

## Modification of Revenue Procedure 2017-41 to Extend Deadline to Submit Opinion Letter Applications for Pre-approved Defined Contribution Plans for the Third Six-year Remedial Amendment Cycle

Revenue Procedure 2018-42

### SECTION 1. PURPOSE

This revenue procedure modifies Rev. Proc. 2017-41, 2017-29 I.R.B. 92, to extend the deadline for submitting on-cycle applications for opinion letters for pre-approved defined contribution plans for the third six-year remedial amendment cycle to December 31, 2018. Under Rev. Proc. 2017-41, this submission period is scheduled to expire on October 1, 2018.

### SECTION 2. BACKGROUND

.01 Rev. Proc. 2016-37, 2016-29 I.R.B. 136, provides that every pre-approved plan has a regular, six-year remedial amendment cycle. Under Rev. Proc. 2016-37, the third six-year remedial amendment cycle for pre-approved defined contribution plans began on February 1, 2017, and ends on January 31, 2023. Rev. Proc. 2016-37 also provides that the 12-month on-cycle submission period for pre-approved defined contribution plans was scheduled to begin on August 1, 2017, and end on July 31, 2018.

.02 Rev. Proc. 2017-41 modified the pre-approved letter program by combining the master & prototype and volume submitter programs into a new Opinion Letter program. Under this program, providers of pre-approved plans may apply for new opinion letters once every six years. Rev. Proc. 2017-41 sets forth the procedures for obtaining opinion letters for qualified pre-approved plans submitted with respect to the third (and subsequent) six-year remedial amendment cycles. Rev. Proc. 2017-41 modified the on-cycle submission period for pre-approved defined contribution plan providers to submit applications for opinion letters for the

third six-year remedial amendment cycle to begin on October 2, 2017, and end on October 1, 2018.

### SECTION 3. MODIFICATION OF REV. PROC. 2017-41

This revenue procedure extends the October 1, 2018 submission deadline in Rev. Proc. 2017-41 to December 31, 2018. Accordingly, sections 1.02, 3.10, and 9.02 of Rev. Proc. 2017-41 are revised to replace October 1, 2018, with December 31, 2018.

### SECTION 4. EFFECT ON OTHER DOCUMENTS

Rev. Proc. 2017-41 is modified.

### SECTION 5. EFFECTIVE DATE

This revenue procedure is effective as of August 15, 2018.

### SECTION 6. PAPERWORK REDUCTION ACT

The collection of information contained in Rev. Proc. 2017-41 has been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3507) under control number 1545-1674.

### SECTION 7. DRAFTING INFORMATION

The principal author of this revenue procedure is Kathleen Herrmann of the Office of Associate Chief Counsel (Tax Exempt and Government Entities). For further information regarding this revenue procedure or submissions under Rev. Proc. 2017-41, contact Employee Plans at (513) 975-6319 (not a toll-free number).