



PA 25-148—sHB 7107

Human Services Committee

**AN ACT CONCERNING A TASK FORCE TO STUDY EXPANDING
GOVERNMENTAL EMPLOYMENT OPPORTUNITIES FOR PERSONS
WITH DISABILITIES, UPDATES TO ABLE ACCOUNT STATUTES AND
OVERSIGHT OF DRIVING PROGRAMS FOR PERSONS WITH
DISABILITIES**

SUMMARY: This act (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), including aligning eligibility requirements with federal law; 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.

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 act 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 act, the task force must report its findings and recommendations to the Government Administration and Elections, Higher Education and Employment Advancement, Human Services, Judiciary, Labor and Public Employees, 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 act, task force members include the following seven state officials or their designees: the administrative services, ADS, 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;

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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 Services'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 act requires appointing authorities to make their initial appointments by July 31, 2025, and fill any vacancies. Appointed members may be legislators.

Leadership and Meetings

Under the act, 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 by August 30, 2025.

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

§§ 2-7 — ABLE PROGRAM

The act makes various changes to Connecticut's ABLE program. Specifically, the act 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, including expanded federal eligibility in 2026, and (2) any future federal changes are automatically incorporated into state statute.

The act also:

1. updates terminology on 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;
3. disregards, to the extent federal law allows, ABLE accounts when determining eligibility for all means-tested public assistance programs administered by the state or its political subdivisions, rather than only specific programs listed in prior law; and
4. makes minor, technical, and conforming changes.

Expanded Eligibility

Under federal law and prior state 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 act 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 into the state’s program.

Authorized Individuals

The act replaces references to “depositors” with references to “authorized individuals,” to conform with federal law. Under prior state law, a depositor was someone making a deposit into an ABLE account pursuant to a participation agreement (i.e. the agreement between the trust and depositor to benefit a designated beneficiary). The act instead references “authorized individuals,” which are the people or entities authorized under (1) federal regulations 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 existing 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 C.F.R. § 1.529A-2(c)). The act preserves this same order, by replacing this specific list in state law with a reference to the federal regulation in the “authorized individual” definition.

Income Disregards

To the extent allowed by federal law, the act 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 prior law, these funds were disregarded only for the following 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 act transfers, from ADS to DMV, a unit responsible for people with disabilities’ driver training and evaluation. It correspondingly eliminates (1) prior

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law's process for ADS to certify with DMV a person with disabilities' driver training completion and recommend any license restrictions or limitations and (2) certain related provisions (including the requirement that DMV issue a driver's license with the recommended restrictions if the person has met all other requirements for a license).

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 act extends this authority and immunity to unit staff while examining people with disabilities' driving ability.

Under the act, as under existing law, this unit serves state residents with serious disabilities who can drive using special equipment but who cannot get instruction through other driver education programs.

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 Act

PA 25-168, §§ 449-454, has identical provisions on ABLE accounts.

PA 25-168, § 339, has identical provisions on the driver training and evaluation program.