

117TH CONGRESS  
1ST SESSION

# H. R. 3378

To amend the Social Security Act, the Food and Nutrition Act of 2008, and the Low-Income Home Energy Assistance Act of 1981 to require that the value of children's savings accounts be disregarded for the purpose of determining eligibility to receive benefits under such Acts, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mr. CARTWRIGHT (for himself, Mr. SMITH of Washington, Ms. NORTON, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Agriculture, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the Social Security Act, the Food and Nutrition Act of 2008, and the Low-Income Home Energy Assistance Act of 1981 to require that the value of children's savings accounts be disregarded for the purpose of determining eligibility to receive benefits under such Acts, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Children’s Savings Ac-  
3 counts Offer Parents Plenty Of Reasons To Understand  
4 and Invest in Tuition Yearly Act” or the “CSA OPPOR-  
5 TUNITY Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CHILDREN’S SAVINGS ACCOUNT PRO-  
9 GRAM.—The term “children’s savings account pro-  
10 gram” refers to a program created or organized by  
11 a State, local, or Federal Government, 501(c)(3)  
12 nonprofit organization, a school district, or a college  
13 or university for the purpose of creating children’s  
14 savings accounts.

15 (2) CHILDREN’S SAVINGS ACCOUNT.—The term  
16 “children’s savings account” means a savings or in-  
17 vestment account or trust created as part of a chil-  
18 dren’s savings account program exclusively for the  
19 purpose of paying the qualified expenses of only in-  
20 dividuals, who, when the account is created, have not  
21 attained 18 years of age, provided that it has the  
22 following requirements:

23 (A) If a savings or investment account is  
24 created—

25 (i) the account is held in a federally  
26 insured financial institution, or a State-in-

1           sured financial institution if a federally in-  
2           sured financial institution is not available,  
3           or in an investment account by a custodian  
4           or third-party owner on behalf of the indi-  
5           viduals, if the custodian or third-party  
6           owner is a State, local, or Federal Govern-  
7           ment, 501(c)(3) nonprofit organization, a  
8           school district, or a college or university,

9           (ii) the assets of the account will not  
10          be commingled with other property except  
11          in a common children's savings account,  
12          trust fund, or other common investment  
13          fund, and

14          (iii) any amount in the account that is  
15          attributable to a seed deposit, matched de-  
16          posit, or other incentive provided by the  
17          children's savings account program may be  
18          paid or distributed from the account only  
19          for the purpose of paying qualified ex-  
20          penses of the individual.

21          (B) If a trust is created or organized, the  
22          written governing instrument creating the trust  
23          contains the following requirements:

24                  (i) The trust is created on behalf of  
25                  the individuals, and the trustee is a State,

1 local, or Federal Government, 501(c)(3)  
2 nonprofit organization, a school district, or  
3 a college or university.

4 (ii) The assets of the trust will be in-  
5 vested in accordance with the direction of  
6 the trustee.

7 (iii) The assets of the trust will not be  
8 commingled with other property except in  
9 a common trust fund or common invest-  
10 ment fund.

11 (iv) Any amount in the trust that is  
12 attributable to a seed deposit, matched de-  
13 posit, or other children's savings account  
14 program incentive may be paid or distrib-  
15 uted from the trust only for the purpose of  
16 paying qualified expenses of the individual.

17 (3) QUALIFIED EXPENSES.—The term “quali-  
18 fied expenses” means, with respect to an individual,  
19 expenses that are—

20 (A) incurred after the individual receives a  
21 secondary school diploma or its recognized  
22 equivalent, and

23 (B) for—

- 1 (i) postsecondary educational expenses  
2 (as defined in section 529 of the Internal  
3 Revenue Code of 1986) of the individual,  
4 (ii) the purchase of a first home by  
5 the individual, or  
6 (iii) the capitalization of a business  
7 owned by the individual.

