

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 54

BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

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

WHEREAS, the Achieving a Better Life Experience Act, also known as the ABLE Act, has been introduced as S. 313 and H.R. 647 in the One Hundred Thirteenth United States Congress; and

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tax-advantaged savings accounts known as "ABLE accounts" for persons with disabilities and provide that funds may be withdrawn from such accounts to cover costs of health care, employment support, housing, transportation, assistive technology, and lifelong education for those persons;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

WHEREAS, ABLE accounts would be subject to the same tax treatment as the popular education savings accounts commonly called "529 plans", as they would be created in the same section (Section 529) of the Internal Revenue Code; and

WHEREAS, the ABLE Act would create 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, a vital component of the ABLE Act is a provision which 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 would thereby not jeopardize a person's eligibility for programs such as Medicaid and the Supplemental Nutrition Assistance Program (formerly known as food stamps), the asset limits of which currently force low-income persons into the difficult decision of whether to spend what resources they may have down to two thousand dollars in most cases in order to become eligible for needed assistance; and

WHEREAS, the ABLE Act includes a fiscal safeguard for states by providing that if the ABLE account beneficiary dies or their disability ceases and assets remain in the account, the assets will be distributed first 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 by providing that every citizen living with a disability has the opportunity to attain independence and an improved quality of life, promotes important values that our nation holds dear.

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

PRESIDENT OF THE SENATE