

Please follow the steps below to ensure we are able to process your request in a timely manner. This form is used to request a one-time payment from your Governmental 401 Plan, 457 Deferred Compensation Plan or 403(b) Plan account for a Qualified Birth or Adoption Distribution. For all other withdrawal requests, please log in to Account Access at [www.icmarc.org/login](http://www.icmarc.org/login) or contact MissionSquare Retirement for the appropriate forms.

Qualified Birth or Adoption Distributions (QBADs) are not available in all plans. Please check with your employer or MissionSquare to confirm eligibility. Additional conditions may apply if you are requesting a withdrawal from a 401(a) Money Purchase Plan.

1. Please note that the maximum dollar amount allowed from all related retirement plans including any IRAs is \$5,000 per child.
2. Complete the *Qualified Birth or Adoption Distribution (QBAD) In-Service Withdrawal Form*.
3. Make sure your employer signs the form before you send it to MissionSquare. The signature is needed for MissionSquare to send your payment, and your request may be delayed if the form is missing the employer signature.
4. Fax or mail the completed form to MissionSquare.

FAX:

MissionSquare Plan Services  
(844) 677-3297

MAIL:

MissionSquare Plan Services  
P.O. Box 219320  
Kansas City, MO 64121-9320

***Please keep a copy of the completed form for your records.***

## TIME FRAME FOR PAYMENTS

Following the receipt of your properly completed withdrawal form, payments will be distributed as soon as possible (typically within three business days). Please submit your request at least a few days in advance of your desired payment date.

At MissionSquare, we take security of our participants' retirement assets seriously. We have security measures in place, and we continuously apply enhancements to safeguard your assets.

Additional care is taken regarding the security of your account when processing withdrawal requests. Adding or changing information regarding personally identifiable information on file with MissionSquare may delay your withdrawal.

## EMAIL CONFIRMATIONS

MissionSquare is now sending many confirmation notices via email, including confirmations related to your withdrawal requests. Please be sure to provide your email address in Section 1 of the form.

- Submit this form to request a Qualified Birth or Adoption Distribution (QBAD) from your Governmental 401 Plan, 457 Deferred Compensation Plan or 403(b) Plan account. These withdrawals are not available in all plans. Please check with your employer or MissionSquare Retirement to confirm eligibility.
- Return the completed form to MissionSquare. Missing or incomplete information will result in delays.

**1 PARTICIPANT INFORMATION** (COMPLETE ALL FIELDS IN THIS SECTION)

EMPLOYER PLAN NUMBER:	EMPLOYER PLAN NAME:		
SOCIAL SECURITY NUMBER:	DATE OF BIRTH: MM/DD/YYYY	PREFERRED PHONE NUMBER:	EMAIL ADDRESS:
FULL NAME OF PARTICIPANT: LAST, FIRST, MI			
MAILING ADDRESS:			
STREET		CITY	STATE ZIP

**2 REQUEST TYPE** (SELECT ONE OPTION ONLY)

Qualified Birth or Adoption Distribution (QBAD):

☐ Birth (You must attach a birth certificate.)

☐ Adoption (You must attach court order adoption documents.)

**3 PAYMENT AMOUNT**

A check for the amount specified, reduced by applicable tax withholding, will be sent to your current mailing address.

**Payment Amount:** \$ \_\_\_\_\_ (Which may be up to the maximum amount your plan sponsor allows, not to exceed \$5,000 per child.)

**Note:** Maximum amount includes amounts withdrawn from all retirement plans including any IRAs you may own.

Taxable amounts will be reported on a Form 1099-R.

**4 TAXATION AND WITHHOLDING REQUIREMENTS**

MissionSquare may be required to withhold federal and state income taxes from your payments regardless of your election. You are ultimately liable for the payment of federal and state income taxes on your benefit payments. If you do not provide withholding instructions, MissionSquare will withhold taxes according to the applicable federal and/or state rules.

a. Withhold **FEDERAL** income tax at the rate of \_\_\_\_\_% **OR** ☐ No withholding

b. Withhold **STATE** income tax at the rate of \$\* \_\_\_\_\_ **OR** ☐ No withholding

\*If the dollar amount selected is less than the required state withholding amount, the higher amount will be withheld.

