



General Assembly

Amendment

January Session, 2025

LCO No. 9604



Offered by:
REP. GILCHREST, 18th Dist.

To: Subst. House Bill No. 7107

File No. 469

Cal. No. 299

"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."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) There is established a task force
4 to study expanding governmental employment opportunities for
5 persons with disabilities. The task force shall study best practices
6 nationwide for governmental employment programs for persons with
7 disabilities and costs and benefits of adopting such programs in the
8 state.

9 (b) The task force shall consist of the following members:

10 (1) One appointed by the speaker of the House of Representatives,
11 who has expertise in employment for persons with disabilities;

12 (2) One appointed by the president pro tempore of the Senate, who

13 has expertise in challenges facing persons with disabilities in gaining
14 access to employment;

15 (3) One appointed by the majority leader of the House of
16 Representatives, who is a representative of an organization representing
17 community nonprofit contractors who employ persons with disabilities;

18 (4) One appointed by the majority leader of the Senate, who is a
19 current or past participant in the janitorial work program administered
20 by the Commissioner of Administrative Services pursuant to section 4a-
21 82 of the general statutes;

22 (5) One appointed by the minority leader of the House of
23 Representatives, who is a representative of an advocacy organization
24 serving persons with intellectual and developmental disabilities;

25 (6) One appointed by the minority leader of the Senate;

26 (7) The Commissioner of Administrative Services, or the
27 commissioner's designee;

28 (8) The chairperson of the Connecticut Council on Developmental
29 Disabilities, or the chairperson's designee;

30 (9) The Commissioner of Developmental Services, or the
31 commissioner's designee;

32 (10) The Secretary of the Office of Policy and Management, or the
33 secretary's designee;

34 (11) The Commissioner of Aging and Disabilities Services, or the
35 commissioner's designee;

36 (12) The Chief Court Administrator of the Judicial Branch, or the
37 Chief Court Administrator's designee; and

38 (13) The chancellor of the Connecticut State Colleges and
39 Universities, or the chancellor's designee.

40 (c) Any member of the task force appointed under subdivision (1),
41 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
42 of the General Assembly.

43 (d) All initial appointments to the task force shall be made not later
44 than thirty days after the effective date of this section. Any vacancy shall
45 be filled by the appointing authority.

46 (e) The speaker of the House of Representatives and the president pro
47 tempore of the Senate shall select the chairpersons of the task force from
48 among the members of the task force. Such chairpersons shall schedule
49 the first meeting of the task force, which shall be held not later than sixty
50 days after the effective date of this section.

51 (f) The administrative staff of the joint standing committee of the
52 General Assembly having cognizance of matters relating to human
53 services shall serve as administrative staff of the task force.

54 (g) Not later than January 1, 2027, the task force shall submit a report
55 on its findings and recommendations to the joint standing committees
56 of the General Assembly having cognizance of matters relating to
57 government administration and elections, higher education, human
58 services, the judiciary, labor and public health, in accordance with the
59 provisions of section 11-4a of the general statutes. The task force shall
60 terminate on the date that it submits such report or January 1, 2027,
61 whichever is later.

62 Sec. 2. Section 3-39j of the general statutes is repealed and the
63 following is substituted in lieu thereof (*Effective from passage*):

64 As used in this section and sections 3-39k to 3-39r, inclusive, as
65 amended by this act:

66 (1) "Achieving a better life experience account" or "ABLE account"
67 means an account established and maintained pursuant to sections 3-
68 39k to [3-39q] 3-39r, inclusive, as amended by this act, for the purposes
69 of paying the qualified disability expenses [related to the blindness or

70 disability] of a designated beneficiary.

71 (2) "Authorized individual" means an individual or entity who (A)
72 meets the requirements of 26 CFR 1.529A-2 to establish an ABLE account
73 on behalf of an eligible individual, and (B) is authorized by the state's
74 qualified ABLE program to establish or act on behalf of the designated
75 beneficiary with respect to an ABLE account.

76 ~~[(2)]~~ (3) "Deposit" means a deposit, payment, contribution, gift or
77 other transfer of funds.

78 [(3) "Depositor" means any person making a deposit into an ABLE
79 account pursuant to a participation agreement.]

