

2026 Regular Session

HOUSE BILL NO. 749

BY REPRESENTATIVE CARVER AND SENATOR FOIL

FUNDS/INVESTMENTS: Authorizes the Louisiana Tuition Trust Authority to contract with a program manager for the administration of certain savings accounts (ABLE, START, and START K12 programs) and the investment of account funds

1 AN ACT

2 To amend and reenact R.S. 17:3084(A)(14), 3085(3), 3086, 3092(13) and (14), 3093(C)(3)

3 and (D)(1)(f), 3095(A)(4) and (E)(2), 3100.2(12) and (13), 3100.3(B)(3) and

4 (C)(1)(f), and 3100.5(A)(4) and to enact R.S. 17:3090(E), 3099(I) and (J), 3100.5(G),

5 3100.8(I) and (J), Chapter 22-C of Title 17 of the Louisiana Revised Statutes of

6 1950, to be comprised of R.S. 17:3100.21 through 3100.26, and R.S. 17:3129.4(D),

7 relative to savings account programs; to provide for the administration of the ABLE

8 Account Program, the Louisiana Student Tuition Assistance and Revenue Trust

9 Program, and the Louisiana Student Tuition Assistance and Revenue Trust

10 Kindergarten Through Grade Twelve Program; to authorize the Louisiana Tuition

11 Trust Authority to enter into a contract with a program manager for the

12 administration of the program accounts and the investment of account funds; to

13 provide for the transfer of certain monies within the Louisiana Education Tuition and

14 Savings Fund to the program manager; to provide for the powers and duties of the

15 authority and the program manager; to require the authority to notify the presiding

16 officers of the legislature and the state treasurer of the execution of the contract; to

17 require the authority and the state treasurer to coordinate on the implementation of

18 account transfers; to provide for definitions; to provide for effectiveness; and to

19 provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 17:3084(A)(14), 3085(3), 3086, 3092(13) and (14), 3093(C)(3) and  
3 (D)(1)(f), 3095(A)(4) and (E)(2), 3100.2(12) and (13), 3100.3(B)(3) and (C)(1)(f), and  
4 3100.5(A)(4) are hereby amended and reenacted and R.S. 17:3090(E), 3099(I) and (J),  
5 3100.5(G), 3100.8(I) and (J), Chapter 22-C of Title 17 of the Louisiana Revised Statutes of  
6 1950, comprised of R.S. 17:3100.21 through 3100.26, and R.S. 17:3129.4(D) are hereby  
7 enacted to read as follows:

8 §3084. Louisiana Tuition Trust Authority; rules; compliance with federal  
9 requirements

10 A. The authority shall, by adoption of rules pursuant to the Administrative  
11 Procedure Act and in consultation with the advisory council, provide for the  
12 following functions, policies, and requirements of the program and shall ensure  
13 through such rules that all of the following aspects of the program comply with all  
14 applicable provisions of Section 529A of the Internal Revenue Code and with any  
15 regulations pertaining to qualified ABLE programs issued pursuant thereto:

16 \* \* \*

17 (14) The determination, until the date of the execution of a contract with a  
18 program manager as provided in Chapter 22-C of this Title, of the rate of interest to  
19 be paid on ABLE accounts of record at the close of a calendar year, provided that  
20 such rate is not a negative rate and is approved by the state treasurer.

21 \* \* \*

22 §3085. Louisiana Tuition Trust Authority; powers relative to the administration of  
23 the program

24 In addition to any other powers conferred by this Chapter, the authority may  
25 do any of the following:

26 \* \* \*

27 (3) Make, execute, and deliver contracts, conveyances, and other instruments  
28 necessary to the exercise and discharge of the powers and duties of the authority,  
29 including contracts for the administration of ABLE accounts and the investment of

1 account funds in accordance with federal law, this Chapter, and Chapter 22-C of this  
2 Title.

3 \* \* \*

4 §3086. ABLE account funds; investment

5 A. The state treasurer shall invest monies deposited in the ABLE accounts  
6 in the same manner as prescribed by R.S. 17:3091 et seq. for the investment of  
7 monies deposited in START Program accounts. Funds in ABLE accounts shall be  
8 invested in such investment options and subject to the same requirements and  
9 limitations for funds deposited in START Program accounts provided in R.S.  
10 17:3091 et seq., except as otherwise provided in this Chapter.

11 B. Notwithstanding any provision of this Section or any other provision of  
12 law to the contrary, beginning on the date of the execution of a contract between the  
13 authority and a program manager as provided in Chapter 22-C of this Title, all ABLE  
14 accounts may be administered, and all funds in such accounts may be invested, by  
15 the program manager.

