



**PROGRAM  
DISCLOSURE  
BOOKLET**

December 2023



Administration and Trustee  
**Maryland State Treasurer**

**Investing in the Maryland ABLE program is an important decision. Please read the Program Disclosure Booklet and the Participation Agreement in their entirety before making an investment decision.**

Only monies placed in the Maryland ABLE Cash Option are insured under the guidelines of the Federal Deposit Insurance Company (FDIC). The Cash Option offers FDIC insurance up to \$250,000, subject to certain restrictions.

Neither monies held in the Cash Option nor contributions in the Investment portfolios are insured or guaranteed by the State Treasurer, agents of or advisers to the Maryland ABLE Program, or the State of Maryland.

Investment returns are not guaranteed by the Maryland ABLE Program.

If you are not a Maryland resident, before investing you should consider certain benefits that may only be offered by your home state, such as financial aid, scholarship funds, and protection from creditors. Those benefits may only be available for investments in your home state's ABLE plan.

ABLE Accounts are intended to be used only to save for Qualified Disability Expenses. These accounts are not intended to be used, nor should they be used, by any taxpayer for the purpose of evading federal or state taxes or tax penalties. Taxpayers should seek tax advice from an independent tax professional based on their own particular circumstances.

Account holders should periodically assess, and if appropriate, adjust their investment choices with their time horizon, risk tolerance and investment objectives in mind.

The securities described in this Program Disclosure Booklet are considered municipal fund securities for federal securities law purposes. Accounts in the Program have not been registered with or in any way approved by the Securities and Exchange Commission or by any state securities commission pursuant to exemptions from registration available for securities issued by a public instrumentality of a state.

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## IMPORTANT DEFINITIONS

Throughout this Disclosure Booklet you will see capitalized terms. The capitalization means that the definition of the term is included in this Section.

### ABLE ACCOUNT

An account in the Program opened to receive contributions and to provide funds for Qualified Disability Expenses.

### ADDITIONAL 10% TAX

A 10% additional federal tax imposed on the earnings portion of non-qualified withdrawals.

### AUTHORIZED LEGAL REPRESENTATIVE

An ABLE Account may be established by a person selected by the Beneficiary to serve as their Authorized Legal Representative, or if the Beneficiary is unable to establish their own ABLE Account, one may be established on their behalf by an Authorized Legal Representative. If an Authorized Legal Representative establishes an ABLE Account for a Beneficiary unable to establish their own ABLE Account, the Authorized Legal Representative must self-attest/certify to their right to serve as an Authorized Legal Representative. According to Internal Revenue Service (“IRS”) guidance, an Authorized Legal Representative may neither have, nor acquire, any beneficial interest in the ABLE Account during the Beneficiary’s lifetime and must administer the ABLE Account for the benefit of the Beneficiary. Whenever an action is required to be taken by a Beneficiary in connection with an ABLE Account with an Authorized Legal Representative, it must be taken by the Beneficiary’s Authorized Legal Representative acting in that capacity. See Opening Your ABLE Account – Persons Authorized to Open Your ABLE Account on page 10 for more information about who may service as an Authorized Legal Representative.

### BANK

The Bank of New York Mellon.

### BENEFICIARY OR YOU

You, the Beneficiary of the ABLE Account, are the owner of the account. In order to be a Beneficiary, you must be an Eligible Individual. A Beneficiary must be a natural person (not an entity) and have a Social Security number or tax identification number.

### BUSINESS DAY

A day that the New York Stock Exchange (NYSE) is open for regular trading.

### CASH OPTION

The Portfolio Option designed for the savings portion of amounts contributed to an ABLE Account. Amounts contributed to the Cash Option are deposited by the Trust in a bank account with the Bank.

### CUSTODIAN

The Bank of New York Mellon. The Custodian is responsible for physical custody and safekeeping of investment assets.

### ELIGIBLE INDIVIDUAL

An individual is an Eligible Individual for a taxable year if, during that year, either (1) the individual is entitled to benefits based on blindness or disability under Title II (SSDI) or XVI (SSI) of the Social Security Act, or (2) a disability certification meeting specified requirements is deemed filed with the Secretary. In all cases, the blindness or disability must have occurred before the date on which the individual attained age 26.

