



Coronavirus Aid, Relief and Economic Security (CARES) Act Pre-Amendment Checklist

The president signed the CARES Act, into law on March 27, 2020, and with it, delivered \$2 trillion of federal government support to taxpayers challenged by the coronavirus public health crisis and associated economic fallout. Included in the law are several provisions that specifically affect retirement plans, and plan sponsors must decide if it is in their participants’ best interests to adopt the provisions as they are optional. If changes apply, formal document amendments are due as of the last day of the plan year beginning on or after January 1, 2022 (2024 for governmental plans). Use this checklist to help document plan decisions.

The governing officials of the _____ (the Plan) have elected to operate the plan in accordance with the provisions noted below pursuant to the CARES Act. The Plan committee shall make conforming amendments to the Plan by the date prescribed by the IRS.

I. Service provider defaults

What are the record keeper’s defaults with respect to the following?

Coronavirus-Related Distributions (CRDs)? _____

Plan Loans? _____

Required Minimum Distributions (RMDs)? _____

Will the plan use the record keeper’s defaults: Yes or No? If not, specify the alternative election and identify the plan official who will notify the record keeper of the alternative election.

Alternate election(s): _____

Plan official notifying record keeper: _____

II. General plan loan availability

___ No changes will be made to the plan’s existing loan provisions.

___ The loan provisions will be changed as noted below:

Effective date: _____

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III. New loans

For loans originated by "qualified individuals" (defined below) on or before September 23, 2020, the available loan limit will be

100% of account balance up to \$100,000

A lesser amount \$ _____

The loan limit will remain at the amount currently specified in the plan document.

Loan proceeds shall be made from the following money types:

According to the plan document

Other (specify): _____

Effective date: _____

IV. Existing plan loans

Participants with outstanding loans as of March 27, 2020

may, or

may not

delay scheduled loan repayments due between March 27, 2020, to December 31, 2020, for up to one year.

Effective date: _____

V. Distributions

Between January 1, 2020, and December 31, 2020, a "qualified individual" (defined below)

may

may not

withdraw up to \$100,000 from the Plan as a penalty-free CRD.

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Reminder: A plan administrator may rely on a participant's certification that the participant satisfies the requirements to be a qualified individual. Collect self-certifications from qualified individuals for documentation.

A distribution made pursuant to this CRD provision shall be made from the following money types:

_____ Pro rata from all money types,

_____ In the following order of money types (specify): _____,
or

_____ Per the participant's direction.

Effective date: _____

VI. RMDs

2020 RMDs

___ will,

___ will not

be required to be distributed from the Plan.

Qualified Individual for CRDs and Higher Loan Limit

1. An individual, his or her spouse, or a dependent who is diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID- 19); or
2. Someone, because of the virus or disease, who experiences adverse financial consequences as a result of being
 - Quarantined,
 - Furloughed,
 - Laid off,
 - Subjected to reduced work hours,
 - Unable to work due to lack of child care, or
 - Required to close or reduce the hours of a business owned or operated by the individual.

Signature

Signed: _____

Position: _____

Date: _____

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