2021 Regular Session

HOUSE RESOLUTION NO. 99

BY REPRESENTATIVE DAVIS

CONGRESS: Memorializes congress to support the ABLE Age Adjustment Act

1	A RESOLUTION			
2	To memorialize the United States Congress to take such actions as are necessary to pass the			
3	ABLE Age Adjustment Act.			
4	WHEREAS, the Achieving a Better Life Experience Act, also known as the ABLE			
5	Act, was passed by Congress and subsequently signed into law in 2014; and			
6	WHEREAS, the ABLE Act has created tax-advantaged savings accounts known as			
7	"ABLE accounts" for persons with disabilities and has allowed funds to be withdrawn from			
8	the accounts to cover costs of health care, employment support, housing, transportation			
9	assistive technology, and lifelong education for those persons; and			
10	WHEREAS, ABLE accounts are subject to the same tax treatment as the popular			
11	education savings accounts commonly called "529 plans"; and			
12	WHEREAS, the ABLE Act has created a powerful incentive for individuals and			
13	families to save private funds for the purpose of supporting persons with disabilities in			
14	maintaining health, independence, and quality of life; and			
15	WHEREAS, the ABLE Act, as enacted, stipulates that funds held in an ABLE			
16	account do not count toward any maximum limit on a person's assets upon which eligibility			
17	for a means-tested federal program may be contingent; and			
18	WHEREAS, savings in an ABLE account do not jeopardize a person's eligibility for			
19	programs such as Medicaid and Supplemental Security Income; and			

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1	WHEREAS, the asset limits of such programs had previously forced low-income			
2	persons into the difficult decision of whether to spend their limited resources, down to two			
3	thousand dollars in most cases, in order to become eligible for needed assistance; and			
4	WHEREAS, the ABLE Act, as enacted, includes a fiscal safeguard for states by			
5	providing that if the ABLE account beneficiary dies or his disability ceases and asset			
6	remain in the account, the assets will first be distributed to any state Medicaid plan that			
7	provided assistance to the person; and			
8	WHEREAS, as evidenced by the party affiliations of its seventy-eight original			
9	cosponsors being almost perfectly balanced, the ABLE Act legislation enjoys broad			
10	bipartisan support; and			
11	WHEREAS, the ABLE Act embodies sound economic policy by encouraging			
12	savings and asset building; and			
13	WHEREAS, the ABLE Act promotes important values that our nation holds dear b			
14	providing that every citizen living with a disability has the opportunity to attain			
15	independence and an improved quality of life; and			
16	WHEREAS, prior to its passing, a limitation was added to the Able Act, which limits			
17	the benefits to persons who had the onset of disability before the age of twenty-six; and			
18	WHEREAS, this age limitation has prevented many persons and families from			
19	receiving the many benefits of the ABLE Act; and			
20	WHEREAS, the ABLE Age Adjustment Act has been introduced as S. 331 and H.R.			
21	1219 in the One Hundred Seventeenth United States Congress; and			
22	WHEREAS, the Able Age Adjustment Act would make the provisions of the ABLE			
23	Act available to persons who had the onset of disability before the age of forty-six; and			
24	WHEREAS, if passed, the ABLE Age Adjustment Act would make six million more			
25	persons with disabilities eligible for ABLE accounts; and			
26	WHEREAS, if passed, the ABLE Age Adjustment Act would also help states keep			
27	administrative costs for the state ABLE programs low; and			
28	WHEREAS, as evidenced by the party affiliations of its sixty-five cosponsors, the			
29	ABLE Age Adjustment Act has broad bipartisan support.			

- 1 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
- 2 memorialize the United States Congress to take such actions as are necessary to pass the
- 3 ABLE Age Adjustment Act.
- 4 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 5 presiding officers of the Senate and the House of Representatives of the Congress of the
- 6 United States of America and to each member of the Louisiana congressional delegation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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