### GOOD ORDER

Good Order means the Program Manager has received your contribution and you have filled out all the correct information necessary to enroll in the Program or to instruct the Program to take an action on your behalf, such as to make a contribution or a withdrawal.

### INVESTMENT ADVISER

Marquette Associates, Inc.

### INVESTMENT OPTIONS

The four Portfolio Options are designed for investment purposes. The Investment Options include the ABLE Fixed Income Investment Option, the ABLE Conservative Investment Option, the ABLE Moderate Investment Option, and the ABLE Aggressive Investment Option.

### IRS CODE

The Internal Revenue Code of 1986, as amended.

### MANAGEMENT AGREEMENT

The Management Agreement between the State Treasurer and the Program Manager.

### MARYLAND ABLE ACT

The Maryland Achieving a Better Life Experience (ABLE) Act 2016 Maryland Laws Ch. 39 (H.B. 431) signed into law April 12, 2016, as amended from time to time. The Maryland ABLE Act is codified at §§ 18-19C-01 through 18-19C-10 of the Education Article of the Annotated Code of Maryland.

### MEMBER OF THE FAMILY

For purposes of Rollovers from one ABLE account to another, or in the case of a change of an ABLE Beneficiary, a Member of the Family is a brother, sister, stepbrother, or stepsister. This definition includes siblings through adoption.

For purposes of a rollover from a Qualified Tuition Program to an ABLE account, a “Member of the Family” is an individual as defined in Section 529(e)(2) of the IRS Code. A Member of the Family means an individual who is related to the Beneficiary as follows:

- A son or daughter, or a descendant of either;
- A stepson or stepdaughter, or a descendant of either;
- A brother, sister, stepbrother, or stepsister;
- The father or mother, or an ancestor of either;
- A stepfather or stepmother;
- A son or daughter of a brother or sister;
- Brother or sister of the father or mother;
- A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law;
- The spouse of the Beneficiary or the spouse of any individual described above; or
- A first cousin of the Beneficiary

For purposes of determining who is a Member of the Family in the context of a 529 to ABLE Rollover, a legally adopted or foster child of an individual is treated as the child of that individual by blood. The terms “brother” and “sister” include half-brothers and half-sisters.

### **MUTUAL FUNDS/FUNDS**

The mutual funds serving as underlying investments for the Investment Options.

### **NON-QUALIFIED WITHDRAWAL**

Any withdrawal from your ABLE Account not used to pay your Qualified Disability Expenses. Note that expenses will not be Qualified Disability Expenses if they are incurred at a time when a Beneficiary is not an Eligible Individual. See Taking a Withdrawal from your ABLE Account – Qualified Withdrawals and Non-Qualified Withdrawals on pages 16 for more information.

### **PARTICIPATION AGREEMENT**

The agreement between you and the State Treasurer that governs your use of the Program and is enforceable by the State Treasurer. A copy of the Participation Agreement can be found at: [marylandable.org/participation-agreement](http://marylandable.org/participation-agreement).

### **PARTNER STATE**

The Maryland ABLE program provides services pursuant to a collaboration with the State of Oregon.

### **PROGRAM**

The Maryland ABLE program.

### **PROGRAM MANAGER**

Vestwell State Savings, LLC (“Vestwell”), a wholly owned subsidiary of Vestwell Holdings, Inc., or any successor thereto.

### **PORTFOLIO OPTIONS**

The choices you have within the Program for the saving or investment of contributions to your ABLE Account. The Portfolio Options include the Cash Option and the four Investment Options.

### **QUALIFIED DISABILITY EXPENSES**

Any expenses that (1) are incurred at a time when the Beneficiary is an Eligible Individual, (2) relate to the blindness or disability of the Beneficiary, and (3) are for the benefit of the Beneficiary in maintaining or improving their health, independence, or quality of life.

