

117TH CONGRESS
2D SESSION

S. 4103

To amend the Internal Revenue Code of 1986 to treat contributions to a qualified tuition program as qualified retirement savings contributions for purposes of the saver’s credit.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2022

Ms. HASSAN (for herself and Ms. COLLINS) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to treat contributions to a qualified tuition program as qualified retirement savings contributions for purposes of the saver’s credit.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Helping Parents Save
5 for College Act of 2022”.

1 **SEC. 2. TREATMENT OF CONTRIBUTIONS TO QUALIFIED**
 2 **TUITION PROGRAM.**

3 (a) IN GENERAL.—Paragraph (1) of section 25B(d)
 4 of the Internal Revenue Code of 1986 is amended—

5 (1) by striking “and” at the end of subpara-
 6 graph (C),

7 (2) by striking the period at the end of sub-
 8 paragraph (D) and inserting “, and”, and

9 (3) by adding at the end the following new sub-
 10 paragraph:

11 “(E) the amount of any contributions
 12 made by such individual to any qualified tuition
 13 program (as defined in section 529(b)) of which
 14 the individual or a dependent of the individual
 15 is the designated beneficiary (as defined in sec-
 16 tion 529(e)(1)).”.

17 (b) EFFECTIVE DATE.—The amendments made by
 18 this section shall apply to taxable years beginning after
 19 the date of the enactment of this Act.

20 **SEC. 3. SPECIAL ROLLOVER TO ROTH IRA FROM LONG-**
 21 **TERM QUALIFIED TUITION PROGRAM.**

22 (a) IN GENERAL.—Paragraph (3) of section 529(c)
 23 of the Internal Revenue Code of 1986 is amended by add-
 24 ing at the end the following new subparagraph:

1 “(E) SPECIAL ROLLOVER TO ROTH IRA
 2 FROM LONG-TERM QUALIFIED TUITION PRO-
 3 GRAM.—For purposes of this section—

4 “(i) IN GENERAL.—In the case of a
 5 distribution from a qualified tuition pro-
 6 gram which has been maintained by an ac-
 7 count owner for the 10-year period ending
 8 on the date of such distribution—

9 “(I) subparagraph (A) shall not
 10 apply to any portion of such distribu-
 11 tion which, not later than 60 days
 12 after such distribution, is paid into a
 13 Roth IRA maintained for the benefit
 14 of such account owner or the des-
 15 ignated beneficiary under such quali-
 16 fied tuition program, and

17 “(II) such portion shall be treat-
 18 ed as a rollover contribution for pur-
 19 poses of section 408A(e).

20 “(ii) LIMITATION.—Clause (i) shall
 21 only apply to so much of any distribution
 22 as does not exceed the lesser of—

23 “(I) the amount applicable to the
 24 account owner under section
 25 408A(c)(2) for the taxable year, or

1 “(II) the aggregate amount con-
2 tributed to the program (and earnings
3 attributable thereto) before the 5-year
4 period ending on the date of the dis-
5 tribution.”.

6 (b) QUALIFIED ROLLOVER CONTRIBUTION.—Para-
7 graph (1) of section 408A(e) of the Internal Revenue Code
8 of 1986 is amended—

9 (1) by striking “contribution—” and inserting
10 “contribution to a Roth IRA—”,

11 (2) by striking “to a Roth IRA” in subpara-
12 graph (A),

13 (3) by striking the period at the end of sub-
14 paragraph (B) and inserting “, or”, and

15 (4) by inserting after subparagraph (B) the fol-
16 lowing new subparagraph:

17 “(C) from a qualified tuition program to
18 the extent provided in section 529(c)(3)(E).”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall apply with respect to distributions in tax-
21 able years beginning after the date of the enactment of
22 this Act.

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