

## Employee Benefit Plans Alert

# IRS Notice 2020-68: Q&A Guidance – SECURE Act and Miners Act

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On September 2, 2020, the IRS issued guidance in the form of questions and answers interpreting several miscellaneous provisions of the Setting Every Community Up for Retirement Enhancement Act of 2019 (SECURE Act) and the Bipartisan American Miners Act of 2019 (Miners Act) affecting qualified retirement plans, 403(b) plans and Individual Retirement Accounts (IRAs).

### SECURE Act

[IRS Notice 2020-68](#) covers several statutes of the SECURE Act. Below are the topics contained in the Q&A:

- small employer automatic enrollment credit,
- repeal of maximum age for traditional IRA contributions,
- participation of long-term, part-time employees in tax code Section 401(k) plans,
- qualified birth or adoption distributions, and
- permitting excluded difficulty of care payments to be taken into account as compensation for purposes of determining certain retirement contribution limitations.

### Miners Act

In addition, the Notice addresses issues under the Miners Act regarding the reduction in minimum age for in-service distributions, and most importantly, it provides guidance on deadlines for plan amendments.

### Comments

The Treasury Department and the IRS are inviting written comments regarding the matters discussed in the Notice. The deadline is before November 2, 2020 and should include a reference to Notice 2020-68.

### Contact Us

The Employee Benefit Services Group at PKF O'Connor Davies is available to assist employers with the preparation of applications and various other tax forms to be submitted to the IRS. For more information, please contact your client services partner or one of the following professionals:

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