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2025 Required Amendments List Impacts Plan Amendment Deadlines for Certain Changes

With the issuance of Notice 2024-2, the IRS extended the deadline for most plan sponsors to amend their retirement plans to incorporate required and discretionary changes under the SECURE Act, Miners Act, CARES Act, Relief Act, and SECURE 2.0. The amendment deadline for most plans is December 31, 2026, with later deadlines for governmental plans, Taft-Hartley plans, and Section 403(b) plans maintained by public schools. When the IRS issued the 2025 Required Amendments List in Notice 2025-60 at the end of last year, however, it further delayed the amendment deadline for certain limited changes until after 2026.

The IRS annually issues a Required Amendments List (RAL), which identifies changes to plan qualification requirements and establishes amendment deadlines for those changes. A change is generally included in the RAL after the IRS has issued applicable guidance. The amendment deadline for changes included in the RAL is usually the end of the second calendar year following the year in which the RAL is issued. The RAL applies to required, but not discretionary, changes.

The IRS's 2025 RAL includes changes to the rules for required minimum distributions (RMDs) made by the SECURE Act, as well as certain modifications to the RMD rules made by SECURE 2.0. Those changes are reflected in the IRS's 2024 final regulations. As a result, sponsors of qualified and Section 403(b) plans have until December 31, 2027, to amend their plans for the RMD changes included in the 2025 RAL. The SECURE 2.0 RMD changes that were not included in the 2024 final regulations are expected to be included in a later RAL, once the proposed regulations covering the remaining SECURE 2.0 RMD changes are finalized.

The 2025 RAL also states that the final regulations issued in 2025 regarding SECURE 2.0's Roth catch-up requirement for high earners are expected to be included in the 2027 RAL. If that proves to be the case, plan sponsors will have until December 31, 2029, to amend their plans to include the Roth catch-up provisions.

While the 2025 RAL provides additional time to amend retirement plans for these RMD and Roth catch-up changes, plan sponsors still must amend their plans for discretionary changes and any other required changes not identified in the 2025 RAL by the deadline identified in Notice 2024-2. In addition, plan changes identified in a RAL that are incorporated into plans by the RAL amendment deadline generally receive relief from the anti-cutback provisions under the Internal Revenue Code and ERISA. Importantly, however, Notice 2024-2 states that plan amendments made after the deadlines identified in the Notice are not entitled to anti-cutback relief.

Taking into consideration the potential anti-cutback relief limitations, as well as efficiencies in updating plan documents, plan sponsors whose amendment deadline is otherwise the end of 2026 should consider whether it is best to go ahead and include these RMD and Roth catch-up changes as part of their pending plan amendments.

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