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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To waive required minimum distribution rules for retirement plans in 2020.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BERGMAN introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To waive required minimum distribution rules for retirement  
plans in 2020.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TEMPORARY WAIVER OF REQUIRED MINIMUM**  
4 **DISTRIBUTION RULES FOR CERTAIN RETIRE-**  
5 **MENT PLANS AND ACCOUNTS.**

6 (a) IN GENERAL.—Section 401(a)(9) of the Internal  
7 Revenue Code of 1986 is amended by adding at the end  
8 the following new subparagraph:

1                   “(I) TEMPORARY WAIVER OF MINIMUM RE-  
2                   QUIRED DISTRIBUTION.—

3                   “(i) IN GENERAL.—The requirements  
4                   of this paragraph shall not apply for cal-  
5                   endar year 2020 to—

6                   “(I) a defined contribution plan  
7                   which is described in this subsection  
8                   or in section 403(a) or 403(b),

9                   “(II) a defined contribution plan  
10                  which is an eligible deferred com-  
11                  pensation plan described in section  
12                  457(b) but only if such plan is main-  
13                  tained by an employer described in  
14                  section 457(e)(1)(A), or

15                  “(III) an individual retirement  
16                  plan.

17                  “(ii) SPECIAL RULES REGARDING  
18                  WAIVER PERIOD.—For purposes of this  
19                  paragraph—

20                  “(I) the required beginning date  
21                  with respect to any individual shall be  
22                  determined without regard to this  
23                  subparagraph for purposes of applying  
24                  this paragraph for calendar years  
25                  after 2020, and

1                   “(II) if clause (ii) of subpara-  
2                   graph (B) applies, the 5-year period  
3                   described in such clause shall be de-  
4                   termined without regard to calendar  
5                   year 2020.”.

6           (b) ELIGIBLE ROLLOVER DISTRIBUTIONS.—Section  
7 402(c)(4) of the Internal Revenue Code of 1986 (defining  
8 eligible rollover distribution) is amended by adding at the  
9 end the following new flush sentence:

10           “If all or any portion of a distribution during 2020  
11           is treated as an eligible rollover distribution but  
12           would not be so treated if the minimum distribution  
13           requirements under section 401(a)(9) had applied  
14           during 2020, such distribution shall not be treated  
15           as an eligible rollover distribution for purposes of  
16           section 401(a)(31) or 3405(c) or subsection (f) of  
17           this section.”.

18           (c) EFFECTIVE DATES.—

19           (1) IN GENERAL.—The amendments made by  
20           this section shall apply for calendar years beginning  
21           after December 31, 2019.

22           (2) PROVISIONS RELATING TO PLAN OR CON-  
23           TRACT AMENDMENTS.—

24           (A) IN GENERAL.—If this paragraph ap-  
25           plies to any pension plan or contract amend-

1           ment, such pension plan or contract shall not  
2           fail to be treated as being operated in accord-  
3           ance with the terms of the plan during the pe-  
4           riod described in subparagraph (B)(ii) solely be-  
5           cause the plan operates in accordance with this  
6           section.

7                   (B) AMENDMENTS TO WHICH PARAGRAPH  
8           APPLIES.—

9                   (i) IN GENERAL.—This paragraph  
10           shall apply to any amendment to any pen-  
11           sion plan or annuity contract which—

12                   (I) is made pursuant to the  
13           amendments made by this section,  
14           and

15                   (II) is made on or before the last  
16           day of the first plan year beginning  
17           on or after January 1, 2022.

18           In the case of a governmental plan, sub-  
19           clause (II) shall be applied by substituting  
20           “2023” for “2022”.

21                   (ii) CONDITIONS.—This paragraph  
22           shall not apply to any amendment unless  
23           during the period beginning on the effec-  
24           tive date of the amendment and ending on  
25           December 31, 2020, the plan or contract is

1                   operated as if such plan or contract  
2                   amendment were in effect.