



Legislative Update

October 16, 2008

Retirement Plan Limits for 2009 Announced

On October 16, the Internal Revenue Service announced the cost-of-living adjustments that will be applied to the dollar limits in all tax-qualified retirement plans in 2009. The limits apply to calendar year plans, and plans that have been amended for EGTRRA. If your plan has not been amended, or you have an off-calendar plan year end, contact your plan administrator to see if there are any changes to your plan.

Defined Benefit Plan Limits

The limitation on the annual benefit under a defined benefit plan increases from **\$185,000** to **\$195,000**.

Defined Contribution Plan

Individual Contributions

The limitation on contributions made on behalf of an individual to a defined contribution plan increases from **\$46,000** to **\$49,000**. Individuals will still be limited to contributions of 100% of compensation or \$49,000, whichever is less.

401(k) Deferrals

This dollar limitation on employee deferrals into 401(k) plan increased to **\$16,500**.

Catch-Up Contributions

For individuals age 50 and over, the catch-up contribution limit has **increased** to **\$5,500**.

Annual Compensation Limits

The maximum annual compensation that may be recognized by a plan will increase from **\$230,000** to **\$245,000**.

Key Employees

The dollar limitation for determining whether an employee is "Key" for officers in a top-heavy plan will increase from **\$150,000** to **\$160,000**.

Highly Compensated Employees

The dollar limitation on compensation used to determine which employees are considered highly compensated will **increase** to **\$110,000**. Thus, employees who earn in excess of \$105,000 in the plan year beginning in 2008 will be considered highly compensated for the plan year beginning in 2009 and employees who earn in excess of \$110,000 in 2009 will be considered highly compensated employees in 2010.