80 (4) "Designated beneficiary" [means any eligible individual who is the
81 owner of an ABLE account established under a qualified ABLE
82 program] has the same meaning as provided in Section 529A.

83 [(5) "Disability certification" means, with respect to an individual, a
84 certification to the satisfaction of the Secretary of the Treasury of the
85 United States by the individual or the parent or guardian of the
86 individual or an individual establishing an ABLE account pursuant to
87 subsection (g) of section 3-39k that (A) certifies that (i) the individual has
88 a medically determinable physical or mental impairment, that results in
89 marked and severe functional limitations, and that can be expected to
90 result in death or that has lasted or can be expected to last for a
91 continuous period of not less than twelve months, or is blind within the
92 meaning of Section 1614(a)(2) of the Social Security Act, and (ii) such
93 impairment or blindness occurred before the date on which the
94 individual attained the age of twenty-six, and (B) includes a copy of the
95 individual's diagnosis relating to the individual's relevant impairment
96 or blindness that is signed by a physician who is licensed pursuant to
97 chapter 370 or, to the extent permitted by federal law, (i) an advanced
98 practice registered nurse who is licensed pursuant to chapter 378, (ii) a
99 physician assistant who is licensed pursuant to chapter 370, or (iii) if the
100 individual's impairment is blindness, an optometrist licensed pursuant

101 to chapter 380.]

102 [(6)] (5) "Eligible individual" [means an individual who is entitled to
103 benefits during a taxable year based on blindness or disability under
104 Title II or XVI of the Social Security Act, and such blindness or disability
105 occurred before the date on which the individual attained the age of
106 twenty-six, provided a disability certification or self-certification with
107 respect to such individual is filed with the State Treasurer for such
108 taxable year] has the same meaning as provided in Section 529A.

109 [(7) "Federal ABLE Act" means the federal ABLE Act of 2014, P.L. 113-
110 295, as amended from time to time.]

111 [(8)] (6) "Participation agreement" means an agreement between the
112 trust established pursuant to section 3-39k, as amended by this act, and
113 [depositors] a designated beneficiary or authorized individual that
114 provides for participation in an ABLE account for the benefit of a
115 designated beneficiary.

116 (7) "Qualified ABLE program" means any program established and
117 maintained pursuant to Section 529A.

118 [(9)] (8) "Qualified disability expenses" [means any expenses related
119 to an eligible individual's blindness or disability that are made for the
120 benefit of an eligible individual who is the designated beneficiary,
121 including the following expenses: Education, housing, transportation,
122 employment training and support, assistive technology and personal
123 support services, health, prevention and wellness, financial
124 management and administrative services, legal fees, expenses for
125 oversight and monitoring, funeral and burial expenses, and other
126 expenses that are approved by the Secretary of the Treasury of the
127 United States under regulations adopted by the Secretary pursuant to
128 the federal ABLE Act] has the same meaning as provided in Section
129 529A.

130 [(10) "Self-certification" means a certification, under penalty of
131 perjury, to the satisfaction of the Secretary of the Treasury of the United

132 States by an individual establishing an ABLE account that (A) certifies
133 that (i) the individual has a medically determinable physical or mental
134 impairment that results in marked and severe functional limitations and
135 that can be expected to result in death or that has lasted or can be
136 expected to last for a continuous period of not less than twelve months,
137 or is blind within the meaning of Section 1614(a)(2) of the Social Security
138 Act, (ii) such impairment or blindness occurred before the date on which
139 the individual attained the age of twenty-six, and (iii) the person
140 establishing the account is the individual who will be the designated
141 beneficiary of the account or is a person authorized to establish such
142 account under the provisions of subsection (g) of section 3-39k, and (B)
143 includes the applicable diagnostic code from those listed on Internal
144 Revenue Service Form 5498-QA identifying the individual's
145 impairment.]

146 (9) "Section 529A" means Section 529A of the Internal Revenue Code
147 of 1986, or any subsequent corresponding internal revenue code of the
148 United States, as amended from time to time, and the regulations
149 adopted thereunder by the United States Department of the Treasury
150 and the Internal Revenue Service, as amended from time to time.

