

118TH CONGRESS
2D SESSION

H. R. 9764

To amend the Internal Revenue Code of 1986 to allow additional catch-up contributions for certain family caregivers.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2024

Ms. PETTERSEN (for herself and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow additional catch-up contributions for certain family caregivers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Catching Up Family
5 Caregivers Act of 2024”.

6 **SEC. 2. ADDITIONAL CATCH-UP CONTRIBUTIONS FOR CER-**
7 **TAIN FAMILY CAREGIVERS.**

8 (a) I GENERAL.—Subparagraph (A) of section
9 414(v)(5) of the Internal Revenue Code of 1986 is amend-
10 ed—

1 (1) by striking “who would” and inserting
2 “who—
3 “(i) would”,
4 (2) by adding “or” at the end, and
5 (3) by adding at the end the following new
6 clause:

7 “(ii) is a qualified family caregiver for
8 the taxable year.”.

9 (b) QUALIFIED FAMILY CAREGIVER.—Paragraph (6)
10 of section 414(v) of the Internal Revenue Code of 1986
11 is amended by adding at the end the following new sub-
12 paragraphs:

13 “(D) QUALIFIED FAMILY CAREGIVER.—

14 “(i) IN GENERAL.—Except as pro-
15 vided in clause (ii), the term ‘qualified
16 family caregiver’ means an individual
17 who—

18 “(I) has completed 500 or more
19 hours as a family caregiver during the
20 taxable year or any 1 previous taxable
21 year, and

22 “(II) during the same taxable
23 year, has completed fewer than 500
24 hours of paid employment (including
25 self-employment).

1 “(ii) LIMITATION.—An individual
2 shall be treated as a qualified family care-
3 giver for not more than a total of, consecu-
4 tively or nonconsecutively, the lesser of—

5 “(I) 1 taxable year for each tax-
6 able year during which such individual
7 met the requirements of subclauses
8 (I) and (II) of clause (i), or

9 “(II) 5 taxable years.

10 “(iii) FAMILY CAREGIVER.—The term
11 ‘family caregiver’ means an unpaid family
12 member, a foster parent, or another un-
13 paid adult, who is unemployed or severely
14 underemployed (as determined by the Sec-
15 retary) and who provides in-home care,
16 monitoring, management, supervision, or
17 treatment of—

18 “(I) a child, or

19 “(II) an adult with a special need
20 (as defined in section 2901 of the
21 Public Health Service Act), including
22 an elderly adult who requires care or
23 supervision due to an age-related con-
24 dition.

1 “(iv) HOURS.—An individual shall be
2 treated as serving as a family caregiver
3 during the hours in which the individual is
4 engaged in caregiving tasks including as-
5 sistance with bathing or grooming, dress-
6 ing, laundry, food shopping or preparation,
7 housekeeping, managing medications,
8 transportation, and mobility assistance.

9 “(v) PLAN RELIANCE ON SELF-
10 TIFICATION.—An applicable employer plan
11 is entitled to rely on the written represen-
12 tation of an individual that the individual
13 was a qualified family caregiver for a tax-
14 able year.

15 “(E) APPLICABLE DOLLAR AMOUNT FOR
16 QUALIFIED FAMILY CAREGIVERS.—An indi-
17 vidual who is an eligible participant for the tax-
18 able year by reason of being a qualified family
19 caregiver shall be treated for purposes of para-
20 graph (2) in the same manner as an eligible
21 participant who would attain age 60 but would
22 not attain age 64 before the close of the taxable
23 year.”.

24 (c) IRA CATCH-UP CONTRIBUTIONS.—Clause (i) of
25 section 219(b)(5)(B) of the Internal Revenue Code of

1 1986 is amended by striking “who has attained the age
2 of 50 before the close of the taxable year, the deductible
3 amount” and inserting “who—

4 “(I) has attained the age of 50
5 before the close of the taxable year, or

6 “(II) is a qualified family care-
7 giver (as defined in section
8 414(v)(6)(D)) for the taxable year,
9 the deductible amount”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to taxable years beginning after
12 December 31, 2024.

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