**5 PARTICIPANT SIGNATURE**

By signing this form, I acknowledge that I have received and reviewed the *Special Tax Notice Regarding Plan Payments*. I direct MissionSquare to process the payment request indicated above. I certify that the Social Security Number (Taxpayer Identification Number) I provided is correct.

Signature: \_\_\_\_\_

Date: MM/DD/YYYY \_\_\_\_\_

**6 EMPLOYER SIGNATURE**

An authorized employer signature is required before MissionSquare can send the requested payment. **If the participant is separated from service, please provide date of separation:** Date: MM/DD/YYYY \_\_\_\_\_

Authorized Employer Official's Signature: \_\_\_\_\_

Date: MM/DD/YYYY \_\_\_\_\_

Name and Title of Authorized Official (Please Print): \_\_\_\_\_

**Beneficiary Designations**

MissionSquare Retirement recommends that you confirm that we have current beneficiary information. Please review and update your beneficiary information as appropriate by accessing your account online at: [www.missionsq.org](http://www.missionsq.org)

**Federal Tax Withholding**

The SECURE Act does not require a mandatory 20% federal income tax withholding be applied to any qualifying birth or adoption distributions. If no withholding option is selected in Section 4 of the form, MissionSquare will default to 10% federal withholding.

**Note:** *With the exception of withdrawals from an after-tax contribution account.*

**Non-U.S. Citizens:** Generally, individuals who are not U.S. citizens and reside outside of the United States are subject to 30% federal tax withholding. A reduced rate, including exemption, may apply if there is a tax treaty between your country of residence and the United States.

**State Tax Withholding**

Several states have mandatory tax withholding requirements. MissionSquare automatically withholds taxes for states that require withholding from retirement plan withdrawals and will honor requests for withholding in other states. Income taxation of payments from retirement plans varies from state to state. You should seek state tax advice from the appropriate state department of revenue if you have questions regarding state tax withholding requirements.

You may request federal and state tax withholding percentages that differ from those described above by completing the *Tax Withholding Change Form*. This form is available online at [www.missionsq.org/forms](http://www.missionsq.org/forms) or by contacting MissionSquare.

**Tax Reporting**

Taxable amounts will be reported on a Form 1099-R, which will be sent to you in January.

**New Optional Qualified Birth or Adoption Distribution (QBAD):**

- Code Section 72(t), which applies an additional 10% tax on early withdrawals, is waived for withdrawals up to \$100,000 across all retirement plans or IRAs for a qualified participant.
- Those individuals may prorate the payment of applicable taxes on the income from the withdrawal over a three-year period.
- The withdrawal amount may be paid tax-free back to the plan over the next three years.
- Repayments of these withdrawals would not be subject to the retirement plan contribution limits.

**Note:** *For in-service withdrawal requests, 401(a) Money Purchase Plans have unique requirements. Please check with your employer to make sure you are meeting applicable requirements.*

**VT Retirement IncomeAdvantage Fund**

If your plan offers the VT Retirement IncomeAdvantage Fund (the Fund), any assets you have invested in the Fund will be excluded from your withdrawal request. If you would like to initiate withdrawals from the Fund, please contact MissionSquare for the appropriate withdrawal forms.

You can transfer assets from the Fund to other investment options available in your plan if you would like to have them distributed with your withdrawal request. However, you should be aware that withdrawals from the Fund prior to Lock-In proportionately reduce guaranteed values.

After Lock-In, Excess Withdrawals will proportionately reduce and potentially terminate available guarantees. For additional information, please review the *MissionSquare Retirement IncomeAdvantage Fund Important Considerations* document.

**VantageBroker**

If your plan offers VantageBroker, any assets you have invested in VantageBroker will be excluded from your withdrawal request. In order to withdraw funds from your brokerage account, you must first transfer the assets back to your core account at MissionSquare. You can liquidate assets in your brokerage account and transfer the assets back to your core account online. Settlement of the sale of investments held in your brokerage account may take up to three business days.

This notice applies to distributions from 401(a), 401(k), 403(b), and 457(b) plans with MissionSquare Retirement, including distributions from Roth and non-Roth accounts in the plans.

## ROLL-IN OPTIONS AVAILABLE

**You are receiving this notice because all or a portion of a payment you are receiving from your account is eligible to be rolled into an IRA or an employer plan.** This notice is intended to help you decide whether to do such a roll-in. Please review and consider the information in the notice before you begin withdrawing funds from your account with MissionSquare.