Such expenses include, but are not limited to, expenses related to the Beneficiary’s education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness, financial management and administrative services, legal fees, expenses for oversight and monitoring, funeral and burial expenses, and other expenses that may be identified from time to time by the IRS.

Current regulatory guidance states that Qualified Disability Expenses should be construed to permit the inclusion of basic living expenses provided they improve the health, independence or quality of life for the Beneficiary. For example, expenses for everyday items such as smart phones could be considered Qualified Disability Expenses if they are an effective and safe communication or navigation aid for the Beneficiary.

### QUALIFIED WITHDRAWAL

Any withdrawal used to pay for Qualified Disability Expenses. See Taking a Withdrawal from your ABLE Account – Qualified Withdrawals on page 16 for more information.

### ROLLOVER

**ABLE to ABLE Rollover:** A transfer of assets between ABLE Programs provided another rollover or transfer for the same Beneficiary has not occurred in the previous 12 months, or for a different Beneficiary, provided that the receiving Beneficiary is an Eligible Individual and a Sibling of the original Beneficiary (as defined on page 2 in this Plan Disclosure Booklet).

**529 (College Savings) to ABLE Rollover:** Rollovers also include a transfer of assets from a Qualified Tuition Program (also known as college savings or 529 accounts) to an ABLE account for the same Beneficiary or for a different beneficiary, provided that the receiving beneficiary is a “Member of the Family” of the original 529 Beneficiary (as defined in this Plan Disclosure Booklet). Rollovers into an ABLE account from a Qualified Tuition Program are limited to the amount that, when added to all other contributions made to the ABLE Account for the calendar year, does not exceed the federal annual gift tax exemption (which is \$18,000 in 2024).

### SECRETARY

The United States Secretary of the Treasury.

### SIBLING OF THE BENEFICIARY

A sibling of the Beneficiary, whether by blood or by adoption. A Sibling of the Beneficiary includes a brother, sister, stepbrother, stepsister, half-brother, and half-sister.

### SSDI

The Social Security Disability Insurance program under Title II of the Social Security Act.

### SSI

The Supplemental Security Income program under Title XVI of the Social Security Act.

### STATE TREASURER

The Maryland State Treasurer, Dereck A. Davis. As required by Chapter 113 of the 2023 Laws of Maryland, the Maryland ABLE Program is administered by the State Treasurer. The State Treasurer is the Trustee of the Maryland ABLE Program and has general and fiduciary responsibility for the Maryland ABLE Program as a whole.

### TAX REGULATIONS

Final U.S. Treasury Department IRS regulations on Section 529A Qualified ABLE Programs, 85 Fed. Reg. 74010 (November 19, 2020).

### UNITS

The share of assets held by the Program for a Beneficiary with respect to a particular Portfolio Option. Units are credited to your ABLE Account upon a contribution or deducted from your ABLE Account upon a withdrawal.

## The ABLE ACT

The Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 (the “ABLE Act”) provides certain individuals with disabilities a means to save for disability-related expenses. Added to the IRS Code, Section 529A allows a state to create a qualified ABLE Program. An individual with a qualifying disability can then open a tax-advantaged account within the ABLE program allowing them to save for Qualified Disability Expenses.

## Maryland ABLE Overview

The Program has been developed and is intended to operate as a qualified ABLE Program. Section 529A permits states and state instrumentalities to establish and maintain programs that allow Eligible Individuals to save for Qualified Disability Expenses on a tax-advantaged basis without jeopardizing eligibility for federal means tested benefits such as Supplement Security Income (once the balance in your ABLE Account exceeds \$100,000, benefits are suspended), HUD, SNAP, and Medicaid.

## Program Disclosure Booklet

Before you open a Maryland ABLE Account and before you make any investments in the Program, you should carefully read and understand this Program Disclosure Booklet. It includes important details about the Program, including information regarding the rules related to eligibility for opening an ABLE Account, the risks of investing in the Program, certain limitations and restrictions that will apply to your use of the money in the Program, the tax treatment of contributions, earnings, and distributions from an ABLE Account, and the fees you will pay for having an ABLE Account in the Program.

