

2021 Regular Session

HOUSE RESOLUTION NO. 99

BY REPRESENTATIVE DAVIS

A RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to pass the
ABLE Age Adjustment Act.

WHEREAS, the Achieving a Better Life Experience Act, also known as the ABLE Act, was passed by Congress and subsequently signed into law in 2014; and

WHEREAS, the ABLE Act has created tax-advantaged savings accounts known as "ABLE accounts" for persons with disabilities and has allowed funds to be withdrawn from the accounts to cover costs of health care, employment support, housing, transportation, assistive technology, and lifelong education for those persons; and

WHEREAS, ABLE accounts are subject to the same tax treatment as the popular education savings accounts commonly called "529 plans"; and

WHEREAS, the ABLE Act has created a powerful incentive for individuals and families to save private funds for the purpose of supporting persons with disabilities in maintaining health, independence, and quality of life; and

WHEREAS, the ABLE Act, as enacted, stipulates that funds held in an ABLE account do not count toward any maximum limit on a person's assets upon which eligibility for a means-tested federal program may be contingent; and

WHEREAS, savings in an ABLE account do not jeopardize a person's eligibility for programs such as Medicaid and Supplemental Security Income; and

WHEREAS, the asset limits of such programs had previously forced low-income persons into the difficult decision of whether to spend their limited resources, down to two thousand dollars in most cases, in order to become eligible for needed assistance; and

WHEREAS, the ABLE Act, as enacted, includes a fiscal safeguard for states by providing that if the ABLE account beneficiary dies or his disability ceases and assets remain in the account, the assets will first be distributed to any state Medicaid plan that provided assistance to the person; and

WHEREAS, as evidenced by the party affiliations of its seventy-eight original cosponsors being almost perfectly balanced, the ABLE Act legislation enjoys broad bipartisan support; and

WHEREAS, the ABLE Act embodies sound economic policy by encouraging savings and asset building; and

WHEREAS, the ABLE Act promotes important values that our nation holds dear by providing that every citizen living with a disability has the opportunity to attain independence and an improved quality of life; and

WHEREAS, prior to its passing, a limitation was added to the ABLE Act, which limits the benefits to persons who had the onset of disability before the age of twenty-six; and

WHEREAS, this age limitation has prevented many persons and families from receiving the many benefits of the ABLE Act; and

WHEREAS, the ABLE Age Adjustment Act has been introduced as S. 331 and H.R. 1219 in the One Hundred Seventeenth United States Congress; and

WHEREAS, the ABLE Age Adjustment Act would make the provisions of the ABLE Act available to persons who had the onset of disability before the age of forty-six; and

WHEREAS, if passed, the ABLE Age Adjustment Act would make six million more persons with disabilities eligible for ABLE accounts; and

WHEREAS, if passed, the ABLE Age Adjustment Act would also help states keep administrative costs for the state ABLE programs low; and

WHEREAS, as evidenced by the party affiliations of its sixty-five cosponsors, the ABLE Age Adjustment Act has broad bipartisan support.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to pass the ABLE Age Adjustment Act.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

SPEAKER OF THE HOUSE OF REPRESENTATIVES