Rules that apply to most payments from a plan are described in the "General Information About Roll-Ins" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

## GENERAL INFORMATION ABOUT ROLL-INS

### How can a roll-in affect my taxes?

- ▶ **Non-Roth Assets** – You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (generally, distributions made before age 59½), unless an exception applies. However, if you do a roll-in, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59½ (or if an exception to the 10% additional income tax applies).
- ▶ **Roth Assets** – After-tax contributions included in a payment from a designated Roth account are not taxed, but earnings might be taxed. The tax treatment of earnings included in the payment depends on whether the payment is a qualified distribution. If a payment is only part of your designated Roth account, the payment will include an allocable portion of the earnings in your designated Roth account.

If the payment from the Plan is not a qualified distribution and you do not do a rollover to a Roth IRA or a designated Roth account in an employer plan, you will be taxed on the portion of the payment that is earnings. If you are under age 59½, a 10% additional income tax on early distributions (generally, distributions made before age 59½) will also apply to the earnings (unless an exception applies). However, if you do a roll-in, you will not have to pay taxes currently on the earnings and you will not have to pay taxes later on payments that are qualified distributions.

If the payment from the Plan is a qualified distribution, you will not be taxed on any part of the payment even if you do not do a roll-in. If you do a roll-in, you will not be taxed on the amount you roll in and any earnings on the amount you roll in will not be taxed if paid later in a qualified distribution.

A qualified distribution from a designated Roth account in the Plan is a payment made after you are age 59½ (or after your death or disability) and after you have had a designated Roth account in the Plan for at least 5 years. In applying the 5-year rule, you count from January 1 of the year your first contribution was made to the designated Roth account. However, if you did a direct roll-in to a designated Roth account in the Plan from a designated Roth account in another employer plan, your participation will count from January 1 of the year your first contribution was made to the designated Roth account in the Plan or, if earlier, to the designated Roth account in the other employer plan.

### What types of retirement accounts and plans may accept my roll-in?

- ▶ **Non-Roth Assets** – You may roll in the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the roll-in. The rules of the IRA or employer plan that holds the roll-in will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, IRAs are not subject to spousal consent rules and IRAs may not provide loans). Further, the amount rolled in will become subject to the tax rules that apply to the IRA or employer plan.
- ▶ **Roth Assets** – You may roll in the payment to either a Roth IRA (a Roth individual retirement account or Roth individual retirement annuity) or a designated Roth account in an employer plan that will accept the roll-in (a tax-qualified plan, section 403(b) plan, or governmental section 457 plan). The rules of the Roth IRA or employer plan that holds the roll-in will determine your investment options, fees, and rights to payment from the Roth IRA or employer plan (for example, Roth IRAs are not subject to spousal consent rules and Roth IRAs may not provide loans). Further, the amount rolled in will become subject to the tax rules that apply to the Roth IRA or the designated Roth account in the employer plan. In general, these tax rules are similar to those described elsewhere in this notice, but differences include:
  - If you do a roll-in to a Roth IRA, all of your Roth IRAs will be considered for purposes of determining whether you have satisfied the 5-year rule (counting from January 1 of the year for which your first contribution was made to any of your Roth IRAs).
  - If you do a roll-in to a Roth IRA, you will not be required to take a distribution from the Roth IRA during your lifetime and you must keep track of the aggregate amount of the after-tax contributions in all of your Roth IRAs (in order to determine your taxable income for later Roth IRA payments that are not qualified distributions).
  - Eligible roll-in distributions from a Roth IRA can only be rolled in to another Roth IRA.

### How do I do a roll-in?

There are two ways to do a roll-in. You can do either a direct roll-in or a 60-day roll-in.

