

---

## OLR Bill Analysis

sHB 7107 (as amended by House "A")\*

### ***AN ACT CONCERNING A JANITORIAL WORK PROGRAM FOR PERSONS WITH A DISABILITY OR DISADVANTAGE AND A TASK FORCE TO STUDY EXPANDING GOVERNMENTAL EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES.***

#### **SUMMARY**

This bill (1) establishes a task force to study expanding governmental job opportunities for people with disabilities; (2) makes changes to Connecticut's Achieving a Better Life (ABLE) program (see BACKGROUND); and (3) transfers, from the Department of Aging and Disability Services (ADS) to the Department of Motor Vehicles (DMV), a unit responsible for people with disabilities' driver training and evaluation.

\*House Amendment "A" replaces the underlying bill and (1) modifies the membership and reporting requirements of the underlying bill's task force to study governmental job opportunities and (2) adds the provisions on (a) the ABLE program and (b) driver training and evaluation.

EFFECTIVE DATE: Upon passage, except the provision transferring the driver training unit to DMV is effective July 1, 2025.

#### **§ 1 — GOVERNMENTAL EMPLOYMENT OPPORTUNITIES TASK FORCE**

The bill establishes a 13-member task force to study expanding governmental job opportunities for people with disabilities. The study must include best practices nationwide for governmental employment programs for people with disabilities and the costs and benefits of adopting these programs in Connecticut.

Under the bill, the task force must report its findings and recommendations to the Government Administration and Elections,

Human Services, Higher Education, Judiciary, Labor, and Public Health committees by January 1, 2027. The task force terminates on this date or when it submits the report, whichever is later.

***Membership***

Under the bill, task force members include the following seven state officials or their designees: the administrative services, aging and disability services, and developmental services commissioners, Connecticut Council on Developmental Disabilities chairperson, Office of Policy and Management secretary, judicial branch chief court administrator, and Connecticut State Colleges and Universities chancellor. An additional six members must be appointed as follows:

1. one member with expertise in employment for people with disabilities appointed by the House speaker;
2. one member with expertise in challenges for people with disabilities in gaining employment appointed by the Senate president pro tempore;
3. one member representing an organization for community nonprofit contractors who employ people with disabilities appointed by the House majority leader;
4. one member who is a current or past participant in the Department of Administrative Service's janitorial work program appointed by the Senate majority leader;
5. one member representing an advocacy organization for people with intellectual and developmental disabilities appointed by the House minority leader; and
6. one member appointed by the Senate minority leader.

The bill requires appointing authorities to make their initial appointments within 30 days after the bill's passage and fill any vacancies. Appointed members may be legislators.

***Leadership and Meetings***

Under the bill, the House speaker and Senate president pro tempore must select the task force chairpersons from among its members, who must schedule and hold the task force's first meeting within 60 days after the bill's passage.

The bill requires the Human Services Committee's administrative staff to serve in this capacity for the task force.

**§§ 2-7 — ABLE PROGRAM**

The bill makes various changes to Connecticut's ABLE program. Specifically, the bill:

1. changes who is eligible to open an ABLE account to align with federal law;
2. allows the state treasurer, who administers the ABLE program, to pay fees associated with administering individual ABLE accounts; and
3. disregards, to the extent federal law allows, ABLE accounts in all means-tested public assistance programs administered by the state or its political subdivisions, rather than only specific programs listed in current law.

The bill also updates references to federal ABLE statutes and regulations in Connecticut's statutes to ensure (1) Connecticut's definitions related to program participants and eligibility align with federal criteria and (2) any future federal changes are automatically incorporated into state statute. It also makes minor, technical, and conforming changes to Connecticut's ABLE statutes.

***Expanded Eligibility***

Under current state and federal law, a person who receives Social Security disability benefits and has certified his or her disability in the given tax year is eligible to participate in the ABLE program so long as the person's disability occurred before age 26. Effective January 1, 2026, federal law is scheduled to expand ABLE program eligibility to people

whose disability occurred before age 46. The bill aligns Connecticut's statutory definition of "eligible individual" with the federal definition, effectively expanding eligibility for the state's program starting in 2026 and automatically incorporating any future eligibility changes enacted under federal law in the state's program.

### ***Authorized Individuals***

The bill replaces references to "depositors" with references to "authorized individuals," to conform with federal law. Under current state law, a depositor is someone making a deposit into an ABLE account under a participation agreement (i.e. the agreement between the trust and depositor to benefit a designated beneficiary). The bill instead references "authorized individuals," defined as the people or entities authorized under (1) federal law to establish an ABLE account on an eligible individual's behalf and (2) the state's qualified ABLE program to establish an ABLE account or act on its designated beneficiary's behalf.

Under federal regulations and current state law, an ABLE account may be established by the eligible individual or a person he or she chooses. If the eligible individual is unable to establish his or her own account, their agent, under a power of attorney, or their conservator or legal guardian, spouse, parent, sibling, grandparent, or representative payee appointed for them by the Social Security Administration, in that order, can establish the account (26 CFR 1.529A-2(c)).

### ***Income Disregards***

To the extent allowed by federal law, the bill requires any funds invested in, contributed to, or distributed from an ABLE account to be disregarded when determining an individual's eligibility for assistance under any means-tested public assistance program administered by the state or its political subdivisions. Under current law, these funds are disregarded only for the following federally funded assistance or benefit programs:

1. the Temporary Family Assistance program;

2. programs funded under the federal Low Income Home Energy Assistance Program;
3. the state-administered general assistance program (SAGA);
4. the optional State Supplement Program, to the extent the federal Supplemental Security Income program allows; and
5. any other federally funded assistance or benefit program, including the state's medical assistance programs (i.e. HUSKY and Medicaid).

## **§ 8 — DRIVER TRAINING AND EVALUATION FOR PEOPLE WITH DISABILITIES**

The bill transfers, from ADS to DMV, a unit responsible for people with disabilities' driver training and evaluation. It correspondingly repeals a process in current law for ADS to certify with DMV a person with disabilities' driver training completion and recommend any license restrictions or limitations.

Additionally, under existing law, staff working in the unit, while engaged in driver instruction or evaluation, have the same authority and immunity with respect to these activities as motor vehicle inspectors. The bill extends this authority and immunity to unit staff while examining people with disabilities' driving ability.

## **BACKGROUND**

### ***ABLE Program***

The federal ABLE Act allows states to establish their own ABLE programs to (1) encourage individuals and families to save money to support individuals with disabilities to maintain health, independence, and quality of life and (2) provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will supplement, but not replace, benefits provided through private insurance, Medicaid, and other sources. Eligible people living with a disability or blindness, or their families, may establish and contribute to accounts. Funds in the accounts may be spent on qualified disability expenses, including education, housing, and transportation.

***Related Bill***

sSB 1476, as amended by Senate “A” and passed by the Senate, contains identical provisions regarding the ABLE program.

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea 17      Nay 5      (03/18/2025)