

2020 Regular Session

SENATE BILL NO. 78

BY SENATOR FOIL

STUDENTS. Provides relative to disbursement of funds from START savings accounts.
(8/1/20)

AN ACT

To enact R.S. 17:3095(I), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to authorize disbursement of funds from program accounts to pay certain elementary and secondary education costs; to provide for annual disbursement limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3095(I) is hereby enacted to read as follows:

§3095. Education savings accounts; types, use, limitations, and disclosures

* * *

I. Funds deposited in an education savings account established in accordance with this Chapter may be disbursed in 2020 to pay tuition, as defined in R.S. 17:3100.2, at an elementary or secondary school, as defined in R.S. 17:3100.2. These disbursements shall not include any earnings enhancements or interest thereon that may have accrued to the account. The total amount of disbursements from all such accounts established for a beneficiary shall not exceed ten thousand dollars.

Section 2. This Act shall become effective on August 1, 2020; if vetoed by the

1 governor and subsequently approved by the legislature, this Act shall become effective on
2 August 1, 2020, or on the day following such approval by the legislature, whichever is later.

The original instrument was prepared by Cheryl M. Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by Curry J. Lann.

DIGEST

SB 78 Reengrossed

2020 Regular Session

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Present law provides for two education savings programs that are qualified tuition programs as defined in Section 529 of the federal Internal Revenue Code:

- (1) The La. Student Tuition Assistance and Revenue Trust (START) Program (created in 1995) is for certain expenses associated with enrolling in an institution of postsecondary education. Present law provides for earnings enhancements (a "state match") annually, the rate of which depends on the account category and the account owner's income. Also exempts a portion of annual deposits from the account owner's state tax table income (up to \$2,400 for single filers and \$4,800 for joint filers, per account).
- (2) The La. Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve (START K12) Program (created in 2018) is similar to the START program except that it is for certain expenses associated with enrolling in grades kindergarten through 12. Defines such expenses as tuition in connection with enrollment or attendance at a public or approved nonpublic elementary or secondary school in La. Limits disbursements of such expenses to a maximum of \$10,000 per tax year, per beneficiary. Does not provide a state match or for exemption of a portion of annual deposits from an account owner's state tax table income.

Present law prohibits a transfer or rollover from a START account to a START K12 account. However, as a transitional provision with respect to the then-newly created START K12 program, in 2018, funds deposited prior to Jan. 1, 2018, to a START account were allowed to be disbursed in 2018 to pay tuition at an elementary or secondary school. Any such disbursement did not include earnings enhancements or interest thereon and the total amount of such disbursements with respect to a beneficiary was limited to \$10,000.

Proposed law would allow disbursement of funds in 2020 from a START account to pay tuition at an elementary or secondary school as defined by START K12. Disbursements shall not include earnings enhancements or interest thereon and shall be limited with respect to a beneficiary to \$10,000.

Effective August 1, 2020.

(Adds R.S. 17:3095(I))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the engrossed bill

1. Limits the disbursement of funds to pay tuition from annually to the year 2020.