**If you do a direct roll-in**, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct roll-in.

### If you do not do a direct roll-in:

- ▶ **Non-Roth Assets** – You may still do a roll-in by making a deposit into an IRA or eligible employer plan that will accept it. Generally, you will have 60 days after you receive the payment to make the deposit. If you do not do a direct roll-in, the Plan is required to withhold 20% of the payment for federal income taxes (up to the amount of cash and property received). This means that, in order to roll in the entire payment in a 60-day roll-in, you must use other funds to make up for the 20% withheld. If you do not roll in the entire amount of the payment, the portion not rolled in will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).
- ▶ **Roth Assets** – You may still do a roll-in by making a deposit (generally within 60 days) into a Roth IRA, whether the payment is a qualified or nonqualified distribution. In addition, you can do a roll-in by making a deposit within 60 days into a designated Roth account in an employer plan if the payment is a nonqualified distribution and the roll-in does not exceed the amount of the earnings in the payment. You cannot do a 60-day roll-in to an employer plan of any part of a qualified distribution. If you receive a distribution that is a nonqualified distribution and you do not roll in an amount at least equal to the earnings allocable to the distribution, you will be taxed on the amount of those earnings not rolled in, including the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).

If you do a direct roll-in of only a portion of the amount paid from the Plan and a portion is paid to you at the same time, the portion directly rolled in consists first of earnings.

If you do not do a direct roll-in and the payment is not a qualified distribution, the Plan is required to withhold 20% of the earnings for federal income taxes (up to the amount of cash and property received). This means that, in order to roll in the entire payment in a 60-day rollover to a Roth IRA, you must use other funds to make up for the 20% withheld.

### How much may I roll in?

If you wish to do a roll-in, you may roll in all or part of the amount eligible for roll-in. Any payment from the Plan is eligible for roll-in, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the joint lives or joint life expectancies of you and your beneficiary);
- Required minimum distributions after age 70½ (if you were born before July 1, 1949, and before January 1, 1951), after age 73 (if you were born after December 31, 1950), or after death (applicable to Roth assets for taxable years beginning on or before December 31, 2023);
- Hardship distributions;
- Corrective distributions of contributions that exceed tax law limitations;
- Loans treated as deemed distributions (for example, loans in default due to missed payments before your employment ends);
- Cost of life insurance paid by the Plan;
- Payments of certain automatic enrollment contributions that you request to withdraw within 90 days of your first contribution;
- Amounts treated as distributed because of a prohibited allocation of S corporation stock under an ESOP (also, there generally will be adverse tax consequences if you roll over a distribution of S corporation stock to an IRA); and
- Distributions of certain premiums for health and accident insurance.

MissionSquare can tell you what portion of a payment is eligible for roll-in.

### If I don't do a roll-in, will I have to pay the 10% additional income tax on early distributions?

- ▶ **Non-Roth Assets** – If you are under age 59½, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll in, unless one of the exceptions listed below applies. This tax applies to the part of the distribution that you must include in income and is in addition to the regular income tax on the payment not rolled in.
- ▶ **Roth Assets** – If a payment is not a qualified distribution and you are under age 59½, you will have to pay the 10% additional income tax on early distributions with respect to the earnings allocated to the payment that you do not roll in (including amounts withheld for income tax), unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on earnings not rolled in.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation;
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the joint lives or joint life expectancies of you and your beneficiary);
- Payments from a governmental plan made after you separate from service if you are a qualified public safety employee and you (1) will be at least age 50 in the year of the separation or (2) have at least 25 years of service under the plan;
- Payments from a tax-qualified plan or section 403(b) plan made after you separate from service if you are an employee who provides firefighting services and you (1) will be at least age 50 in the year of the separation or (2) have at least 25 years of service under the plan;
- Payments of up to \$5,000 made to you within one year after the birth or adoption of a child;
- Payments made due to disability;
- Payments made while you are terminally ill;
- Payments after your death;
- Payments of ESOP dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Cost of life insurance paid by the Plan;
- Payments made directly to the government to satisfy a federal tax levy;
- Payments made under a qualified domestic relations order (QDRO);
- Payments of up to \$5,000 made to you from a defined contribution plan if the payment is a qualified birth or adoption distribution;
- Payments up to the amount of your deductible medical expenses (without regard to whether you itemize deductions for the taxable year);
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001, for more than 179 days;
- Payments of certain automatic enrollment contributions that you request to withdraw within 90 days of your first contribution;
- Payments of up to \$22,000 made in connection with federally-declared disasters; and
- Phased retirement payments made to federal employees.



## If I do a roll-in to a traditional IRA or Roth IRA, will the 10% additional income tax apply to early distributions from the IRA?

