

114TH CONGRESS  
2D SESSION

# H. R. 4794

To amend the Internal Revenue Code of 1986 to allow rollovers between  
529 programs and ABLE accounts.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2016

Mr. CRENSHAW (for himself, Mr. VAN HOLLEN, Mrs. McMORRIS RODGERS,  
and Mr. SESSIONS) introduced the following bill; which was referred to  
the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow  
rollovers between 529 programs and ABLE accounts.

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 “ABLE Financial Plan-  
5 ning Act”.

6 **SEC. 2. ROLLOVERS TO ABLE PROGRAMS FROM 529 PRO-**  
7 **GRAMS.**

8 (a) IN GENERAL.—Clause (i) of section 529(c)(3)(C)  
9 of the Internal Revenue Code of 1986 is amended by strik-  
10 ing “or” at the end of subclause (I), by striking the period

1 at the end of subclause (II) and inserting “, or”, and by  
2 adding at the end the following:

3 “(III) to an ABLE account (as  
4 defined in section 529A(e)(6)) of the  
5 designated beneficiary or a member of  
6 the family of the designated bene-  
7 ficiary.

8 Subclause (III) shall not apply to so much  
9 of a distribution which, when added to all  
10 other contributions made to the ABLE ac-  
11 count for the taxable year, exceeds the lim-  
12 itation under section 529A(b)(2)(B).”.

13 (b) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply to distributions after the date of  
15 the enactment of this Act.

16 **SEC. 3. ROLLOVERS TO 529 PROGRAMS FROM ABLE AC-**  
17 **COUNTS.**

18 (a) IN GENERAL.—Clause (i) of section  
19 529A(c)(1)(C) of the Internal Revenue Code of 1986 is  
20 amended—

21 (1) by striking “such payment or distribution,  
22 into another” and inserting “such payment or dis-  
23 tribution—”

24 “(I) into another”,

1           (2) by striking the period at the end and insert-  
2           ing “, or”, and

3           (3) by adding at the end the following new  
4           clause:

5                                 “(II) to a qualified tuition pro-  
6                                 gram (as defined in section 529(b))  
7                                 for the benefit of the same designated  
8                                 beneficiary or a member of the family  
9                                 of such designated beneficiary.”.

10          (b) **EFFECTIVE DATE.**—The amendments made by  
11 this section shall apply to distributions after the date of  
12 the enactment of this Act.

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