

Puerto Rico Guidance Regarding SECURE 2.0 Plan Amendments

September 2, 2025

PRACTICES Employee Benefits and Executive Compensation

Plan sponsors of employee benefit plans that are subject to Puerto Rico law should be aware of recent guidance issued by the Puerto Rico Department of Treasury (commonly referred to as the “**Hacienda**”) in connection with SECURE 2.0 plan amendments. For a high-level summary of the key provisions of the SECURE 2.0 Act, which was signed into law on December 29, 2022, please refer to our prior summary [here](#).

On August 27, 2025, the Hacienda issued Administrative Determination No. 25-03 (“**PR Determination**”) to plan sponsors of Puerto Rico retirement plans providing that plan amendments adopted in response to the SECURE 2.0 Act, whether optional or mandatory amendments, will not be considered “qualification amendments.” Due to this determination, the plan is not required to be resubmitted to the Hacienda for the purpose of receiving a new determination letter, and the plan can rely on its existing determination letter. The relief under the PR Determination is limited to SECURE 2.0 amendments.

The PR Determination is available [here](#).