## Important Legal Information

Neither the State of Maryland, the State Treasurer, nor any of their employees, agents or advisers, make or are authorized to make any representation about the suitability of the investment options describes in this Program Disclosure Booklet for any particular person. Other types of investments or other savings options may be more appropriate depending on a person’s circumstances. The information provided in this Program Disclosure Booklet is not investment, legal, or tax advice and is not intended to be exhaustive. Every potential beneficiary, or their Authorized Legal Representative, should consult their own tax or financial professional or special needs planner for more information.



# Program Disclosure Booklet Summary

## What is the Maryland ABLE Program?

The Maryland ABLE Program is a disabilities savings program established pursuant to Section 529A of the IRS Code and the Maryland ABLE Act. The Program is administered by the State Treasurer. The Program is designed to help people with disabilities save for Qualified Disability Expenses in a tax-advantaged way to access and preserve means-tested benefits. The Program offers tax-free growth, and tax-free distributions if used for Qualified Disability Expenses.

## Who is responsible for the Maryland ABLE Program?

The State Treasurer administers the Maryland ABLE Program.

## Who runs the daily operations of the Maryland ABLE Program?

The State Treasurer and program staff within the State Treasurer's office oversee the Program Manager who manages the daily operations of Maryland ABLE. The current Program Manager is Vestwell State Savings, assignee of Sunday Administration, LLC.

## Does Maryland ABLE partner with other states to offer the Program?

Yes. Maryland ABLE is part of a collaboration with the State of Oregon.

## Does Maryland ABLE work with an Adviser?

Yes. The State Treasurer has engaged Marquette Associates as the investment adviser for the Program. Marquette Associates is a registered investment adviser under the Investment Advisers Act of 1940. The Investment Adviser advises the State Treasurer with respect to the investments of the Maryland ABLE program, in consultation with relevant State Treasurer staff, including recommending the underlying investments for each of the Program's Portfolio Options and monitoring of the Portfolio Options in accordance with the Maryland ABLE Investment Policy Statement approved by the State Treasurer.

## Who can open a Maryland ABLE Account and how?

An Eligible Individual may open an ABLE account. Under certain circumstances, other individuals may open an ABLE account on behalf of an Eligible Individual. For more information, see the Getting Started -- Eligibility to Open an ABLE Account section on page 9 and the Getting Started -- Opening Your ABLE Account section on page 10.

An Eligible Individual or other authorized individual can enroll by completing the online enrollment process or by mailing in a completed Enrollment Form. Requests for enrollment cannot be processed if any required information is missing.

## How does the Maryland ABLE Program Work?

When you open a Maryland ABLE Account, you choose to invest in 1) the Cash Option, 2) one or more of the Investment Options, or 3) a combination of the Cash Option and one or more Investment Options. How you choose to invest is based upon your preferences and risk tolerance. Any earnings in your Account are tax-deferred, and distributions are federally and State tax-free if used for Qualified Disability Expenses. Contributions can be deposited by you, or by others, into your ABLE Account up to certain annual limits and lifetime limits. For more information see the section titled Contributing to Your ABLE Account, page 12.

## How can I contribute to a Maryland ABLE Account?

You can fund your Account in a variety of ways: by check, by electronic transfer from your bank, via a monthly contribution from your bank, through a direct deposit from your Social Security Administration benefits, through a direct deposit from your payroll, or by rollover from another Qualified ABLE Program or from a Qualified Tuition Program (also known as a 529 college savings program). Certain minimum contribution amounts and maximum contribution limits apply. For more information, see the Allocations of Contributions between Cash Option and Investment Option section, page 24.

## What are the Annual Contribution Limits?

The standard Annual Contribution Limit is currently \$18,000 per year per ABLE account. This limit is tied to the annual federal gift tax exclusion and is subject to change. Over and above the standard Annual Contribution Limit, a working Beneficiary is allowed to contribute an additional amount up to the lessor of: (i) the Beneficiary's compensation for the current tax year; or (ii) an amount equal to the Federal Poverty Level for a one-person household as determined for the calendar year preceding the tax year in which contributions are made. Federal poverty guidelines can be found on several government websites including the Department of Health and Human Services: <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>. For more information see the ABLE to Work Contributions section on page 14.