8 **TITLE I—AMENDMENTS TO THE**  
9 **SOCIAL SECURITY ACT**

10 **SEC. 101. CHILDREN’S SAVINGS ACCOUNT REQUIRED TO BE**  
11 **DISREGARDED UNDER THE TANF PROGRAM.**

12 (a) IN GENERAL.—Section 408(a)(13) of the Social  
13 Security Act (42 U.S.C. 608(a)), as added by section  
14 101(a) of this Act, is amended—

- 15 (1) in the heading, by inserting “, and value of  
16 a children’s savings account” after “program”; and  
17 (2) by inserting after “1986)” the following:  
18 “and the value of any children’s savings account (as  
19 defined in section 2 of the CSA OPPORTUNITY  
20 Act)”.

21 (b) PENALTY FOR NONCOMPLIANCE.—Section  
22 409(a)(17) of such Act (42 U.S.C. 609(a)(17)), as added  
23 by section 101(b)(1) of this Act, is amended in the para-  
24 graph heading, by inserting “OR VALUE OF A CHILDREN’S  
25 SAVINGS ACCOUNT” after “PROGRAM”.

1 **SEC. 102. EXCLUSION OF CHILDREN'S SAVINGS ACCOUNT**  
2 **FROM RESOURCES UNDER THE SSI PRO-**  
3 **GRAM.**

4 (a) **IN GENERAL.**—Section 1613(a) of the Social Se-  
5 curity Act (42 U.S.C. 1382b(a)), as amended by section  
6 102 of this Act, is amended—

7 (1) by striking “and” at the end of paragraph  
8 (17);

9 (2) by striking the period at the end of para-  
10 graph (18) and inserting “; and”; and

11 (3) by inserting after paragraph (18) the fol-  
12 lowing:

13 “(19) any children’s savings account (as defined  
14 in section 2 of the CSA OPPORTUNITY Act), in-  
15 cluding accrued interest or other earnings thereon.”.

16 (b) **CONFORMING AMENDMENT.**—Section 1613(e)(5)  
17 of such Act (42 U.S.C. 1382b(e)(5)) is amended by insert-  
18 ing “of this Act or section 2 of the CSA OPPORTUNITY  
19 Act” before the period.

1 **TITLE II—AMENDMENT TO THE**  
2 **FOOD AND NUTRITION ACT**  
3 **OF 2008**

4 **SEC. 201. EXCLUSION OF CHILDREN’S SAVINGS ACCOUNTS**  
5 **FROM RESOURCES UNDER THE SUPPLE-**  
6 **MENTAL NUTRITION ASSISTANCE PROGRAM.**

7 Section 5(g) of the Food and Nutrition Act of 2008  
8 (7 U.S.C. 2014(g)) is amended by adding at the end the  
9 following:

10 “(9) EXCLUSION OF CHILDREN’S SAVINGS AC-  
11 COUNTS FROM ALLOWABLE FINANCIAL RE-  
12 SOURCES.—

13 “(A) EXCLUSION.—The Secretary shall ex-  
14 clude from financial resources under this sub-  
15 section the value of funds in any children’s sav-  
16 ings account.

17 “(B) CHILDREN’S SAVINGS ACCOUNT.—  
18 For purposes of subparagraph (A), the term  
19 ‘children’s savings account’ has the meaning  
20 given such term in section 2 of the CSA OP-  
21 PORTUNITY Act.”.

1 **TITLE III—AMENDMENT TO LOW-**  
2 **INCOME HOME ENERGY AS-**  
3 **SISTANCE ACT OF 1981**

4 **SEC. 301. EXCLUSION OF CERTAIN ACCOUNTS FROM CAL-**  
5 **CULATION UNDER THE LOW-INCOME HOME**  
6 **ENERGY ASSISTANCE PROGRAM.**

7 Section 2605(f) of the Low-Income Home Energy As-  
8 sistance Act of 1981 (42 U.S.C. 8624(f)) is amended by  
9 adding at the end the following:

10 “(3) EXCLUSION OF CERTAIN ACCOUNTS FROM CAL-  
11 CULATION.—

12 “(A) EXCLUSION.—The determination of the  
13 income or assets of a household for purposes of eligi-  
14 bility under this section shall be made without re-  
15 gard to the value of funds in any children’s savings  
16 account.

17 “(B) CHILDREN’S SAVINGS ACCOUNT.—For  
18 purposes of subparagraph (A), the term ‘children’s  
19 savings account’ has the meaning given such term in  
20 section 2 of the CSA OPPORTUNITY Act.”.

○