

115TH CONGRESS  
1ST SESSION

# H. R. 2055

To amend the Employee Retirement Income Security Act of 1974 to require  
a lifetime income disclosure.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

Mr. MESSER (for himself, Mr. POCAN, Mr. REICHERT, Mr. POLIS, Mr. KIND,  
Mr. WILSON of South Carolina, and Mr. NORCROSS) introduced the fol-  
lowing bill; which was referred to the Committee on Education and the  
Workforce

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## A BILL

To amend the Employee Retirement Income Security Act  
of 1974 to require a lifetime income disclosure.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lifetime Income Dis-  
5 closure Act”.

6 **SEC. 2. DISCLOSURE REGARDING LIFETIME INCOME.**

7 (a) IN GENERAL.—Subparagraph (B) of section  
8 105(a)(2) of the Employee Retirement Income Security  
9 Act of 1974 (29 U.S.C. 1025(a)(2)) is amended—

1 (1) in clause (i), by striking “and” at the end;

2 (2) in clause (ii), by striking “diversification.”

3 and inserting “diversification, and”; and

4 (3) by inserting at the end the following:

5 “(iii) the lifetime income disclosure  
6 described in subparagraph (D)(i).

7 In the case of pension benefit statements de-  
8 scribed in clause (i) of paragraph (1)(A), a life-  
9 time income disclosure under clause (iii) of this  
10 subparagraph shall only be required to be in-  
11 cluded in one pension benefit statement during  
12 any one 12-month period.”.

13 (b) LIFETIME INCOME.—Paragraph (2) of section  
14 105(a) of such Act (29 U.S.C. 1025(a)) is amended by  
15 adding at the end the following:

16 “(D) LIFETIME INCOME DISCLOSURE.—

17 “(i) IN GENERAL.—

18 “(I) DISCLOSURE.—A lifetime in-  
19 come disclosure shall set forth the life-  
20 time income stream equivalent of the  
21 total benefits accrued with respect to  
22 the participant or beneficiary.

23 “(II) LIFETIME INCOME STREAM  
24 EQUIVALENT OF THE TOTAL BENE-  
25 FITS ACCRUED.—For purposes of this

1 subparagraph, the term ‘lifetime in-  
2 come stream equivalent of the total  
3 benefits accrued’ means the amount of  
4 monthly payments the participant or  
5 beneficiary would receive if the total  
6 accrued benefits of such participant or  
7 beneficiary were used to provide life-  
8 time income streams described in sub-  
9 clause (III), based on assumptions  
10 specified in rules prescribed by the  
11 Secretary.

12 “(III) LIFETIME INCOME  
13 STREAMS.—The lifetime income  
14 streams described in this subclause  
15 are a qualified joint and survivor an-  
16 nuity (as defined in section 205(d)),  
17 based on assumptions specified in  
18 rules prescribed by the Secretary, in-  
19 cluding the assumption that the par-  
20 ticipant or beneficiary has a spouse of  
21 equal age, and a single life annuity.  
22 Such lifetime income streams may  
23 have a term certain or other features  
24 to the extent permitted under rules  
25 prescribed by the Secretary.

1 “(ii) MODEL DISCLOSURE.—Not later  
2 than 1 year after the date of the enact-  
3 ment of the Lifetime Income Disclosure  
4 Act, the Secretary shall issue a model life-  
5 time income disclosure, written in a man-  
6 ner so as to be understood by the average  
7 plan participant, that—

8 “(I) explains that the lifetime in-  
9 come stream equivalent is only pro-  
10 vided as an illustration;

11 “(II) explains that the actual  
12 payments under the lifetime income  
13 stream described in clause (i)(III)  
14 that may be purchased with the total  
15 benefits accrued will depend on nu-  
16 merous factors and may vary substan-  
17 tially from the lifetime income stream  
18 equivalent in the disclosures;

19 “(III) explains the assumptions  
20 upon which the lifetime income stream  
21 equivalent was determined; and

22 “(IV) provides such other similar  
23 explanations as the Secretary con-  
24 siders appropriate.

1 “(iii) ASSUMPTIONS AND RULES.—

2 Not later than 1 year after the date of the  
3 enactment of the Lifetime Income Disclosure Act, the Secretary shall—  
4

5 “(I) prescribe assumptions that  
6 administrators of individual account  
7 plans may use in converting total accrued  
8 benefits into lifetime income  
9 stream equivalents for purposes of  
10 this subparagraph; and

11 “(II) issue interim final rules  
12 under clause (i).

13 In prescribing assumptions under sub-  
14 clause (I), the Secretary may prescribe a  
15 single set of specific assumptions (in which  
16 case the Secretary may issue tables or factors  
17 that facilitate such conversions), or  
18 ranges of permissible assumptions. To the  
19 extent that an accrued benefit is or may be  
20 invested in a lifetime income stream described  
21 in clause (i)(III), the assumptions  
22 prescribed under subclause (I) shall, to the  
23 extent appropriate, permit administrators  
24 of individual account plans to use the  
25 amounts payable under such lifetime in-

1           come stream as a lifetime income stream  
2           equivalent.

3           “(iv) LIMITATION ON LIABILITY.—No  
4           plan fiduciary, plan sponsor, or other per-  
5           son shall have any liability under this title  
6           solely by reason of the provision of lifetime  
7           income stream equivalents which are de-  
8           rived in accordance with the assumptions  
9           and rules described in clause (iii) and  
10          which include the explanations contained in  
11          the model lifetime income disclosure de-  
12          scribed in clause (ii). This clause shall  
13          apply without regard to whether the provi-  
14          sion of such lifetime income stream equiva-  
15          lent is required by subparagraph (B)(iii).

16          “(v) EFFECTIVE DATE.—The require-  
17          ment in subparagraph (B)(iii) shall apply  
18          to pension benefit statements furnished  
19          more than 12 months after the latest of  
20          the issuance by the Secretary of—

21                  “(I) interim final rules under  
22                  clause (i);

23                  “(II) the model disclosure under  
24                  clause (ii); or

- 1 “(III) the assumptions under  
2 clause (iii).”.

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