- ▶ **Non-Roth Assets** – If you receive a payment from an IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions on the part of the distribution that you must include in income, unless an exception applies.
- ▶ **Roth Assets** – If you receive a payment from a Roth IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions on the earnings paid from the Roth IRA, unless an exception applies or the payment is a qualified distribution.

In general, the exceptions to the 10% additional income tax for early distributions from a traditional or Roth IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from a traditional or Roth IRA, including:

- The exceptions for payments made after you separate from service if you will be at least age 55 in the year of the separation (or age 50 or following 25 years of service for qualified public safety employees and employees providing firefighting services) do not apply;
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse);
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service;
- There are additional exemptions that apply for payments from an IRA, including: (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, (3) payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status), and (4) payments of net income attributable to an excess IRA contribution made in a calendar year where such amounts are distributed by tax return deadline for the year (including extensions) and no deduction is allowed for the excess contribution.

## If your payment is from a governmental section 457(b) plan:

If the Plan is a governmental section 457(b) plan, the same rules described elsewhere in this notice generally apply, allowing you to roll in the payment to an IRA or an employer plan that accepts roll-ins. One difference is that you cannot do a roll-in if the payment is due to an “unforeseeable emergency” and the special rules under “If you were born on or before January 1, 1936” do not apply.

- ▶ **Non-Roth Assets** – If the distribution is from non-Roth assets, another difference is that, if you do not do a roll-in, you will not have to pay the 10% additional income tax on early distributions from the Plan even if you are under age 59½ (unless the payment is from a separate account holding roll-in contributions that were made to the Plan from a tax-qualified plan, a section 403(b) plan, or an IRA). However, if you do a roll-in to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution made before age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies).
- ▶ **Roth Assets** – If the distribution is from Roth assets, another difference is that, if you receive a payment that is not a qualified distribution and

you do not roll it in, you will not have to pay the 10% additional income tax on early distributions with respect to the earnings allocated to the payment that you do not roll in, even if you are under age 59½ (unless the payment is from a separate account holding rollover contributions that were made to the Plan from a tax-qualified plan, a section 403(b) plan, or an IRA). However, if you do a roll-in to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution that is not a qualified distribution made before age 59½ will be subject to the 10% additional income tax on earnings allocated to the payment (unless an exception applies).

## Will I owe state income taxes?

This notice does not address any state or local income tax rules (including withholding rules).

## SPECIAL RULES AND OPTIONS

### If your payment includes non-Roth after-tax contributions:

After-tax contributions included in a payment are not taxed. If you received a partial payment of your total benefit, an allocable portion of your after-tax contributions is included in the payment, so you cannot take a payment of only after-tax contributions. However, if you have pre-1987 after-tax contributions maintained in a separate account, a special rule may apply to determine whether the after-tax contributions are included in the payment. In addition, special rules apply when you do a roll-in, as described below.

You may roll in to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day roll-in. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs (in order to determine your taxable income for later payments from the IRAs). If you do a direct roll-in of only a portion of the amount paid from the Plan and at the same time the rest is paid to you, the portion rolled in consists first of the amount that would be taxable if not rolled in. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions. In this case, if you directly roll in \$10,000 to an IRA that is not a Roth IRA, no amount is taxable because the \$2,000 amount not rolled in is treated as being after-tax contributions. If you do a direct roll-in of the entire amount paid from the Plan to two or more destinations at the same time, you can choose which destination receives the after-tax contributions.

If you do a 60-day roll-in to an IRA of only a portion of a payment made to you, the portion rolled in consists first of the amount that would be taxable if not rolled in. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions, and no part of the distribution is directly rolled in. In this case, if you roll in \$10,000 to an IRA that is not a Roth IRA in a 60-day roll-in, no amount is taxable because the \$2,000 amount not rolled in is treated as being after-tax contributions.

You may roll in to an employer plan all of a payment that includes after-tax contributions, but only through a direct roll-in (and only if the receiving plan separately accounts for after-tax contributions and is not a governmental section 457(b) plan). You can do a 60-day roll-in to an employer plan of part of a payment that includes after-tax contributions, but only up to the amount of the payment that would be taxable if not rolled in.

### If you miss the 60-day roll-in deadline:

Generally, the 60-day roll-in deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you

from completing the roll-in by the 60-day roll-in deadline. Under certain circumstances, you may claim eligibility for a waiver of the 60-day roll-in deadline by making a written self-certification. Otherwise, to apply for a waiver from the IRS, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*.

