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Budget and Taxation Committee  
Chair, Capital Budget Subcommittee

Chair, Senate Democratic Caucus

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Craig J. Zucker**  
**Senate Bill 343 – ABLE Act – Maryland Achieving a Better Life Experience Program –**  
**Account Establishment – Procedure**  
**Health and Government Operations**  
**March 17, 2023**  
**1:00 PM**  
**Position: FAV with Amendments**

Good afternoon, Chairman Feldman, Vice Chair Kagan, and distinguished members of the committee. It is my pleasure to testify today in support of **Senate Bill 343 – ABLE Act – Maryland Achieving a Better Life Experience Program.**

Maryland ABLE is a tax-free savings account for the purpose of covering eligible qualified expenses associated with living with a disability. Senate Bill 343 seeks to adopt the federal regulations by the Internal Revenue Service (IRS) into Maryland statute that clarify the “eligible individuals” that can establish and operate an ABLE account. The eligible individuals are:

- 1) The eligible individual themselves;
- 2) A person selected by the eligible individual;
- 3) The eligible individual’s agent under a Power of Attorney; or
- 4) If the individual does not have power of attorney, in the following order, the eligible individual’s:
  - a. Conservator or legal guardian;
  - b. Spouse;
  - c. Parent;
  - d. Sibling;
  - e. Grandparent; or
  - f. Representative payee appointed by SSA (Social Security Administration).

By aligning Maryland’s ABLE Act with federal regulations, the Maryland 529 Board will be able to establish and operate ABLE accounts and designated beneficiaries more clearly. The one amendment moved the effective date of October to June.

Senate Bill 343 was unanimously voted favorably in the Senate. For these reasons, I urge a favorable report on Senate Bill 343. Thank you for your time and consideration.