## Are there other contribution limits?

Yes. Contributions to an ABLE Account are not permitted if, taking into account the proposed contribution, the ABLE Account's balance is or would be greater than \$500,000, the Maximum Account Balance permitted by the Maryland ABLE Program. Contributions are not allowed once the Account reaches that value, but the Account may continue to add investments earnings, if any. For more information see the Maximum Account Balance section on page 15

## How do I request maintenance and distributions from my Account?

Most updates to your Account can be requested online or by telephone. Requirements and restrictions for distributions may change from time to time. You may call a Maryland ABLE representative for the most updated options and requirements for requesting maintenance and distributions. For more information, see the Maintaining Your Account, How to Take a Distribution, and Terminating Your Account sections.

## How does a Maryland ABLE Account impact my federal or State means-tested benefits?

Having an ABLE Account balance over \$100,000 and certain types of distributions could affect a Beneficiary's eligibility for SSI cash payments. See the Social Security and Medicaid Considerations section on page 20 for more information. In Maryland, money in an ABLE account may not be considered for the purpose of determining eligibility to receive, or the amount of, any assistance or benefits from local or Maryland state means-tested programs. If you live outside of Maryland, you should consult with your own state's law. Finally, the Centers for Medicare & Medicaid Services ("CMS") has issued guidance on how ABLE Account funds will be treated for purposes of determining Medicaid eligibility. The CMS guidance can be found at: <https://www.medicaid.gov/federal-policy-guidance/downloads/smd17002.pdf>.

Please consult with your state's Medicaid office with any additional questions. For more information see the Social Security and Medicaid Considerations section on page 20.

## What are the Investment Options?

Maryland ABLE offers an FDIC-insured Cash Option and four different Investment Options from which to choose. The Fixed Income Investment Option (invested in 100% bonds), the Conservative Investment Option (invested in approximately 20% stocks and 80% bonds), the Moderate Investment Option (invested in approximately 50% stocks and 50% bonds), and the Aggressive Investment Option (invested in approximately 84% stocks and 16% bonds). You can choose to invest in the Cash Option or a combination of the Cash Option and Investment Option(s). For more information see the Portfolio Options section beginning on page 24

## What are the risks associated with the Maryland ABLE Program?

The Maryland ABLE Program is not insured or guaranteed. However, money placed in the Maryland ABLE Cash Option is insured under the guidelines of the Federal Deposit Insurance Company ("FDIC"). The Cash Option offers FDIC insurance up to \$250,000, subject to certain restrictions. Investment returns will vary depending upon the performance of the Portfolio(s) you choose. Depending on market conditions, you could lose all or a portion of your investment. The Maryland ABLE Program is also subject to administrative, legislative and tax risks, and each Investment Option carries particular investment-related risks based on the composition of the underlying Funds in which it invests. For more information, see the Risks of Investing in the Program section beginning on page 33.

## What are the Fees associated with the Maryland ABLE Program?

The Program has no commissions, loads, or sales charges. There is a \$35 Annual Fee billed quarterly in arrears. The Investment Options include annual asset-based fees of the expenses of the underlying Funds, and a 0.30% Administrative Fee. The Cash Option does not have underlying mutual fund expenses but does have a 0.39% Administrative Fee.

Certain transactional fees may apply as well. A detailed description of Fees associated with the Maryland ABLE Program can be found in the section titled Cost of Having an ABLE Account beginning on page 29.

## What are the federal and state tax considerations?

**Federal Tax Considerations:** Contributions are not tax-deductible at the federal level, but earnings are distributed tax-free when used to pay for Qualified Disability Expenses. The earnings portion of a distribution that is not used to pay for a Beneficiary's Qualified Disability Expenses will be subject to federal tax, including the Additional 10% Tax. See the Tax Considerations section beginning on page 37 for more information.