### **If you have an outstanding loan that is being offset:**

If you have an outstanding loan from the Plan, your Plan benefit may be offset by the outstanding amount of the loan, typically when your employment ends. The offset amount is treated as a distribution to you at the time of the offset. Generally, you may roll over all or any portion of the offset amount.

How long you have to complete the rollover depends on what kind of plan loan offset you have. If you have a qualified plan loan offset, you will have until your tax return due date (including extensions) for the tax year during which the offset occurs to complete your roll-in. A qualified plan loan offset occurs when a plan loan in good standing is offset because your employer plan terminates, or because you sever from employment. If your plan loan offset occurs for any other reason (such as a failure to make level loan repayments that results in a deemed distribution), then you have 60 days from the date the offset occurs to complete your roll-in.

- ▶ **Non-Roth Assets** – Any offset amount that is not rolled in will be taxed (including the 10% additional income tax on early distributions, unless an exception applies). You may roll in offset amounts to an IRA or an employer plan (if the terms of the employer plan permit the plan to receive plan loan offset rollovers).
- ▶ **Roth Assets** – If the distribution attributable to the offset is not a qualified distribution and you do not roll in the offset amount, you will be taxed on any earnings included in the distribution (including the 10% additional income tax on early distributions, unless an exception applies). You may roll in the earnings included in the loan offset to a Roth IRA or designated Roth account in an employer plan (if the terms of the employer plan permit the plan to receive plan loan offset roll-ins). You may also roll in the full amount of the offset to a Roth IRA.

### **If you were born on or before January 1, 1936:**

If you were born on or before January 1, 1936, and receive a lump sum distribution that is not a qualified distribution from a designated Roth account and that you do not roll in, special rules for calculating the amount of the tax on the payment (for Roth assets, on any earnings taxed) might apply to you. For more information, see IRS Publication 575, *Pension and Annuity Income*.

### **If you are an eligible retired public safety officer and your payment (including a nonqualified Roth distribution) is used to pay for health coverage or qualified long-term care insurance:**

If the Plan is a governmental plan, you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income Plan payments (including nonqualified Roth distributions) paid as premiums to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

### **If you roll in your payment of non-Roth assets to a Roth IRA:**

If you roll in a payment of non-Roth assets from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled in (reduced by any after-tax amounts) will be taxed. In general, the 10% additional income tax on early distributions will not apply. However, if you take the amount rolled in out of the Roth IRA within the 5-year period that begins on January 1 of the year of the roll-in, the 10% additional income tax will apply (unless an exception applies).

If you roll in the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the roll-in). A qualified distribution from a Roth IRA is a payment made after you are age 59½ (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the roll-in, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*, and IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*.

### **If you do a roll-in from non-Roth assets to a designated Roth account in the same Plan (in-plan Roth conversion):**

You cannot roll in a distribution to a designated Roth account in another employer's plan. However, you can roll the distribution over into a designated Roth account in the distributing plan. If you roll in a payment from the Plan to a designated Roth account in the Plan, the amount of the payment rolled in (reduced by any after-tax amounts directly rolled in) will be taxed. In general, the 10% additional income tax on early distributions will not apply. However, if you take the amount rolled in out of the Roth IRA within the 5-year period that begins on January 1 of the year of the roll-in, the 10% additional income tax will apply (unless an exception applies).

If you roll in the payment to a designated Roth account in the Plan, later payments from the designated Roth account that are qualified distributions will not be taxed (including earnings after the roll-in). A qualified distribution from a designated Roth account is a payment made both after you are age 59½ (or after your death or disability) and after you have had a designated Roth account in the Plan for at least 5 years. In applying this 5-year rule, you count from January 1 of the year your first contribution was made to the designated Roth account. However, if you made a direct roll-in to a designated Roth account in the Plan from a designated Roth account in a plan of another employer, the 5-year period begins on January 1 of the year you made the first contribution to the designated Roth account in the Plan or, if earlier, to the designated Roth account in the plan of the other employer. Payments from the designated Roth account that are not qualified distributions will be taxed to the extent of earnings after the roll-in, including the 10% additional income tax on early distributions (unless an exception applies). With respect to taxable years beginning after 2023, you are not required to take required minimum distributions from a designated Roth account during your lifetime.