16 \* \* \*

17 §3090. Achieving a Better Life Experience in Louisiana Fund

18 \* \* \*

19 E. Notwithstanding any provision of this Section or any other law to the  
20 contrary, beginning on the date of the execution of a contract between the authority  
21 and a program manager as provided in Chapter 22-C of this Title, all ABLE accounts  
22 may be administered, and all funds in such accounts may be invested, by the program  
23 manager.

24 \* \* \*

25 §3092. Definitions

26 As used in this Chapter, the following terms have the following meanings  
27 unless the context clearly indicates otherwise:

28 \* \* \*

1 (13) "Variable earnings" means ~~that portion of~~ funds in an education savings  
2 account invested in equities.

3 (14) "Variable Earnings Transaction Fund" means the subaccount established  
4 by the state treasurer within the Louisiana Education Tuition and Savings Fund to  
5 receive earnings funds as described in R.S. 17:3095(H) to be maintained by the state  
6 treasurer until the date of the execution of a contract between the Louisiana Tuition  
7 Trust Authority and a program manager as provided in Chapter 22-C of this Title.

8 §3093. Louisiana Tuition Trust Authority; creation; powers

9 \* \* \*

10 C. In addition to any other powers conferred by this Chapter, the authority  
11 may do any of the following:

12 \* \* \*

13 (3) Make, execute, and deliver contracts, conveyances, and other instruments  
14 necessary to the exercise and discharge of the powers and duties of the authority,  
15 including contracts for the administration of education savings accounts and the  
16 investment of account funds in accordance with federal law, this Chapter, and  
17 Chapter 22-C of this Title.

18 \* \* \*

19 D.(1) The authority shall, by adoption of rules pursuant to the Administrative  
20 Procedure Act, provide for the following:

21 \* \* \*

22 (f) The determination, until the date of the execution of a contract between  
23 the authority and a program manager as provided in Chapter 22-C of this Title, of the  
24 rate of interest to be paid on education savings accounts of record at the close of a  
25 calendar year, provided that such rate is not a negative rate and is approved by the  
26 state treasurer.

27 \* \* \*

1 §3095. Education savings accounts; types, use, limitations, and disclosures

2 A.

3 \* \* \*

4 (4) Subject to the limitation imposed by R.S. 17:3098(B), the authority shall  
5 guarantee, until the date of execution of a contract with a program manager as  
6 provided in Chapter 22-C of this Title, payment of the redemption value of an  
7 education savings account in which the deposits and interest are invested in fixed  
8 earnings.

9 \* \* \*

10 E.

11 \* \* \*

12 (2) Prior to the close of the calendar year in which the program is  
13 implemented and each year thereafter on a date specified by the authority, the state  
14 treasurer shall determine and report to the authority, until the date of the execution  
15 of the authority's contract with a program manager, the total earnings and the rate of  
16 return achieved on deposits in the Louisiana Education Tuition and Savings Fund.  
17 Based upon the fund's reported earnings, the authority shall establish, until the date  
18 of the execution of the authority's contract with a program manager, the rate of  
19 interest to be applied to the accumulated principal and interest in education savings  
20 accounts of record, subject to approval by the state treasurer. The authority shall  
21 calculate and credit the appropriate amount of interest earnings to each such account  
22 prior to the close of the calendar year until the date of the execution of the authority's  
23 contract with a program manager.

24 \* \* \*

25 §3099. Louisiana Education and Tuition Savings Fund; use

26 \* \* \*

27 I. The authority may enter into a contract with a program manager to  
28 administer savings accounts and to invest the funds in such accounts as provided in  
29 Chapter 22-C of this Title.



1 investment of account funds in accordance with federal law, this Chapter, and  
2 Chapter 22-C of this Title.

3 \* \* \*

4 C.(1) The authority shall, by adoption of rules pursuant to the Administrative  
5 Procedure Act, provide for the following:

6 \* \* \*

7 (f) ~~The~~ Until the date of the execution of a contract with a program manager  
8 as provided in Chapter 22-C of this Title, the rate of interest to be paid on education  
9 savings accounts of record at the close of a calendar year. Such rate shall not be a  
10 negative rate and shall be approved by the state treasurer.

11 \* \* \*

12 §3100.5. Education savings accounts; types, use, limitations, and disclosures

13 A.

14 \* \* \*

15 (4) Subject to the limitation imposed by R.S. 17:3100.7(B), the authority  
16 shall guarantee, until the date of the execution of a contract with a program manager  
17 as provided in Chapter 22-C of this Title, payment of the redemption value of an  
18 education savings account in which the deposits and interest are invested in fixed  
19 earnings.

20 \* \* \*

21 G. The authority may enter into a contract with a program manager to  
22 administer savings accounts and to invest the funds in such accounts as provided in  
23 Chapter 22-C of this Title.

