**ABLE Implementation Check List**

**For States Developing Legislation, or Working to Pass Legislation:**

In collaboration with other disability groups, the following are key components that NDI and NACDD have identified as elements to include in any proposed state ABLE legislation:

* Designate an entity responsible for administering the program. In many cases this is the state treasurer’s office.
* In order to stay within the parameters of the federal language, it is important to pair the federal definitions and stated requirements with the definitions and requirements in the proposed state legislation.
* Allow your state to contract with other states which may not have an ABLE program.
* Allow for a disregard of all resources in an ABLE account when determining eligibility for state funded means tested supports/services/programs
* Consider allowing state based tax incentives for contributions made to an ABLE account (state income tax deductions)
* Consider including language that would provide for a financial literacy component to be provided to the account owner (the person with a disability)

For those that would like an example of legislation, NDI has identified the legislation is Michigan as a good example, knowing all legislation can be improved, and is never perfect:

ABLE Program Language:

<http://www.legislature.mi.gov/documents/2015-2016/billengrossed/House/pdf/2015-HEBH-4542.pdf>

Disregard when considering eligibility for state funded programs:

<http://www.legislature.mi.gov/documents/2015-2016/billengrossed/House/pdf/2015-HEBH-4544.pdf>

State Income Tax Deduction (bold area on page 11):

<http://www.legislature.mi.gov/documents/2015-2016/billengrossed/House/pdf/2015-HEBH-4543.pdf>

**Other Areas to Consider Undertaking to Move Implementation Forward:**

If your state has passed, or even not passed legislation, NACDD and NDI have created this list of potential actions to undertake in your state. We know legislation being passed is important, but there is also a significant amount of education to do around specifically the ABLE Act and generally financial literacy.

* Begin to develop a relationship with and meet with the State Treasurer’s Office
* Start educating your state legislators about the benefits of having an ABLE program in your state
* Begin creating coalitions among other disability related organizations who could help with legislative efforts, which may include new allies in the financial services industry