### **If you are not a Plan participant:**

**Payments after death of the participant.** If you receive a distribution after the participant's death that you do not roll in, the distribution generally will be taxed in the same manner described elsewhere in this notice.

However, whether the payment is a qualified distribution from a designated Roth account generally depends on when the participant first made a contribution to the designated Roth account in the Plan. Also, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the deceased participant was born on or before January 1, 1936.

**If you are a surviving spouse and receive a payment of non-Roth assets from the Plan,** you have the same roll-in options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a roll-in to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70½ (if you were born before July 1, 1949), age 72 (if you were born after June 30, 1949, and before January 1, 1951), or after age 73 (if you were born after December 31, 1950).

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 70½ (if you were born before July 1, 1949), age 72 (if you were born after June 30, 1949, and before January 1, 1951), or age 73 (if the participant was born after December 31, 1950).

**If you are a surviving spouse and receive a payment of Roth assets from the Plan,** you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a roll-in to a Roth IRA, you may treat the Roth IRA as your own or as an inherited Roth IRA.

A Roth IRA you treat as your own is treated like any other Roth IRA of yours, so that you will not have to receive any required minimum distributions during your lifetime and earnings paid to you in a nonqualified distribution before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies).

If you treat the Roth IRA as an inherited Roth IRA, payments from the Roth IRA will not be subject to the 10% additional income tax on early distributions. An inherited Roth IRA is subject to required minimum distributions. If the participant had started taking required minimum distributions from the Plan, you will have to receive required minimum distributions from the inherited Roth IRA. If the participant had not started taking required minimum distributions, you will not have to start receiving required minimum distributions from the inherited Roth IRA until the year the participant would have been age 70½ (if you were born before July 1, 1949), age 72 (if you were born after June 30, 1949, and before January 1, 1951), or age 73 (if the participant was born after December 31, 1950).

**If you are a surviving beneficiary other than a spouse and receive a payment of non-Roth assets from the Plan,** the only roll-in option you have is to do a direct roll-in to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

**If you are a surviving beneficiary other than a spouse and receive a payment of Roth assets from the Plan,** the only roll-in option you have is

to do a direct roll-in to an inherited Roth IRA. Payments from the inherited Roth IRA, even if made in a nonqualified distribution, will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited Roth IRA.

**Payments under a qualified domestic relations order (QDRO).** If you are the spouse or former spouse of the participant who receives a payment from the Plan under a QDRO, you generally have the same options and the same tax treatment that the participant would have (for example, you may roll over the payment as described in this notice). However, payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

## **If you are a nonresident alien:**

If you are a nonresident alien and you do not do a direct roll-in to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day roll-in), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, *U.S. Tax Guide for Aliens*, and IRS Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*.

## **OTHER SPECIAL RULES**

If a payment is one in a series of payments for less than 10 years, your choice whether to do a direct roll-in will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year (treating Roth and non-Roth assets separately) are less than \$200, the Plan is not required to allow you to do a direct roll-in and is not required to withhold federal income taxes. However, you can do a 60-day roll-in.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (treating Roth and non-Roth assets separately) will be directly rolled in to an IRA chosen by the Plan administrator or payor. A mandatory cashout is a payment from a plan to a participant made before age 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior roll-in made to the plan).

You may have special roll-in rights if you recently served in the U.S. Armed Forces. For more information on special roll-in rights related to the U.S. Armed Forces, see IRS Publication 3, *Armed Forces' Tax Guide*. You also may have special roll-in rights if you were affected by a federally declared disaster (or similar event), or if you received a distribution on account of a disaster. For more information on special roll-in rights related to disaster relief, see the IRS website at [www.irs.gov](http://www.irs.gov).

## **FOR MORE INFORMATION**

You may wish to consult with the Plan administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*; IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*; and IRS Publication 571, *Tax-Sheltered Annuity Plans (403(b) Plans)*. These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.





#### **SUMMARY DESCRIPTION**

This publication provides a summary of rules governing the payment of funds from your Governmental 401 Plan, 457 Deferred Compensation Plan or 403 (b) Plan regarding a Qualified Birth or Adoption Distribution. It is not a complete description of the law. If there are any conflicts between what is written in this publication and what is contained in the law, the applicable law will govern.