

AMENDMENT NO. 5

ACCE BENEFIT TRUST PROFIT SHARING PLAN

Section 10.01 of the ACCE Benefit Trust Profit Sharing Plan (the "Plan") gives the ACCE Benefit Trust the right to amend the Plan at any time. According to that right, the Plan is amended as follows as of April 2, 2020.

Section 5.06 is amended by adding the following paragraphs to the end thereof:

Notwithstanding any provision of the Plan to the contrary, the following special rules apply to loans made to an Affected Individual.

- (a) CARE Act Loans. The amount of any loan from the Plan made during the Applicable Loan Period may not, when added to the outstanding balance of all loans made to such Affected Individual, exceed the lesser of:
 - (1) \$100,000 reduced by the excess (if any) of (A) the highest outstanding balance of loans from the Plan or any other plan maintained by an Employer or a member of the Employer Group during the one-year period ending on the day before the date on which such loan was made, over (B) the outstanding balance of loans from the Plan or any other plan maintained by an Employer or a member of the Employer Group on the date on which such loan was made; or
 - (2) the greater of (A) the Affected Individual's vested interest in his Account or (B) \$10,000.
- (b) CARES Act Loan Repayment Suspension. For an Affected Individual who has an outstanding loan on or after April 2, 2020, 2020, the due date of any loan repayment that is due during the period beginning on April 2, 2020 and ending on December 31, 2020, shall be delayed for a period not to exceed one year. Any subsequent repayments with respect to such loan shall be adjusted to reflect the delay and any interest accruing during such delay. The 5-year loan repayment schedule (or a primary residence loan repayment schedule) required under section 72(p) of the Code shall be appropriately adjusted to reflect the period during which loan payments are delayed.
- (c) Affected Individual. For the purposes of this section, "Affected Individual" means a Participant:
 - (1) Who was diagnosed with the virus SARS-CoV-2 or with COVID-19 by a test approved by the Centers for Disease Control and Prevention ("CDC");

- (2) Whose spouse or dependent was diagnosed with SARS-CoV-2 or with COVID-19 by a test approved by the CDC; or
 - (3) Who experienced adverse financial consequences as a result of being quarantined, being furloughed, being laid off, or having his work hours reduced due to SARS-CoV-2 or COVID-19, being unable to work due to lack of child care due to SARS-CoV-2 or COVID-19, the closing or reduction of hours of his business due to SARS-CoV-2 or COVID-19, or other factors as determined by the Secretary of the Treasury (or the Secretary's delegate)..
- (d) Applicable Loan Period. For the purposes of this section, "Applicable Loan Period" means the period beginning on April 2, 2020 and ending on September 22, 2020.

Section 6.02 is amended by adding the following subsections (c) through (g) to the end thereof:

- (c) Statutory Relief Regarding Coronavirus-Related Distributions. Notwithstanding any provision of the Plan to the contrary, the following special rules apply to an Affected Individual who received a Coronavirus-Related Distribution.
- (1) A Coronavirus-Related Distribution shall be treated as meeting the requirements of Code Section 401(k)(2)(B)(i) and shall not be subject to the tax treatment that applies to an Eligible Rollover Distribution under Code Sections 401(a)(31), 402(f), and 3405.
 - (2) Code Section 72(t) shall not apply to any Coronavirus-Related Distribution. Unless the Affected Individual elects otherwise, any Coronavirus-Related Distribution that would be included in the Affected Individual's gross income for the taxable year of the distribution shall be included in gross income ratably over a three-year period beginning in the year of the distribution.
 - (3) The aggregate amount of Coronavirus-Related Distributions shall not exceed the excess (if any) of (i) \$100,000 over (ii) the aggregate amounts treated as Coronavirus-Related Distributions received by the Affected Individual from all plans sponsored by the Employer or member of the Employer Group.
- (d) Repayment of Coronavirus-Related Distributions. An Affected Individual who received a Coronavirus-Related Distribution may, at any time during the three-year period beginning on the day after receipt of the Coronavirus-Related Distribution, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of the Coronavirus-Related Distribution. Amounts repaid hereunder shall be treated as trustee-to-trustee transfers within 60 days of the distribution and shall be credited to the Affected Individual's Account.

- (e) Certification. An Affected Individual will certify, in accordance with the rules prescribed by the Plan Administrator, that he meets the requirements of an Affected Individual, and the Plan Administrator and its delegate may rely on such certification.
- (f) Coronavirus-Related Distribution. For the purposes of this section, “Coronavirus-Related Distribution” means any distribution on or after April 2, 2020 and before December 31, 2020 to an Affected Individual.
- (g) Affected Individual. For purposes of this section, “Affected Individual” means an individual as defined under the last paragraph of the LOANS TO PARTICIPANTS SECTION, subsection (c).

Section 7.03 is amended by adding the following subsection (f) to the end thereof:

- (f) 2020 RMDs. Notwithstanding any other provision of this section, a Participant or Designated Beneficiary who would have been required to receive required minimum distributions on or after April 2, 2020 (or paid in 2021 for the 2020 calendar year for a Participant with a Required Beginning Date of April 1, 2021) but for the enactment of section Code Section 401(a)(9)(I) (“2020 RMDs”), and who would have satisfied that requirement by receiving distributions that are either: (i) equal to the 2020 RMDs; or (ii) one or more payments (that include the 2020 RMDs) in a series of substantially equal periodic payments made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancies) of the Participant and the Participant’s Designated Beneficiary, or for a period of at least 10 years (“Extended 2020 RMDs”), will not receive this distribution unless the Participant or Designated Beneficiary chooses to receive the distribution. Notwithstanding the foregoing, such Participant or Designated Beneficiary will be given an opportunity to make an election as to whether or not to receive a 2020 RMD or Extended 2020 RMD.

Effective January 1, 2022, all references in the Plan and any Participation Agreement to age 70 1/2 are deleted and replaced with “72 (70 1/2 if the Participant was born prior to July 1, 1949)”.

This Amendment No. 5 is made an integral part of the aforesaid Plan and is controlling over the terms of said Plan with respect to the particular items addressed expressly herein. All other provisions of the Plan remain unchanged and controlling.

Unless otherwise stated on any page of this Amendment No. 5, eligibility for benefits and the amount of any benefits payable to or on behalf of an individual who is an Inactive Participant on the effective date stated above, shall be determined according to the provisions of the aforesaid Plan as in effect on the day before he became an Inactive Participant.

Signing this amendment, ACCE Benefit Trust, as Plan sponsor, has made the decision to adopt

this Plan Amendment No. 5. ACCE Benefit Trust is acting in reliance on its own discretion and on the legal and tax advice of its own advisors, and not that of any member of the Principal Financial Group or any representative of a member company of the Principal Financial Group.

Signed this 17TH day of November, 2022

ACCE BENEFIT TRUST

By William G. MA
Signature

CHAIR
Title