



# NEWS YOU CAN USE for Advisors and CPAs

August 2023

## Welcome to the August Edition



THIRD PARTY PENSION  
ADMINISTRATORS AND CONSULTANTS

Collaborating with Professionals for Financial Success  
Retirement Success & Asset Protection

Thank you for your partnership with us, and if you have any retirement plan clients and/or prospects, that we can be of assistance with, we stand ready to help you.

Sincerely,  
Nicholas Brown, Executive Officer  
Millennium Pension Services, Inc.  
626.921.4364  
nick@mpssm.com



## IRS Provides Limited RMD Guidance and Transition Relief

On July 14<sup>th</sup>, the IRS issued transitional relief under SECURE 2.0 related to required minimum distributions. The guidance—set forth in [Notice 2023-54](#)—provides some limited transition relief and gives a clue about when final guidance may be expected.

1. Extends transition relief relating to the 10-year rule. Practitioners will remember that SECURE 1.0 created the “10-year rule”—which essentially requires that, regardless of whether an employee dies before his or her required beginning date, his or her account balance must be distributed within ten years of his or her death (unless his or her beneficiary is an “eligible designated beneficiary”). The IRS issued proposed regulations implementing this rule in 2022. The proposed regulations, though, created some confusion regarding application of the 10-year rule, and, in a notice issued later that year, the IRS agreed that the final regulations would apply no earlier than 2023. Notice 2023-54 now further extends this transition relief: it provides that the IRS will not assert excise taxes for any failure to make a distribution in 2023 that would be required by the 2022 proposed regulations.
2. Extends transition relief and rollover window for participants born in 1951. Participants who were born in 1951 and received RMDs prior to July 31, 2023—but who shouldn’t have because the RMD age requirement was increased to age 73 under SECURE 2.0 with little lead time for plan administrations—may roll these distributions back into their retirement accounts. Such

rollovers are permitted even if the 60-day period has lapsed (so long as the rollover is completed by September 30, 2023).

3. SECURE 2.0 RMD final guidance? Notice 2023-54 provides that any final regulations implementing these RMD changes will apply for calendar years beginning no earlier than 2024.

Clients with questions about RMDs under SECURE 2.0 will be glad to know of this limited transition guidance. By working with your TPA partner to answer their questions, you can provide some welcome relief!

## Reminders

### Upcoming Deadlines for Retirement Plans

#### REMINDERS:

- **September 15, 2023:** Deadline for calendar year defined benefit plans to make required contributions to their plan trust.
- **September 15, 2023:** Deadline for defined benefit plans without a 2022 funding shortfall to meet minimum funding requirements for the 2022 plan year.
- **October 2, 2023:** Summary annual reports due to participants in calendar year plans.



**Whether it is a discussion around one of these retirement plan deadlines or a new retirement plan opportunity that you are working on for a prospect or client, we are here as a resource for you.**

Thank you for the opportunity of working with you.

Brought to you courtesy of Millennium Pension Services, Inc.  
Prepared by Kelsey Mayo, Partner, Lead Employee Benefits Attorney, Poyner Spruill