

114TH CONGRESS
2D SESSION

H. R. 4357

To amend the Internal Revenue Code of 1986 to extend the waiver of required minimum distribution rules for certain retirement plans and accounts for 2016.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2016

Mr. SENSENBRENNER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to extend the waiver of required minimum distribution rules for certain retirement plans and accounts for 2016.

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. SHORT TITLE.**

4 This Act may be cited as the “Volatility And Losses
5 Undermining Earnings Act of 2016”.

1 **SEC. 2. EXTENSION OF WAIVER OF REQUIRED MINIMUM**
2 **DISTRIBUTION RULES FOR CERTAIN RETIRE-**
3 **MENT PLANS AND ACCOUNTS.**

4 (a) **IN GENERAL.**—Section 401(a)(9) of the Internal
5 Revenue Code of 1986 is amended by adding at the end
6 the following:

7 “(H) **TEMPORARY WAIVER OF MINIMUM**
8 **REQUIRED DISTRIBUTION.**—

9 “(i) **IN GENERAL.**—The requirements
10 of this paragraph shall not apply for cal-
11 endar year 2016 to—

12 “(I) a defined contribution plan
13 which is described in this subsection
14 or in section 403(a) or 403(b),

15 “(II) a defined contribution plan
16 which is an eligible deferred com-
17 pensation plan described in section
18 457(b) but only if such plan is main-
19 tained by an employer described in
20 section 457(e)(1)(A), or

21 “(III) an individual retirement
22 plan.

23 “(ii) **SPECIAL RULES REGARDING**
24 **WAIVER PERIOD.**—For purposes of this
25 paragraph—

1 “(I) the required beginning date
2 with respect to any individual shall be
3 determined without regard to this
4 subparagraph for purposes of applying
5 this paragraph for calendar years
6 after 2015, and

7 “(II) if clause (ii) of subpara-
8 graph (B) applies, the 5-year period
9 described in such clause shall be de-
10 termined without regard to calendar
11 year 2016.”.

12 (b) CONFORMING AMENDMENTS.—The last sentence
13 of section 402(c)(4) of such Code is amended—

14 (1) by striking “distribution during 2009” and
15 inserting “distribution during calendar year 2009 or
16 2016”, and

17 (2) by striking “applied during 2009” and in-
18 serting “applied during such calendar year”.

19 (c) EFFECTIVE DATE.—

20 (1) IN GENERAL.—The amendments made by
21 this section shall apply for calendar years beginning
22 after December 31, 2015.

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

1 (A) IN GENERAL.—If this paragraph ap-
2 plies to any pension plan or contract amend-
3 ment, such pension plan or contract shall not
4 fail to be treated as being operated in accord-
5 ance with the terms of the plan during the pe-
6 riod described in subparagraph (B)(ii) solely be-
7 cause the plan operates in accordance with this
8 section.

9 (B) AMENDMENTS TO WHICH PARAGRAPH
10 APPLIES.—

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

14 (I) is made pursuant to the
15 amendments made by this section,
16 and

17 (II) is made on or before the last
18 day of the first plan year beginning
19 on or after January 1, 2018.

20 In the case of a governmental plan, sub-
21 clause (II) shall be applied by substituting
22 “2019” for “2018”.

23 (ii) CONDITIONS.—This paragraph
24 shall not apply to any amendment unless
25 during the period beginning on the effec-

1 tive date of the amendment and ending on
2 December 31, 2016, the plan or contract is
3 operated as if such plan or contract
4 amendment were in effect.

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