

HOUSE No. 1213

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act creating a child savings program.

PETITION OF:

NAME:

Sean Garballey

DISTRICT/ADDRESS:

23rd Middlesex

HOUSE No. 1213

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 1213) of Sean Garballey for legislation to direct the Massachusetts Educational Financing Authority to establish a college savings program for each eligible child born and issued a birth certificate in the Commonwealth. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act creating a child savings program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 15C of the General Laws, as appearing in the 2016 Official
2 Edition, is hereby amended by inserting after section 14B the following new section:-

3 Section 14C. Massachusetts Child Savings Account Program

4 (a) The Massachusetts Educational Financing Authority shall establish a college savings
5 program known as the Massachusetts Child Savings Account Program.

6 (1) The Massachusetts Education Financing Authority shall create a college savings
7 account for each eligible child born and issued a birth certificate in the commonwealth.

8 (2) Upon establishment of a college savings account, the commonwealth shall deposit
9 \$250 into the account.

10 (3) For accounts where a child’s parent or guardian is eligible for the Earned Income Tax
11 Credit, the commonwealth shall match the amount deposited in the account by a child’s parent or
12 guardian on a dollar-to-dollar basis; provided, however, that the commonwealth shall deposit no
13 more than \$250 in matching funds per account per year.

14 (4) Deposits to an account may be made by the accountholder, a family member of the
15 accountholder, and a private or public entity.

16 (5) No withdrawals shall be made from an account until the accountholder is 18 years of
17 age or has enrolled full-time in post-secondary education program, including a college,
18 university, vocational school, or a two or four-year degree program from an accredited
19 educational institution.

20 (6) A withdrawal from an account shall only be permitted for qualifying post-secondary
21 education expenses, including, but not limited to, tuition, mandatory fees, books, supplies or
22 equipment required for enrollment or attendance, or any other necessary cost of attending school,
23 including living expenses and travel to and from the post-secondary education program.

24 (7) A withdrawal from an account must be made prior to the accountholder attaining the
25 age of 29; provided, however, that the age limitation shall be increased by each year an
26 accountholder serves in a national service program, including the United States Military or Peace
27 Corps.

28 (8) Undisbursed funds in an account when an accountholder reaches the age of 29 or
29 receives a certificate of completion from a post-secondary educational institution shall be
30 returned to their source; provided, further, that any funds contributed by the commonwealth will
31 revert to General Fund.

32 (9) The manager of the accounts shall distribute financial education information and
33 contact information for local service providers that can assist with financial education coaching,
34 where available, to children participating in the program.

35 (10) Funds in a college savings account under this act shall not be counted as income or
36 assets under chapter 117A.

37 (b) The Massachusetts Educational Financing Authority, in coordination with the state
38 treasurer, shall identify a public or private manager of the accounts. Any private manager of the
39 accounts shall be a statewide not-for-profit 501(c)(3) organization, approved by the Internal
40 Revenue Service, with demonstrated success in managing state and federal funding of similar
41 products in a network configuration with community-based nonprofit organizations, community
42 development corporations, faith-based organizations, state housing authorities, and similar
43 organizations. The manager shall have fiduciary responsibility for the accounts.

44 (c) The Massachusetts Education Financing Authority shall file an annual report
45 detailing the status and operation of the program and management of the accounts with the chairs
46 of the joint committee on higher education and the clerks of the senate and house of
47 representatives not later than October 1.