



2023 Compliance Calendar for 401(k) Plans

Complimentary retirement plan
compliance and notice requirements
calendar*



*The deadlines in this calendar are for plans with calendar-year plan years.

January

- 15 **Provide/Confirm prior year census data**
- 31 **Deadline: Sending Form 1099-R to participants** who received distributions during previous year*

February

- 15 **Review/Approve compliance testing results**
- 28 **Deadline: Filing Form 1099-R on paper with IRS** to report distributions made in previous year. Deadline for electronic filing is March 31*

March

- 15 **Deadline: ADP/ACP test corrective distributions** to avoid 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: Filing partnership tax returns** and contribution deadline for deductibility (without extension) for companies operating on calendar-year fiscal year
- Deadline: Requesting automatic extension** to September 15 for partnership tax returns
- 31 **Deadline: Electronic filing of Form 1099-R** to report distributions made in previous year

April

- 1 **Deadline: Beginning date for participants** attaining age 72 or retiring after age 72 in prior year to **take first required minimum distribution** (RMD) under Internal Revenue Code (IRC) Section 401(a)(9)*
- 15 **Deadline: Processing corrective distributions** for IRC Section 402(g) of excess deferrals
- Deadline: Filing individual and corporation tax returns**
- Deadline: Contribution deadline for deductibility** for self-employed individuals (without extension)
- Deadline: Requesting automatic extension** to October 15 for individual and corporate tax returns

May

June

- 30 **Deadline: Processing corrective distributions** for failed ADP/ACP test from plan with EACA without 10% excise tax (if applicable)
- Deadline: Showing Lifetime Income Illustrations** on quarterly statements for hypothetical monthly payouts

* The deadlines in this calendar are for plans with calendar-year plan years. If the filing deadline falls on a Saturday, Sunday or legal holiday, the DOL provides that filing dates are delayed until the next business day. This calendar 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.

July

- 29 **Deadline: Sending Summary of Material Modification (SMM)** (210 days after end of plan year in which the amendment was adopted)
- 31 **Deadline: Filing Form 5500** (without extension)
- Deadline: Filing Form 5558 to request automatic extension** of time to file Form 5500 (to October 15)
- Deadline: Filing Form 5330**—Return of Excise Taxes Related to Employee Benefit Plans—used to report and pay excise taxes on prohibited transactions and excess 401(k) plan contributions that occurred in prior year

August

September

- 15 **Extended deadline: Filing tax returns for partnerships**
- Extended deadline: Contribution deadline for deductibility** for calendar-year partnerships and S-corporations
- 30 **Deadline: 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

- 15 **Extended deadline: Filing Form 5500**
- Extended deadline: Individual and/or corporate tax returns** and final contribution deadline for deductibility
- Deadline: Adopting a retroactive amendment** to correct an IRC Section 410(b) coverage or IRC Section 401(a)(4) nondiscrimination failure

November

December

- 1 **Deadline: Sending annual 401(k) and safe harbor match notice**
- Deadline: Sending annual QDIA**, qualified default investment alternative notice
- Deadline: Sending annual automatic contribution arrangement notice (ACA)**
- For administrative ease, a combined notice may be provided for the above notices*
- 15 **Extended deadline: Distributing SAR to participants**
- 31 **Deadline: Processing corrective distributions** for failed ADP/ACP test with 10% excise tax
- Deadline: Correcting a failed ADP/ACP test** with qualified nonelective contributions (QNECs)
- Deadline: Converting existing 401(k) plan to safe harbor** nonelective design for current plan year
- Deadline: Amendment to remove or convert to safe harbor status** for next plan year
- Deadline: Amending plan for discretionary changes** implemented during plan year (certain exceptions apply)
- Deadline: RMDs due** under IRC Section 401(a)(9)

Reminder: Required fee disclosures

Plan Sponsor

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



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This information was developed as a general guide to educate plan sponsors and is not intended as authoritative guidance or tax/legal advice. Each plan has unique requirements and you should consult your attorney or tax advisor for guidance on your specific situation.

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