

IRS Extends Deadline for Amending Eligible Retirement Plans Under the CARES Act and Taxpayer Certainty and Disaster Relief Act

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As we previously reported [here](#), in August 2022, the IRS issued Notice 2022-33 (available [here](#)), which provided for an extension to the deadline for amendments for certain provisions of the CARES Act; however, that extension did not apply to coronavirus-related distributions and loan relief. The IRS recently issued Notice 2022-45 (available [here](#)) providing for an extension to the deadline to amend an eligible retirement plan to reflect the coronavirus-related distributions and loan relief provisions of Section 2202 of the CARES Act and Section 302 of Title III of the Taxpayer Certainty and Disaster Relief Act of 2020 (the "**Relief Act**"). Pursuant to Notice 2022-45, non-governmental qualified retirement plans and Section 403(b) plans will now have until December 31, 2025 to be amended to reflect the provisions of Section 2202 of the CARES Act and Section 302 of Title III of the Relief Act.

Despite the fact that the amendment deadline has been delayed, plans must continue to operate in compliance with the applicable provisions of the CARES Act and the Relief Act as elected by the plan sponsor. Moreover, plan amendments should reflect the actual dates the various provisions of the CARES Act and Relief Act were operationally effective.