24 \* \* \*

25 §3100.8. Louisiana Education and Tuition Savings Fund; use

26 \* \* \*

27 I. The authority may enter into a contract with a program manager to  
28 administer education savings accounts and to invest the funds in such accounts as  
29 provided in Chapter 22-C of this Title.



1       §3100.22. Legislative intent; administration and management of savings account  
2               programs

3               A.(1) It is the intent of the legislature to provide for safe and efficient  
4       administration of savings accounts and investment of savings account funds.

5               (2) Beginning on the date of the execution of a contract between the  
6       authority and a program manager as provided in this Chapter, the provisions of this  
7       Chapter shall govern the administration of savings accounts and the investment of  
8       savings account funds.

9               B.(1) The provisions of this Chapter shall comply with the provisions of  
10       Sections 529 and 529A of the Internal Revenue Code. Any provision of this Chapter  
11       determined to be in conflict with any requirement of the code as applicable to a  
12       qualified tuition program as defined in Section 529 of the federal Internal Revenue  
13       Code, as amended, or a qualified ABLE program as defined in Section 529A of the  
14       federal Internal Revenue Code, as amended, shall be superseded by such code  
15       provision to the extent necessary to assure that the program continues to meet the  
16       code's definition of each of these programs, as applicable.

17               (2) Any requirement of this Chapter determined to be more restrictive than  
18       the requirements of the federal Internal Revenue Code as applicable to such a tuition  
19       program or ABLE program may be modified to conform with code requirements by  
20       the authority by rule promulgated in accordance with the Administrative Procedure  
21       Act.

22               C. Nothing in this Chapter shall be construed to limit the powers and duties  
23       of the authority as provided in Chapters 22, 22-A, and 22-B of this Title, including  
24       but not limited to the provisions of R.S. 17:3085, 3093, and 3100.3.

25       §3100.23. The Louisiana Tuition Trust Authority; powers relative to the  
26               administration of the savings account programs

27               A. The authority shall continue to exercise the powers and duties conferred  
28       upon it pursuant to Chapters 22, 22-A, and 22-B of this Title. The authority may  
29       enter into a contract with a program manager to administer savings accounts and to

1 invest the funds in such accounts. The program manager shall be required under the  
2 contract to provide qualifying savings account owners with access to enrollment in  
3 an operating qualified tuition program as defined in Section 529 of the federal  
4 Internal Revenue Code, as amended, or a qualified ABLE program as defined in  
5 Section 529A of the federal Internal Revenue Code, as amended.

6 B. On the date of the execution of a contract between the authority and a  
7 program manager:

8 (1) All savings accounts shall be transferred to the program manager for  
9 account administration and investment of account funds.

10 (2) All deposited monies for savings accounts contained in the Tuition and  
11 Savings Fund as provided in R.S. 17:3129.4 shall be transferred to the program  
12 manager. The monies in the Savings Enhancement Fund shall remain in the state  
13 treasury, and the treasurer shall continue to administer the Savings Enhancement  
14 Fund in accordance with R.S. 17:3129.4 for the purposes provided in Chapters 22-A  
15 and 22-B of this Title.

16 C. Beginning on the date of the execution of the contract with the program  
17 manager, monies to be deposited in savings accounts shall be sent directly to the  
18 program manager, except for cash deposits. The Board of Regents shall provide for  
19 the receipt of cash deposits, their placement in a subaccount created for this purpose,  
20 and their transmittal to the program manager along with any instructions received  
21 from the account owner regarding investment selections.

22 §3100.24. Program manager; responsibilities

23 The program manager shall, at a minimum, do the following:

24 (1) Offer account owners a selection of investment options that shall include  
25 an option equivalent to fixed earnings as defined in R.S. 17:3082, 3092, and 3100.2  
26 that ensures the security of the principal and interest thereon and may include options  
27 for variable earnings as defined in R.S. 17:3082, 3092, and 3100.2.

28 (2) Administer accounts according to valid instructions from account  
29 owners.

1           (3) Collect and report data to the legislative auditor for purposes of audits.

2           (4) Provide annual account owner statements.

3           (5) Provide tax documents to each account owner relative to his account,  
4 including information on deposits for the previous calendar year and deposit totals  
5 over time.

6           (6) Provide annual reporting of disbursements for expenses that do not meet  
7 the definition of qualified disability expenses as defined in R.S. 17:3082, qualified  
8 higher education expenses as defined in R.S. 17:3092, or qualified education  
9 expenses as defined in R.S. 17:3100.2 to the Department of Revenue and the Internal  
10 Revenue Service.

11           (7) Provide rollover reporting to the authority.

12           (8) Provide quarterly reporting to the authority on the total number of  
13 accounts and total assets by account type, including the number of new accounts and  
14 the number of closed accounts.

15           (9) Provide annual reporting to the authority of investment performance by  
16 investment type.

17           (10) Enter into agreements with account owners' employers for payroll  
18 deduction deposits.

