

119TH CONGRESS
1ST SESSION

S. _____

To amend the Internal Revenue Code of 1986 to make certain provisions with respect to qualified ABLE programs permanent.

IN THE SENATE OF THE UNITED STATES

Mr. SCHMITT (for himself and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Internal Revenue Code of 1986 to make certain provisions with respect to qualified ABLE programs permanent.

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 “Ensuring Nationwide
5 Access to a Better Life Experience Act” or the “ENABLE
6 Act”.

1 **SEC. 2. PERMANENT EXTENSION OF INCREASED CON-**
2 **TRIBUTIONS TO ABLE ACCOUNTS.**

3 (a) IN GENERAL.—Section 529A(b)(2)(B)(ii) of the
4 Internal Revenue Code of 1986 is amended by striking
5 “before January 1, 2026”.

6 (b) ALLOWANCE OF SAVERS CREDIT.—

7 (1) IN GENERAL.—Section 25B(d)(1) of the In-
8 ternal Revenue Code of 1986 is amended to read as
9 follows:

10 “(1) IN GENERAL.—The term ‘qualified retire-
11 ment savings contributions’ means, with respect to
12 any taxable year, the sum of—

13 “(A) the amount of contributions made by
14 the eligible individual during such taxable year
15 to the ABLE account (within the meaning of
16 section 529A) of which such individual is the el-
17 igible beneficiary, and

18 “(B) in the case of any taxable year begin-
19 ning before January 1, 2027—

20 “(i) the amount of the qualified retire-
21 ment contributions (as defined in section
22 219(e)) made by the eligible individual,

23 “(ii) the amount of—

24 “(I) any elective deferrals (as de-
25 fined in section 402(g)(3)) of such in-
26 dividual, and

1 “(II) any elective deferral of com-
2 pensation by such individual under an
3 eligible deferred compensation plan
4 (as defined in section 457(b)) of an
5 eligible employer described in section
6 457(e)(1)(A), and

7 “(iii) the amount of voluntary em-
8 ployee contributions by such individual to
9 any qualified retirement plan (as defined
10 in section 4974(c)).”.

11 (2) COORDINATION WITH SECURE 2.0 ACT OF
12 2022 AMENDMENT.—Paragraph (1) of section 103(e)
13 of the SECURE 2.0 Act of 2022 is repealed, and
14 the Internal Revenue Code of 1986 shall be applied
15 and administered as though such paragraph were
16 never enacted.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall apply to taxable years ending after the
19 date of the enactment of this Act.

20 **SEC. 3. PERMANENT EXTENSION OF ROLLOVERS TO ABLE**
21 **PROGRAMS FROM 529 PROGRAMS.**

22 (a) IN GENERAL.—Section 529(c)(3)(C)(i)(III) of
23 the Internal Revenue Code of 1986 is amended by striking
24 “before January 1, 2026,”.

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 this section shall apply to distributions made after the
3 date of the enactment of this Act.