain plan changes\*

The deadlines in this calendar are for plans with calendar-year plan years and **do not take leap years into consideration**. This chart is intended to provide plan sponsors with a list of notable deadlines and is not a substitute for consultation with ERISA counsel and in no way represents legal advice. Historically, when the date falls on a Saturday, Sunday, or legal holiday, the IRS has not extended the deadline for return of excess amounts and RMDs but has extended the deadline for deductible contributions, as well as returns/reports. Some deadlines may be extended for certain individuals affected by a natural disaster.