

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 7362  
OFFERED BY MR. GROTHMAN OF WISCONSIN**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Form 5500 Filing Sim-  
3 plification Act”.

**4 SEC. 2. FORM 5500 FILING SIMPLIFICATION.**

5       (a) ERISA FILING.—

6           (1) FILING WITH SECRETARY AND FURNISHING  
7 INFORMATION TO PARTICIPANTS AND CERTAIN EM-  
8 PLOYERS.—Section 104(a)(1) of the Employee Re-  
9 tirement Income Security Act of 1974 (29 U.S.C.  
10 1024(a)(1)) is amended by striking “within 210  
11 days after the close of such year (or within such  
12 time as may be required by regulations promulgated  
13 by the Secretary in order to reduce duplicative fil-  
14 ing)” and inserting “not later than the date that is  
15 15 days after the end of the 9th calendar month  
16 that begins after the close of such year (or, if the  
17 Secretary determines that the employee benefit plan,  
18 or any sponsor, administrator, participant, bene-

1        ficiary, or other person with respect to such plan,  
2        has been affected by a disaster, fire, or action as de-  
3        scribed in section 7508A(b) of the Internal Revenue  
4        Code of 1986, a later time determined appropriate  
5        by the Secretary”.

6            (2) ANNUAL REPORT OF PLAN ADMINISTRA-  
7        TORS.—Section 4065 of the Employee Retirement  
8        Income Security Act of 1974 (29 U.S.C. 1365) is  
9        amended, in the matter following paragraph (3), by  
10       striking “within 6 months after the close of the plan  
11       year” and inserting “not later than the date that is  
12       15 days after the end of the 9th calendar month  
13       that begins after the close of the plan year”.

14       (b) TREASURY.—The Secretary of the Treasury shall  
15       conform Treasury Regulations and other guidance to the  
16       amendments made by subsection (a).

17       (c) MODERNIZATION OF FILING STATEMENTS.—

18            (1) IN GENERAL.—The Secretary of the Treas-  
19       ury, the Secretary of Labor, and the Director of the  
20       Pension Benefit Guaranty Corporation, as appro-  
21       priate, shall modify the returns required under sec-  
22       tion 6058 of the Internal Revenue Code of 1986 and  
23       the reports required under sections 104 and 4065 of  
24       the Employee Retirement Income Security Act of  
25       1974 (29 U.S.C. 1024, 1365) to permit such return

1 or report, and any additional information required to  
2 be submitted with such return or report, to be  
3 signed through electronic means.

4 (2) GOOD-FAITH RELIANCE.—A plan shall be  
5 treated as satisfying the requirements of this sub-  
6 section if it complies in good faith with the provi-  
7 sions of this subsection until the date on which the  
8 Secretary of the Treasury, the Secretary of Labor,  
9 and the Director of the Pension Benefit Guaranty  
10 Corporation implement the modifications required  
11 under paragraph (1) of this subsection.

12 (d) REGULATORY AUTHORITY.—The Secretary of  
13 Labor shall issue such regulations as are necessary to  
14 carry out the amendments made by this Act.

15 (e) EFFECTIVE DATE.—The amendments made by  
16 this Act shall apply to plan years ending on or after the  
17 date of the enactment of this Act.