151 Sec. 3. Section 3-39k of the general statutes is repealed and the
152 following is substituted in lieu thereof (*Effective from passage*):

153 (a) The State Treasurer (1) shall establish a qualified ABLE program
154 pursuant to [the federal ABLE Act] Section 529A and sections 3-39j to
155 [3-39q] 3-39r, inclusive, as amended by this act, and (2) may contract
156 with any state with a qualified ABLE program [established pursuant to
157 the federal ABLE Act] to provide residents of this state with access to
158 such state's program.

159 (b) (1) Under the program established pursuant to subdivision (1) of
160 subsection (a) of this section: (A) The State Treasurer shall administer
161 individual ABLE accounts to encourage and assist eligible individuals
162 and their families in saving [private] funds to provide support for
163 eligible individuals, (B) a person may make contributions to an

164 individual ABLE account to meet the qualified disability expenses of the
165 designated beneficiary of the account, and (C) the State Treasurer shall
166 designate a director of outreach for the ABLE program from among the
167 existing employees of the office of the State Treasurer, who shall
168 coordinate outreach and marketing efforts concerning ABLE accounts.

169 (2) For the purposes of such program, there is established within the
170 Office of the State Treasurer the Connecticut Achieving A Better Life
171 Experience Trust. The trust shall constitute an instrumentality of the
172 state and shall perform essential governmental functions, as provided
173 in sections 3-39j to [3-39q] 3-39r, inclusive, as amended by this act. The
174 trust shall receive and hold all payments and deposits intended for
175 ABLE accounts as well as gifts, bequests, endowments or federal, state
176 or local grants and any other funds from public or private sources and
177 all earnings, until disbursed in accordance with sections 3-39j to [3-39q]
178 3-39r, inclusive, as amended by this act.

179 (c) (1) The amounts on deposit in the trust shall not constitute
180 property of the state and the trust shall not be construed to be a
181 department, institution or agency of the state. Amounts on deposit in
182 the trust shall not be commingled with state funds and the state shall
183 have no claim to or against, or interest in, such amounts, except as
184 provided in subdivision (2) of this subsection. Any contract entered into
185 by, or any obligation of, the trust shall not constitute a debt or obligation
186 of the state and the state shall have no obligation to any designated
187 beneficiary or any other person on account of the trust and all amounts
188 obligated to be paid from the trust shall be limited to amounts available
189 for such obligation on deposit in the trust. The amounts on deposit in
190 the trust may only be disbursed in accordance with the provisions of
191 sections 3-39j to [3-39q] 3-39r, inclusive, as amended by this act.

192 (2) The trust shall continue in existence as long as it holds any
193 deposits or other funds or has any obligations and until its existence is
194 terminated by law, and upon termination of the trust, any unclaimed
195 assets of the trust shall [return to the state. Property of the trust shall] be
196 governed by section 3-61a.

197 (d) The State Treasurer shall be responsible for the receipt,
198 maintenance, administration, investment and disbursements of
199 amounts from the trust. The trust shall not receive deposits in any form
200 other than cash. No [depositor] authorized individual or designated
201 beneficiary may direct the investment of any contributions or amounts
202 held in the trust other than in the specific fund options provided for by
203 the trust and shall not direct investments in such specific fund options
204 more than two times in any calendar year. No interest, or portion of any
205 interest, in the program shall be used as security for a loan.

206 (e) A person may make deposits to an ABLE account to meet the
207 qualified disability expenses of the designated beneficiary of the
208 account, provided the trust and deposits meet the other requirements of
209 this section [, the federal ABLE Act and any regulations adopted
210 pursuant to the federal ABLE Act by the Secretary of the Treasury of the
211 United States] and Section 529A.

212 (f) On or before December 31, 2017, and annually thereafter, the State
213 Treasurer shall submit (1) in accordance with the provisions of
214 subsection (a) of section 3-37, a report to the Governor on the operations
215 of the trust, including the receipts, disbursements, assets, investments
216 and liabilities and administrative costs of the trust for the prior fiscal
217 year, and (2) in accordance with the provisions of section 11-4a, a report
218 on the trust and any contract entered into pursuant to subdivision (2) of
219 subsection (a) of this section to the joint standing committees of the
220 General Assembly having cognizance of matters relating to finance and
221 public health, and shall make such report available to each [depositor]
222 authorized individual and designated beneficiary. The report required
223 under subdivision (2) of this subsection shall include, but need not be
224 limited to: (A) The number of ABLE accounts; (B) the total amount of
225 contributions to such accounts; (C) the total amount and nature of
226 distributions from such accounts; and (D) a description of issues relating
227 to the abuse of such accounts, if any.

