

ABLE ACCOUNT ALLIANCE OFFICE

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer Dailey-Provost

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Achieving a Better Life Experience (ABLE) Program.

Highlighted Provisions:

This bill:

► modifies provisions of the ABLE program, which has the effect of requiring the Department of Workforce Services to administer a state ABLE program or partner with another state to provide access to that state's ABLE program; and

► makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-12-201, as last amended by Laws of Utah 2017, Chapter 222

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **35A-12-201** is amended to read:

35A-12-201. Creation of program.

(1) There is created the state Achieving a Better Life Experience Program.



- 28 (2) The department shall do one of the following:
- 29 (a) administer the state Achieving a Better Life Experience Program in compliance
- 30 with:
- 31 (i) 26 U.S.C. Sec. 529A; and
- 32 (ii) regulations, if any, issued by the United States Department of the Treasury; or
- 33 (b) enter into a contract with a state that maintains a qualified ABLE program to
- 34 provide Utah residents access to that state's qualified ABLE program[~~;~~~~or~~].
- 35 [~~(c) inform eligible individuals and parents or legal guardians of eligible individuals~~
- 36 ~~about qualified ABLE programs offered by other states to which Utah residents may apply.]~~
- 37 (3) This chapter may not be interpreted to:
- 38 (a) authorize or provide a disability-related service to an eligible individual;
- 39 (b) be a factor in establishing residency; or
- 40 (c) provide that contributions made into an account are sufficient to cover the qualified
- 41 disability expenses of an eligible individual.
- 42 (4) An account is not insured or guaranteed by the state.
- 43 (5) The state does not guarantee the rate or payment of interest or other return on an
- 44 account.