

New York State Unified Courts System Public Access Law Libraries ABLE Accounts or Trusts Achieving a Better Life Experience

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The information provided should be considered a starting point in your research and should not be interpreted as a comprehensive review of the subject or issue in question

[ABLE Accounts -- Law](#)

Federal

Public Law No: 113-295. 26 USC Sec 529a. H. Rept 113-614

New York

Mental Hygiene Law, Art 84, L 2015, Ch 576, eff. Apr 1, 2016

State Fin Law §99-x establishes the New York Achieving A better Life Experience savings program trust fund

[Regulations](#)

New York

New York Achieving a Better Life Experience Savings Account (ABLE) Proposed Rule Making, NY Reg, May 10, 2017 at 5-6

New York Achieving a Better Life Experience Notices of Adoption, NY Reg July 12, 2017 at 1

New York State website and contact number for setting up an account: go to www.mynyable.org or call 1-855-5NY-ABLE. A [copy](#) of the program's disclosure booklet and participation agreement is available at <https://cdn.unite529.com/jcdn/files/NYB/pdfs/programdescription.pdf>.

Federal

Qualified Able Programs, 2015-12 IRB 765 [2015]

Pub. Comment Invited on Recommendations for 2015-2016 Priority Guidance Plan, 2015-13 IRB 816 [2015]

Guidance Under Section 529A: Qualified ABLE Programs, 80 FR 35602-01 (June 22, 2015)

Articles and Treatises

Internet

Ann Carrns, Business Day. Your Money Adviser: Law Creates Special Savings Accounts for Disabled People, New York Times, Jan. 30, 2015.

Leonard Weiser-Varon, Who is “Disabled” under ABLE: Achieving a Better Life Experience Act posted on: Tuesday, January 20, 2015

<http://www.natlawreview.com/article/who-disabled-under-able-achieving-better-life-experience-act> [retrieved March 10, 2015]

Government Websites

California AB 384 (2017) expands ABLE act to non-California residents. California Welfare & Institution Code 4879, 4880, 4884. The [California ABLE Act Board](#) regulations are in 10 CCR Ch 14 (9000-9007)

[New York State Comptroller NY ABLE Program](#)

[Pennsylvania Treasury Program](#)

Social Security Administration. POMS: SI 01130.740 [Achieving a Better Life Experience \(ABLE\) Accounts.](#)

LexisAdvance

Articles

Sidney Kress, Three After-Tax Savings Programs with Tax Advantages, NYLJ, Jan. 20, 2015 at 3, col 1.

Sidney Kass, Tax Perspectives on Non-Public Education, NYLJ, May 18, 2015, at 3, col 1.

Treatises (LexisAdvance and e-Books)

1-12 Fundamentals of Special Needs Trusts § 12.16 (2017)

Tax, Estate & Financial Planning for the Elderly § 7.05. Very brief discussion for now, but may expand as laws and cases develops.

Structured Settlements and Periodic Payment Judgments § 15.05 ABLE Accounts (LexisAdvance only)

Westlaw

Articles

Stephanie R. Hoffer, Making the Law More ABLE: Reforming Medicaid for Disability, 76 Ohio St. L.J. 1255 (2015).

Jennifer M. Kirby-McLemore, What are Aging Parents Caring for Adult Children with Disabilities to Do?: A Comprehensive Framework for a Healthy, Stable, Financially Sound Future, 21 Roger Williams U.L. Rev 45 (2016)

Bernard A. Krooks, Benjamin A. Rubin, ABLER Accounts: What Trusts and Estates Lawyers Need to Know 31 Probate and Property 40 (May/June 2017)

Jennifer Marshall Roden, Special Needs Planning for an Aging Population: Take Away-Start Early, 313 Elder Law Advisory 1 (April 2017)

Treatises

Harris 6th Ed New York Estates: Estate Planning and Taxation § 10:30 ABLER Accounts

Charles T. Hall Social Security Disability Practice, § 5:6 Supplemental Security Income

Harvey L. McCormick, Social Security Claims and Procedures § 8:12 Reporting requirements

Important Disclosures:

Legal Advice

NY State Court System staff are pleased to provide you with basic legal information of relevance to New York State courts, caselaw, statutory and regulatory materials from standard legal reference sources. Our court employees, however, may not provide legal advice, interpret the law or assist with the processing of specific motions or cases.

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