New Spending Package Includes Sweeping Retirement Plan Changes (SECURE Act)

Prepared by Broadridge Investor Solutions on behalf of Nicole Robertson, Senior VP at Opus Financial Advisors

The $1.4 trillion spending package enacted on December 20, 2019, included the Setting Every Community Up for Retirement Enhancement (SECURE) Act, which had overwhelmingly passed the House of Representatives in the spring of 2019, but then subsequently stalled in the Senate. The SECURE Act represents the most sweeping set of changes to retirement legislation in more than a decade. While many of the provisions offer enhanced opportunities for individuals and small business owners, there is one notable drawback for investors with significant assets in traditional IRAs and retirement plans. These individuals will likely want to revisit their estate-planning strategies to prevent their heirs from potentially facing unexpectedly high tax bills. All provisions take effect on or after January 1, 2020, unless otherwise noted.

ELIMINATION OF THE "STRETCH IRA"

Perhaps the change requiring the most urgent attention is the elimination of long-standing provisions allowing nonspouse beneficiaries who inherit traditional IRA and retirement plan assets to spread distributions — and therefore the tax obligations associated with them — over their lifetimes. This ability to spread out taxable distributions after the death of an IRA owner or retirement plan participant, over what was potentially such a long period of time, was often referred to as the "stretch IRA" rule. The new law, however, generally requires any beneficiary who is more than 10 years younger than the account owner to liquidate the account within 10 years of the account owner's death unless the beneficiary is a spouse, a disabled or chronically ill individual, or a minor child. This shorter maximum distribution period could result in unanticipated tax bills for beneficiaries who stand to inherit high-value traditional IRAs. This is also true for IRA trust beneficiaries, which may affect estate plans that intended to use trusts to manage inherited

IRA assets. In addition to possibly reevaluating beneficiary choices, traditional IRA owners may want to revisit how IRA dollars fit into their overall estate planning strategy. For example, it may make sense to consider the possible implications of converting traditional IRA funds to Roth IRAs, which can be inherited income tax free. Although Roth IRA conversions are taxable events, investors who spread out a series of conversions over the next several years may benefit from the lower income tax rates that are set to expire in 2026.

BENEFITS TO INDIVIDUALS

On the plus side, the SECURE Act includes several provisions designed to benefit American workers and retirees.

• People who choose to work beyond traditional retirement age will be able to contribute to traditional IRAs beyond age 70½. Previous laws prevented such contributions.

• Retirees will no longer have to take required minimum distributions (RMDs) from traditional IRAs and retirement plans by April 1 following the year in which they turn 70½. The new law generally requires RMDs to begin by April 1 following the year in which they turn age 72.

• Part-time workers age 21 and older who log at least 500 hours in three consecutive years generally must be allowed to participate in company retirement plans offering a qualified cash or deferred arrangement. The previous requirement was 1,000 hours and one year of service. (The new rule applies to plan years beginning on or after January 1, 2021.)

• Workers will begin to receive annual statements from their employers estimating how much their retirement plan assets are worth, expressed as monthly income received over a lifetime. This should help workers better gauge progress toward meeting their retirement-income goals.

• New laws make it easier for employers to offer lifetime income annuities within retirement plans. Such products can help workers plan for a predictable stream of income in retirement. In addition, lifetime income investments or annuities held within a plan that discontinues such investments can be directly transferred to another retirement plan, avoiding potential surrender charges and fees that may otherwise apply.

• Individuals can now take penalty-free early withdrawals of up to $5,000 from their qualified plans and IRAs due to the birth or adoption of a child. (Regular income taxes will still apply, so new parents may want to proceed with caution.)

• Taxpayers with high medical bills may be able to deduct unreimbursed expenses that exceed 7.5% (in 2019 and 2020) of their adjusted gross income. In addition, individuals may withdraw money from their qualified retirement plans and IRAs penalty-free to cover expenses that exceed this threshold (although regular income taxes will apply). The threshold returns to 10% in 2021.

• 529 account assets can now be used to pay for student loan repayments ($10,000 lifetime maximum) and costs associated with registered apprenticeships.

BENEFITS TO EMPLOYERS

The SECURE Act also provides assistance to employers striving to provide quality retirement savings opportunities to their workers. Among the changes are the following:

• The tax credit that small businesses can take for starting a new retirement plan has increased. The new rule allows employers to take a credit equal to the greater of (1) $500 or (2) the lesser of (a) $250 times the number of non-highly compensated eligible employees or (b) $5,000. The credit applies for up to three years. The previous maximum credit amount allowed was 50% of startup costs up to a maximum of $1,000 (i.e., a maximum credit of $500).

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JUST RELEASED: FIRST RESIDENTIAL HOMES IN CHATHAM PARK

Chatham Park, in partnership with Fresh Paint by Garman Homes, announced that public pre-sales for their first residential homes will begin on Thursday, March 19, 2020. Widely anticipated in the marketplace, purchase appointments will be available via invitation only, on a first come, first serve basis.

The homes, aptly named The Cottages, will range from 828-1,397 sq. ft., with single story and two story plans, and be priced from the low $200's. With names like "Hot Chocolate," "Apple Pie" and "Chicken Noodle Soup," the home plans offer unique, simple, nostalgic comfort to homebuyers. "We're building to deliver an experience-rich, simplistic lifestyle," says Rebecca McAdoo, Division President of Fresh Paint by Garman Homes.

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The size and style of these homes are a direct response to a larger consumer trend showing that more people are desiring smaller homes in order to enjoy greater peripheral benefits, such as walkability and a greater sense of community.

"The Triangle marketplace has never seen a home product like this. We are proud to be a part of the Chatham Park project and believe that this up and coming community is the perfect place to showcase our new offering," adds McAdoo.

"The ultimate goal of Chatham Park is to create, what our future residents will consider to be, the perfect community and the perfect place for them to call home. That means doing things differently than they've ever been done before," says Vanessa Jenkins, Executive Vice President of Preston Development Company, who is developing Chatham Park. "The Cottages will be the first of many unique neighborhoods here that will cater to niche lifestyle groups, such as minimalist living and artist studios, in order to create a community energized by an expansive diversity of perspectives and talents."

To receive an invitation for a purchase appointment, interested parties will need to add their name to The Fresh Paint by Garman mailing list at https://www.freshpaintbygarman.com/communities/pittsboro/chatham-park.

The Cottages will be move-in ready by October, 2020 and available for viewing at the Triangle Parade of Homes next fall.

To learn more, contact Fresh Paint by Garman Homes at 800.560.1160, SayHello@GarmanHomes.biz or visit their website freshpaintbygarman.com.

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