

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 30** SLS 23RS 74

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 31, 2023	12:26 PM	<b>Author:</b> FOIL
<b>Dept./Agy.:</b> Board of Regents		<b>Analyst:</b> Chris Henry
<b>Subject:</b> ABL Accounts		

**EXCEPTIONAL PERSONS**

EN SEE FISC NOTE SD RV

Provides for the transfer of funds in an ABL account of a deceased designated beneficiary. (gov sig)

Proposed law provides for allowable uses of the remaining funds in an ABL account in the event of the designated beneficiary's death as part of the Louisiana Achieving a Better Life Experience Act. After payment of any remaining eligible expenses from the account, monies remaining may be transferred to either another ABL account as permitted in Section 529A of the Internal Revenue Code or to the estate of the designated beneficiary. If the account does not specify how to deal with the remaining monies in the account, then the remaining amount is deposited into the Disability Services Fund account used solely to support developmental disabilities services within Medicaid or the Office for Citizens with Developmental Disabilities. Proposed law provides that the state shall not make claims against the account of a deceased designated beneficiary for payment of outstanding medicaid-related services or recovery of payments made for qualified disability expenses.

<b>EXPENDITURES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>REVENUES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There would be no direct material effect on governmental expenditures resulting from the proposed legislation. ABL accounts are managed on behalf of account owners by the Louisiana Office of Student Financial Assistance (LOSFA) with oversight by the Louisiana Tuition Trust Authority. Monies in the accounts are private funds for the purpose of supporting persons with disabilities.

As of February 28, 2023, LOSFA reports 1,176 ABL accounts with a total of \$5,719,525 in the portfolio resulting in \$4,864 on average per account.

*Note: Federal law currently allows the transfer of money in an ABL account to the sibling of beneficiary who also meets the ABL disability eligibility requirements. Additionally, the transfer of an account to a new beneficiary or to the estate of the deceased beneficiary takes place only after all remaining eligible expenses are paid, which includes funeral or burial expenses.*

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure. To the extent an account does not have a successor beneficiary specified and has funding remaining after payment of all eligible expenses the monies are transferred to the Disability Services Fund for future appropriation by the legislature in accordance with R.S. 28:826(C) (1)(c).

Senate  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Interim Deputy Fiscal Officer**