228 (g) An ABLE account may be established (1) by the eligible
229 individual, (2) by a person selected by the eligible individual, or (3) if

230 the eligible individual is unable to establish an ABLE account, [on behalf
231 of such individual by, in the following order: Such individual's agent
232 under a power of attorney, a conservator or legal guardian, spouse,
233 parent, sibling, grandparent, or a representative payee appointed for the
234 eligible individual by the Social Security Administration] by an
235 authorized individual.

236 Sec. 4. Section 3-39l of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective from passage*):

238 The State Treasurer, on behalf of the trust and for purposes of the
239 trust, may:

240 (1) Receive and invest moneys in the trust in any instruments,
241 obligations, securities or property in accordance with section 3-39m;

242 (2) Establish [consistent] terms for [each] the participation agreement
243 [bulk deposit, coupon or installment payments] and the administration
244 of ABLE accounts, including, but not limited to, (A) the method of
245 payment into an ABLE account by payroll deduction, transfer from bank
246 accounts or otherwise, (B) the termination, withdrawal or transfer of
247 payments under an ABLE account, including transfers to or from a
248 qualified ABLE program established by another state, [pursuant to the
249 federal ABLE Act,] (C) penalties for distributions not used [or made in
250 accordance with the federal ABLE Act] for qualified disability expenses,
251 and (D) the amount of any charges or fees to be assessed in connection
252 with the administration of the trust;

253 (3) Enter into one or more contractual agreements, including, but not
254 limited to, contracts for legal, actuarial, accounting, custodial, advisory,
255 management, administrative, advertising, marketing and consulting
256 services for the trust and pay for such services from the gains and
257 earnings of the trust;

258 (4) Procure insurance in connection with the trust's property, assets,
259 activities or deposits or contributions to the trust;

260 (5) Apply for, accept and expend gifts, grants or donations from
261 public or private sources to enable the Connecticut Achieving A Better
262 Life Experience Trust to carry out its objectives;

263 (6) Sue and be sued;

264 (7) Establish one or more funds within the trust and maintain
265 separate ABLE accounts for each designated beneficiary; [and]

266 (8) Pay for any fees associated with the administration of individual
267 ABLE accounts; and

268 ~~[(8)]~~ (9) Take any other action necessary to carry out the purposes of
269 sections 3-39j to [3-39q] 3-39r, inclusive, as amended by this act, and
270 incidental to the duties imposed on the State Treasurer pursuant to said
271 sections.

272 Sec. 5. Section 3-39p of the general statutes is repealed and the
273 following is substituted in lieu thereof (*Effective from passage*):

274 The state pledges to [depositors] authorized individuals, designated
275 beneficiaries and any party who enters into contracts with the trust,
276 pursuant to the provisions of sections 3-39j to [3-39q] 3-39r, inclusive, as
277 amended by this act, that the state will not limit or alter the rights under
278 said sections vested in the trust or contract with the trust until such
279 obligations are fully met and discharged and such contracts are fully
280 performed on the part of the trust, provided nothing in this section shall
281 preclude such limitation or alteration if adequate provision is made by
282 law for the protection of such [depositors] authorized individuals and
283 designated beneficiaries pursuant to the obligations of the trust or
284 parties who entered into such contracts with the trust. The trust, on
285 behalf of the state, may include a description of such pledge and
286 undertaking for the state in participation agreements and such other
287 obligations or contracts.

288 Sec. 6. Section 3-39q of the general statutes is repealed and the
289 following is substituted in lieu thereof (*Effective from passage*):

290 The State Treasurer shall take any action necessary to ensure that the
291 trust complies with all applicable requirements of state and federal laws,
292 rules and regulations to the extent necessary for the trust to constitute a
293 qualified ABLE program and be exempt from taxation under [the
294 federal ABLE Act, and any regulations adopted pursuant to the federal
295 ABLE Act by the Secretary of the Treasury of the United States] Section
296 529A.