19           (11) Provide annual accounting to START account owners providing their  
20 progress in saving towards five years' of qualified higher education expenses as  
21 provided in R.S. 17:3095(E).

22           (12) Determine the fully funded account amount for START accounts as  
23 provided in 17:3096(D).

24           §3100.25. Notification of contract; presiding officers of the legislature and the state  
25 treasurer

26           The authority shall submit written notification to the speaker of the House of  
27 Representatives, the president of the Senate, and the state treasurer of the execution  
28 of a contract with a program manager within twenty-four hours following such  
29 execution.



1 Section 3. This Act shall become effective upon signature by the governor or, if not  
 2 signed by the governor, upon expiration of the time for bills to become law without signature  
 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 5 effective on the day following such approval.

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#### 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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HB 749 Re-Reengrossed

2026 Regular Session

Carver

**Abstract:** Authorizes the La. Tuition Trust Authority to contract with a program manager for the administration of the ABLE, START, and START K12 programs and the management of program accounts.

#### **ABLE, START, and START K12 programs, generally**

Present law provides for the ABLE program, the START program, and the START K12 program, all of which are savings account programs administered by the La. Tuition Trust Authority (LATTA), which is governed by the Bd. of Regents. Provides for the investment of account funds by the state treasurer. Provides that ABLE accounts funds are for qualified expenses of persons with disabilities and START and START K12 account funds are for qualified education expenses, all as defined by federal law. Proposed law authorizes LATTA to contract with a program manager for the administration of accounts and the investment of account funds.

#### **LATTA**

Present law provides for LATTA's powers and duties with respect to account administration, including:

- (1) The requirement that it provide by rule for the determination of the rate of interest to be paid on accounts at the close of a calendar year. Proposed law applies this requirement until the date of the execution of a contract with a program manager.
- (2) The authorization to make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise of its powers and duties. Proposed law specifies that such contracts include those for the administration of accounts and investment of account funds in accordance with federal law, present law, and proposed law.
- (3) For START accounts, the requirement that LATTA guarantee payment of the redemption value of an account in which the deposits and interest are invested in fixed earnings. Proposed law applies this requirement until the date of execution of a contract with a program manager as provided in proposed law.

**La. Education Tuition and Savings Fund**

Present law provides for the La. Education Tuition and Savings Fund ("Tuition and Savings Fund") which contains account funds. Provides for a subaccount within the fund, the Savings Enhancement Fund, which contains monies appropriated by the legislature to fund earnings enhancements for START accounts. Proposed law provides:

- (1) Beginning on the date of the execution of a contract between LATTA and a program manager, monies in ABLE, START, and START K12 accounts as contained in the Tuition and Savings Fund may be administered by the program manager.
- (2) On the date of the execution of a contract between LATTA and a program manager, monies in ABLE, START, and START K12 accounts as contained in the Tuition and Savings Fund shall be transferred to the program manager, except for the contents of the Savings Enhancement Fund, which shall continue to be subject to present law, including provisions relative to investment by the treasurer.

Present law requires the following:

- (1) The treasurer to determine and report to LATTA the total earnings and rate of return achieved on the Tuition and Savings Fund.
- (2) LATTA to establish the rate of interest to be applied to the accumulated principal and interest in accounts, subject to approval by the treasurer.
- (3) LATTA to calculate and credit the appropriate amount of interest earnings to each such account prior to the close of the calendar year.

Proposed law applies the above requirements the date of the execution of a contract with a program manager.

Present law provides for the Variable Earnings Transaction Fund, a subaccount within the Tuition and Savings Fund that receives earnings funds as provided in present law for START and START K12 accounts. Proposed law specifies that this subaccount is to be maintained by the state treasurer until the date of the execution of a contract between LATTA and a program manager.

**Implementation**

Proposed law requires LATTA and the state treasurer to coordinate the transfer of information necessary for the transfer of ABLE, START, and START K12 accounts to the program manager and the implementation of all other proposed law.

**Notification**

Proposed law requires LATTA to submit written notification to the speaker of the House of Representatives, the president of the Senate, and the state treasurer of the execution of a contract with a program manager within 24 hours following such execution.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3084(A)(14), 3085(3), 3086, 3092(13) and (14), 3093(C)(3) and (D)(1)(f), 3095(A)(4) and (E)(2), 3100.2(12) and (13), 3100.3(B)(3) and (C)(1)(f), and 3100.5(A)(4); Adds R.S. 17:3090(E), 3099(I) and (J), 3100.5(G), 3100.8(I) and (J), 3100.21-3100.26, and R.S. 17:3129.4(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Change timing of provisions in proposed law from Dec. 31, 2026, or the date of execution of a contract with a program manager, whichever occurs later, to the date of execution of a contract with a program manager.