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# Wisconsin Legislative Council

## ACT MEMO

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February 18, 2022

### 2021 Wisconsin Act 119 [Senate Bill 158]

### Section 529A ABLE Savings Account Program Study

2021 Wisconsin Act 119 requires the Department of Financial Institutions (DFI) to conduct a study to examine the advantages and disadvantages of establishing a Wisconsin ABLE program for this state's residents. The study is to consider whether DFI establishes and administers the ABLE program itself, or enters into an agreement with another state, or with an entity representing an alliance of states, to establish and administer the ABLE program. DFI must include a review and evaluation of the following in the study:

- ABLE programs offered directly or indirectly by other states;
- The account activity of this state's residents under ABLE programs offered by other states in comparison with the account activity of other states' residents;
- The potential costs of establishing a Wisconsin ABLE program under the identified options;
- Legislative changes required in order to implement a Wisconsin ABLE program under the identified options; and
- The impact of establishing a Wisconsin ABLE program, under the identified options, on all of the following:
  - Wisconsin residents' choice of ABLE programs;
  - Tax benefits available to Wisconsin residents in connection with ABLE programs; and
  - Account fees imposed on Wisconsin residents in connection with ABLE programs.

The study must be completed by the first day of the seventh month beginning after the effective date of the act (September 1, 2022). Upon completion, a report must be submitted to the appropriate standing committees of the Legislature that addresses the matters identified above and includes DFI's findings and recommendations regarding the study.

**Effective date:** February 6, 2021

DWS:ksm