



Section 403(b) Compliance Guide for Public Education Employers

Lowder Ellie

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Section 403(b) Compliance Guide for Public Education Employers, Third Edition includes important updates that address new focuses in the Internal Revenue Service Audits of the 403(b) programs of public education employers. There is particular emphasis on presenting important information to aid in instituting and updating compliance procedures to avoid defects in 403(b) programs.

Important in this new edition is the inclusion of the changes in the Pension Protection Act, signed into law in August 2006. Among the most important changes in that sweeping legislation is the removal of the sunset date for the simplified rules and increased contribution limits contained in the 2001 Economic Growth and Tax Relief Reconciliation Act which directly impacts employers sponsoring those plans. The permanency of those changes removes doubt about such important issues as the possible return of the exclusion allowance; the maintenance of data to support the complex calculations, permanency of the Roth 403(b) option, the post-employment contributions to 403(b) programs, and other items that benefit both employers and employees. Equally important is updated information on IRS audit focuses; what that means to employers, and new language in the Service Provider Agreement that employers should consider in soliciting vendor cooperation to protect their sponsored 403(b) programs.

Note that the indexed increases in contribution limits for 2007 are included in this edition, and the all-importance compliance check list and the sample salary reduction agreement reflect the changes.

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