

Deadlines for Retirement Plans¹ to Adopt SECURE Act², Miners Act³, CARES Act⁴ and Relief Act⁵ Amendments

Categories of Amendments	December 31, 2025 ⁶	December 31, 2022 ⁷
All SECURE Act amendments, required or optional	401(k) plans, defined benefit plans, money purchase plans, and 403(b) plans not maintained by public schools	Non-governmental 457(b) plans
CARES Act waiver of 2020 RMDs		
CARES Act coronavirus-related distributions	401(k) plans, defined benefit plans, money purchase plans, and 403(b) plans not maintained by public schools	N/A
CARES Act special loan terms ⁸		
Miners Act provision lowering age for in-service distributions from 62 to 59½ ⁹	Defined benefit plans and money purchase plans	
Relief Act optional plan loan enhancements, “qualified disaster distributions,” ¹⁰ and repayment of hardship withdrawals not used to purchase or build a principal residence on account of a “qualified disaster” ¹¹	401(k) plans, defined benefit plans, money purchase plans, and 403(b) plans not maintained by public schools	

¹ Tax-qualified plans, 403(b) plans not maintained by public schools, and non-governmental 457(b) plans.

² Setting Every Community Up for Retirement Enhancement Act of 2019.

³ Bipartisan American Miners Act of 2019.

⁴ Coronavirus Aid, Relief, and Economic Security Act.

⁵ Taxpayer Certainty and Disaster Tax Relief Act of 2020.

⁶ The deadlines for amendments regarding SECURE Act and CARES Act waiver of 2020 RMDs were extended by the IRS Notice 2022-33. The deadlines for amendments regarding Relief Act optional provisions, CARES Act coronavirus-related distributions and special loan terms were extended by Notice 2022-45. The December 31, 2025, deadline is a fixed date, independent of plan year end.

⁷ For calendar-year plans the deadline is December 31, 2022. For non-calendar plans the deadline is the last day of the first plan year beginning in 2022.

⁸ Here is a [link](#) to our blog post explaining CARES Act special loan terms for participants affected by coronavirus and coronavirus-related distributions.

⁹ This optional change may be made at any time; the extended deadline applies only where the change has been put into effect in a prior plan year.

¹⁰ The term “qualified disaster distribution” means a distribution, on or after December 28, 2019, and before June 25, 2021, from a qualified retirement plan to a participant whose principal residence is affected by a “qualified disaster” as specified in Relief Act §302(a)(4)(A).

¹¹ The term “qualified disaster” means a presidentially declared major disaster not including any disaster declaration related solely to the COVID-19 pandemic).