

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To allow limited 529 account funds to be used for elementary and secondary education, including homeschool.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

H R 1

To **AMENDMENT N<sup>o</sup> 1725** and V

By Cruz fiscal

To: Amdt. No. 1618

Re: \_\_\_\_\_ and

3

**Page(s)**

AME GPO: 2016 22-945 (mac) to the

amendment (No. 1618) proposed by

Mr. Hatch

*for himself and Mr. Cotton*

Viz:

- 1 At the end of part IV of subtitle A of title I, insert
- 2 the following:
- 3 **SEC. 11033. 529 ACCOUNT FUNDING FOR ELEMENTARY AND**
- 4 **SECONDARY EDUCATION.**
- 5 (a) IN GENERAL.—
- 6 (1) IN GENERAL.—Section 529(c) is amended
- 7 by adding at the end the following new paragraph:
- 8 “(7) TREATMENT OF ELEMENTARY AND SEC-
- 9 ONDARY TUITION.—Any reference in this subsection

1 to the term ‘qualified higher education expense’ shall  
2 include a reference to—

3 “(A) expenses for tuition in connection  
4 with enrollment or attendance at an elementary  
5 or secondary public, private, or religious school,  
6 and

7 “(B) expenses for—

8 “(i) curriculum and curricular mate-  
9 rials,

10 “(ii) books or other instructional ma-  
11 terials,

12 “(iii) online educational materials,

13 “(iv) tuition for tutoring or edu-  
14 cational classes outside of the home (but  
15 only if the tutor or instructor is not related  
16 to the student),

17 “(v) dual enrollment in an institution  
18 of higher education, and

19 “(vi) educational therapies for stu-  
20 dents with disabilities,

21 in connection with a homeschool (whether treat-  
22 ed as a homeschool or a private school for pur-  
23 poses of applicable State law).”.

24 (2) LIMITATION.—Section 529(e)(3)(A) is  
25 amended by adding at the end the following: “The

1 amount of cash distributions from all qualified tui-  
2 tion programs described in subsection (b)(1)(A)(ii)  
3 with respect to a beneficiary during any taxable year  
4 shall, in the aggregate, include not more than  
5 \$10,000 in expenses described in subsection (c)(7)  
6 incurred during the taxable year.”.

7 (b) OFFSET.—Paragraph (2) of section 127(a) is  
8 amended—

9 (1) by striking “\$5,250” in the heading and in-  
10 serting “\$2,500”, and

11 (2) by striking “\$5,250” each place it appears  
12 and inserting “\$2,500”.

13 (c) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply to contributions made after De-  
15 cember 31, 2017.