

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

FLEXIBLE SPENDING BENEFITS PLAN

PLAN DOCUMENT AMENDMENT

ARTICLE 1

PREAMBLE

- 1.1 **Adoption of Amendment.** The Employer adopts this Amendment to implement provisions of Section 70404 of H.R. 1, 119th Cong. (2025) (popularly known as the "One Big Beautiful Bill Act").
- 1.2 **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. The timeframes for application of provisions are as selected in Article 2, and, if appropriate, provisions only apply for the Plan Year selected.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any "Section" reference in this Amendment refers only to this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment and does not relate to the Plan article, section, or other numbering designations.
- 1.4 **Effect of restatement of Plan.** 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).

ARTICLE 2

IDENTIFYING INFORMATION; EMPLOYER ELECTIONS

- 2.1 **Dependent Care Assistance Program Provisions.** The Plan will adopt the new limits of \$7,500 and \$3,750, as described in Article 3.
- 2.3 **Effective Date.** This Amendment is effective as of 1/1/2026

ARTICLE 3

DEPENDENT CARE ASSISTANCE FLEXIBLE SPENDING ACCOUNT LIMITS

- 3.1 **Dependent Care Assistance Program Limits.** For the Plan Year beginning on or after January 1, 2026 and forward, amounts paid from a Participant's Dependent Care Flexible Spending Account in or on account of any taxable year of the Participant shall not exceed the lesser of the Earned Income limitation described in Code Section 129(b) or \$7,500 (\$3,750 if a separate tax return is filed by a Participant who is married as determined under the rules of paragraphs (3) and (4) of Code Section 21(e)).

This Amendment has been executed this _____ day of _____, 20_____.

Lexington-Fayette Urban County Government

By: _____