297 Sec. 7. Section 3-39r of the general statutes is repealed and the
298 following is substituted in lieu thereof (*Effective from passage*):

299 (a) Notwithstanding any provision of the general statutes, to the
300 extent permissible under federal law, moneys invested in an individual
301 ABLE account, contributions to an individual ABLE account and
302 distributions for qualified disability expenses pursuant to sections 3-39j
303 to 3-39q, inclusive, as amended by this act, shall be disregarded for
304 purposes of determining an individual's eligibility for assistance under
305 [the (1) temporary family assistance program, as described in section
306 17b-112, (2) programs funded under the federal Low Income Home
307 Energy Assistance Program block grant, (3) the state-administered
308 general assistance program, as described in section 17b-191, (4) the
309 optional state supplementation program, as described in section 17b-
310 600, to the extent such invested moneys, contributions and distributions
311 may be disregarded under the federal Supplemental Security Income
312 Program, and (5) any other federally funded assistance or benefit
313 program, including, but not limited to, the state's medical assistance
314 program, whenever such program requires consideration of one or
315 more financial circumstances of an individual for the purpose of
316 determining the individual's eligibility to receive any assistance or
317 benefit or the amount of any assistance or benefit] any means-tested
318 public assistance program administered by the state or any political
319 subdivision of the state.

320 (b) Notwithstanding any provision of the general statutes, no moneys
321 invested in the ABLE accounts shall be considered to be an asset for
322 purposes of determining an individual's eligibility for need-based,

323 institutional aid grants offered to an individual at the public eligible
324 educational institutions in the state.

325 Sec. 8. Section 14-11b of the general statutes is repealed and the
326 following is substituted in lieu thereof (*Effective July 1, 2025*):

327 (a) There shall be within the Department of [Aging and Disability
328 Services] Motor Vehicles a unit for the purpose of evaluating and
329 training persons with disabilities in the operation of motor vehicles.
330 There shall be assigned to the driver training unit for persons with
331 disabilities such staff as is necessary for the orderly administration of
332 the driver training program for persons with disabilities. The personnel
333 assigned to the driver training unit for persons with disabilities shall,
334 while engaged in the evaluation, [or] instruction or examination of a
335 person with disabilities, have the authority and immunities with respect
336 to such activities as are granted under the general statutes to motor
337 vehicle inspectors. [The] Said Commissioner of Motor Vehicles may
338 permit a person whose license has been withdrawn as a result of a
339 condition that makes such person eligible for evaluation and training
340 under this section to operate a motor vehicle while accompanied by
341 personnel assigned to the driver training unit for persons with
342 disabilities. [When a person with disabilities has successfully completed
343 the driver training program for persons with disabilities, the
344 Department of Aging and Disability Services shall certify such
345 completion in writing to the Commissioner of Motor Vehicles and shall
346 recommend any license restrictions or limitations to be placed on the
347 license of such person. The Commissioner of Motor Vehicles may accept
348 such certification in lieu of the driving skills portion of the examination
349 prescribed under subsection (e) of section 14-36. If such person with
350 disabilities has met all other requirements for obtaining a license, the
351 Commissioner of Motor Vehicles shall issue a license with such
352 restrictions recommended by the Department of Aging and Disability
353 Services.]

354 (b) Any resident of this state who has a serious physical or mental
355 disability which does not render the resident incapable of operating a

356 motor vehicle and who must utilize special equipment in order to
357 operate a motor vehicle and who cannot obtain instruction in the
358 operation of a motor vehicle through any alternate program, including,
359 but not limited to, other state, federal or privately operated drivers'
360 schools shall be eligible for instruction under the Department of [Aging
361 and Disability Services] Motor Vehicles driver training program for
362 persons with disabilities."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	3-39j
Sec. 3	<i>from passage</i>	3-39k
Sec. 4	<i>from passage</i>	3-39l
Sec. 5	<i>from passage</i>	3-39p
Sec. 6	<i>from passage</i>	3-39q
Sec. 7	<i>from passage</i>	3-39r
Sec. 8	<i>July 1, 2025</i>	14-11b