



TaxNewsFlash

United States



No. 2020-103
March 6, 2020

Notice 2020-14: Defined benefit plans, 2020 cumulative list for plan qualification requirements

The IRS today released an advance version of Notice 2020-14 that provides the 2020 cumulative list of changes in plan qualification requirements for purposes of pre-approved defined benefit plans.

The “cumulative list” identifies changes in the qualification requirements that must be taken into account in a pre-approved plan submitted under the pre-approved plan program for consideration by the IRS for purposes of issuing opinion letters.

[Notice 2020-14](#) [PDF 41 KB] provides the “2020 cumulative list.”

- The 2020 cumulative list sets forth specific matters the IRS has identified for review in determining whether a defined benefit plan document that has been filed for an opinion letter has been properly updated. The provisions in the 2020 cumulative list include statutory and regulatory provisions that were issued between October 1, 2012, and December 1, 2019.
- Providers of pre-approved plans must observe the changes in the 2020 cumulative list in submitting opinion letter applications for pre-approved defined benefit plans during the third six-year remedial amendment cycle—that begins May 1, 2020, and ends January 31, 2025.
- Defined benefit plans may be submitted for approval during the on-cycle submission period—that begins August 1, 2020, and ends July 31, 2021.
- The list of changes in Notice 2020-14 does not extend the deadline by which a plan must be amended to comply with any statutory, regulatory, or guidance changes.

Background

In 2016, the IRS issued Rev. Proc. 2016-37 to establish procedures for issuing opinion letters and described the six-year remedial amendment cycle system for pre-approved plans. Pre-approved defined benefit plans and pre-approved defined contribution plans each have separate six-year cycles.

Rev. Proc. 2016-37 also indicated that the IRS would publish cumulative lists identifying changes in the qualification requirements to be considered by the IRS in its review of pre-approved plan documents for purposes of issuing opinion letters. For these purposes a change in the qualification requirements includes a statutory change or a change in the requirements provided in Treasury regulations or other guidance.

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