

CHAPTER 107  
FORMERLY  
HOUSE BILL NO. 145

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ACHIEVING A BETTER LIFE EXPERIENCE SAVINGS ACCOUNTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 96A, Title 16 of the Delaware Code as follows:

§ 9607A. Treatment of accounts.

(a) Accounts established pursuant to this chapter or another state's ABLE program shall not be included in determining asset eligibility of the designated beneficiary for state or local assistance programs.

(b) Unless prohibited by federal law, upon the death of a designated beneficiary, proceeds from an account may be transferred to the estate of a designated beneficiary, or to an account for another eligible individual specified by the designated beneficiary or the estate of the designated beneficiary.

(c) Upon the death of a designated beneficiary, no agency or instrumentality of the State shall seek payment under § 529A9(f) of the Internal Revenue Code from the account or its proceeds for benefits provided to a designated beneficiary.

Approved July 28, 2017