

117TH CONGRESS
1ST SESSION

H. R. 2171

To amend the Internal Revenue Code of 1986 to permit certain expenses associated with obtaining or maintaining recognized postsecondary credentials to be treated as qualified higher education expenses for purposes of 529 accounts.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2021

Ms. SPANBERGER (for herself, Mr. UPTON, Mr. PHILLIPS, and Mr. WITTMAN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to permit certain expenses associated with obtaining or maintaining recognized postsecondary credentials to be treated as qualified higher education expenses for purposes of 529 accounts.

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 “Freedom To Invest
5 in Tomorrow’s Workforce Act”.

1 **SEC. 2. CERTAIN CAREER TRAINING AND CREDENTIALING**
2 **EXPENSES TREATED AS QUALIFIED HIGHER**
3 **EDUCATION EXPENSES FOR PURPOSES OF**
4 **529 ACCOUNTS.**

5 (a) IN GENERAL.—Section 529(e)(3) of the Internal
6 Revenue Code of 1986 is amended by adding at the end
7 the following new subparagraph:

8 “(C) CERTAIN CAREER TRAINING AND
9 CREDENTIALING EXPENSES.—

10 “(i) IN GENERAL.—The term ‘quali-
11 fied higher education expenses’ includes—

12 “(I) tuition, fees, books, supplies,
13 and equipment required for the enroll-
14 ment or attendance of an individual in
15 a recognized postsecondary credential
16 program, or any other expense in-
17 curred in connection with enrollment
18 in or attendance at a recognized post-
19 secondary credential program if such
20 expense would, if incurred in connec-
21 tion with enrollment or attendance at
22 an eligible educational institution, be
23 covered under subparagraph
24 (e)(3)(A),

25 “(II) fees required to obtain or
26 maintain a recognized postsecondary

1 credential (as defined in section 3(52)
2 of the Workforce Innovation and Op-
3 portunity Act), including certificate or
4 certification programs that are accred-
5 ited by the National Commission on
6 Certifying Agencies or the American
7 National Standards Institute, or any
8 postsecondary credential identified in
9 regulations or guidance promulgated
10 by the Internal Revenue Service, in
11 consultation with the Department of
12 Labor, for purposes of this subclause;
13 and

14 “(III) fees for testing and other
15 fees required by the organization
16 issuing the recognized postsecondary
17 credential as a condition of maintain-
18 ing or obtaining the credential.

19 “(ii) **RECOGNIZED POSTSECONDARY**
20 **CREDENTIAL PROGRAM.**—For purposes of
21 this paragraph, the term ‘recognized post-
22 secondary credential program’ means a
23 program to obtain a recognized postsec-
24 ondary credential if such program is in-
25 cluded on a list prepared under section

1 122(d) of the Workforce Innovation and
2 Opportunity Act or meets the training or
3 educational prerequisites to qualify an indi-
4 vidual to take an examination developed or
5 administered by an organization widely
6 recognized as providing reputable creden-
7 tials in the occupation, where such exam-
8 ination is required to obtain or maintain a
9 recognized postsecondary credential.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 this section shall apply to expenses paid or incurred in
12 taxable years beginning after the date of the enactment
13 of this Act.

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