

JEM Resource Partners
403(b) Volume Submitter Pre-Approved 403(b) Plan Amendment One

Pre-approved Plan Sponsor: JNT Resource Partners, LP dba TCG Administrators

Form of the Pre-approved Plan: Volume Submitter

ARTICLE I
PREAMBLE

- 1.1 **Effective date of Amendment.** The prototype sponsor or volume submitter practitioner, on behalf of the Employer, adopts this Amendment to the Plan effective as of the first day of the Plan Year in which this Amendment is adopted, or if different, the earliest effective date permissible by applicable law. The Employer sponsoring each Plan must also adopt this Amendment for it to be applicable to its Plan
- 1.2 **Purpose.** The purpose of this amendment is to allow plan sponsors to take advantage of changes in applicable hardship distributions rules made by the Tax Cuts and Jobs Act (TCJA), the Bipartisan Budget Act of 2018 and applicable Treasury Regulations adopted to implement these provisions.
- 1.3 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.4 **Effect of restatement of Plan.** This Amendment is effective as of its date of adoption by the Employer. If the Employer restates the Plan, then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates these provisions).
- 1.5 **Adoption by prototype sponsor/volume submitter practitioner.** The volume submitter practitioner hereby adopts this Amendment on behalf of all adopting Employers if such Employers ratify this Amendment.

ARTICLE II
AMENDMENT PROVISION

1. **Section 3 Eligibility and Participation, subsection 26.3.2** of the Plan Document shall be deleted in its entirety and be replaced with the following:
 - 3.2 Required Reduction or Cessation of Default Elective Deferrals. Default Elective Deferrals will be reduced or stopped to meet the limitations under §§ 402(g), and 415 of the Internal Revenue Code.
2. **Section 7 Hardship Distributions, subsection 40.1** of the Plan Document shall be deleted in its entirety and be replaced with the following:
 1. To the extent permitted by the terms governing the applicable Investment Arrangement, distribution of Elective Deferrals may be made to a Participant in the event of hardship. In addition, distributions of QMAC's, QNEC's and Safe-Harbor contributions not being held in custodial account, may be made to a Participant in the event of hardship. A hardship distribution may only be made on account of an immediate and heavy financial need of the Participant and where the distribution is necessary to satisfy the immediate and heavy financial need. The hardship distribution to a participant is limited to the aggregate dollar amount of the participant's Elective Deferrals (not including income) under the contract, QMEC's not held in custodial account, QNEC's not held in custodial account, and Safe Harbor contributions not held in custodial account, reduced by the amount of the distributions previously made to the participant under the contract.

3. **Section 7 Hardship Distributions, subsection 40.3.2** of the Plan Document shall be deleted in its entirety and be replaced with the following:

3.2 The Participant has obtained all distributions, other than hardship distributions, under all plans maintained by the Employer (except to the extent such actions would be counterproductive to alleviating the financial need); and

4. **Section 7 Hardship Distributions, subsection 40.3.3** of the Plan Document shall be deleted in its entirety.

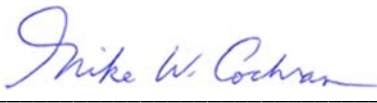
5. **Section 44.6.1** of the Plan Document shall be deleted in its entirety and be replaced with the following:

6.1 Information necessary for the resulting contract or custodial account, or any other contract or custodial accounts to which contributions have been made by the Employer, to satisfy section 403(b) of the Internal Revenue Code, including the following: (i) the Employer providing information as to whether the Participant's employment with the Employer is continuing, and notifying the Vendor when the Participant has had a Severance from Employment (for purposes of the distribution restrictions in Sections 6 and 7); and (ii) the Vendor providing information to the Eligible Employer or other Vendors concerning the Participant's or Beneficiary's section 403(b) contracts or custodial accounts or qualified employer plan benefits (to enable a Vendor to determine the amount of any rollover accounts that are available to the Participant under the Plan in order to satisfy the financial need under the hardship withdrawal rules); and

This First Amendment is hereby adopted by the prototype sponsor/volume submitter practitioner on behalf of all adopting employers who also adopt this amendment.

Pre-approved Plan Sponsor: JNT Resource Partners, LP dba TCG Administrators

Sponsor/Practitioner Name: Mike Cochran, Partner

Signature: 

Date: December 27, 2019

This First Amendment is hereby adopted by the Employer as of the date below.

Employer/Plan Sponsor Name: _____

Signature: _____

Date: _____

Printed Name and Title: _____