**State Tax Considerations:** Maryland taxpayers may receive up to \$2,500 income subtraction modification from their Maryland State adjusted gross income annually per contributor, per Beneficiary for contributions to the Maryland ABLE Program. Earnings on distributions used for purposes other than Qualified Disability Expenses will be subject to state income taxes. Non-Maryland taxpayers should consult with their home state's tax laws for additional information. See the Tax Considerations section beginning on page 37.

## Getting Started

This section discusses who is eligible to open an ABLÉ Account in the Program and how to do it. The Program is designed to be established and maintained online in order to maximize efficiency and customer service.

### Eligibility to Open an ABLÉ Account

In order to open an ABLÉ Account, the Beneficiary must be an Eligible Individual under Section 529A of the IRS Code. An individual is an Eligible Individual for a taxable year if, during that year, either the individual:

- is entitled to Social Security Disability Insurance (SSDI); or
- Is entitled to Supplemental Security Income (SSI) benefits based on blindness or disability under Title II or XVI of the Social Security Act (“Social Security Act Eligibility”); or
- has a disability certification meeting specified requirements that is made under penalties of perjury (“Diagnosis-Based Eligibility”).

In all cases, the blindness or disability must have occurred before the date on which the individual attained age 26.

### Social Security Act Eligibility Certification Requirements

If an individual seeks to open an ABLÉ Account based on Social Security Act Eligibility, the Tax Regulations provide that the qualified ABLÉ Program may determine the evidence required to establish the individual’s eligibility. The Program currently requires that an individual who claims Social Security Act Eligibility must certify under penalties of perjury that he or she is entitled in the then current year to receive SSI or SSDI benefits, as applicable. For more information about benefits based on blindness or disability under Title II or XVI of the Social Security Act, please see <https://www.ssa.gov/disability/professionals/bluebook/general-info.htm> or contact your local Social Security Field Office.

### Diagnosis-Based Eligibility Certification Requirements

If an individual asserts Diagnosis-Based Eligibility to open an ABLÉ Account, the Program, based on the Tax Regulations and guidance from the U.S. Treasury Department, currently requires that the individual certify under penalties of perjury that: (1) he or she has a medically determinable physical or mental impairment which results in marked and severe functional limitations (within the meaning of the Social Security Act) and which (i) can be expected to result in death or (ii) has lasted or can be expected to last for a continuous period of not less than 12 months; or (2) he or she is blind (within the meaning of the Social Security Act).

The individual must also certify that the disability or blindness occurred before the individual attained age 26.

The Program further requires that the individual certify under penalties of perjury that he or she has received a written diagnosis relating to the disability from a “licensed physician” (as defined in Section 1861(r) of the Social Security Act, 42 U.S.C. 1395x(r)). The individual must also agree to retain and provide a copy of the physician’s written diagnosis and related information to

the Program upon request. If the Beneficiary fails to provide the requested information within 30 days of any request, the Program reserves the right to reject further contributions to the Beneficiary's ABLE Account until the requested information is provided.

## Eligibility Requirements are Subject to Federal Law and May Change

Eligibility requirements are based on a good-faith interpretation of federal law and regulations and are subject to change at any time. None of Maryland, State Treasurer, the Program, the Program Manager, the Investment Adviser, the Custodian, or their authorized agents or representatives will have any responsibility or liability for an individual's failure (or their Authorized Legal Representative's failure) to establish eligibility to open an ABLE Account or maintain eligibility to continue to make contributions to or withdrawals for Qualified Disability Expenses from an ABLE Account.

## Opening Your ABLE Account

To open an ABLE Account, the Beneficiary, or someone on their behalf, must first complete the documentation in the online enrollment process or submit a paper enrollment form (each, an "Enrollment Form"). The Enrollment Form and this Program Disclosure Booklet govern the terms of your ABLE Account. The Enrollment Form requires you to provide the Program with certain information, including your eligibility to open an ABLE Account, the Portfolio Option(s) you would like to invest contributions in, your name, address, date of birth, Social Security Number, and other information that will allow the Program to identify you. Until you provide the information needed, the Program will not be able to open your ABLE Account or allow contributions to the Program for your benefit.

The Beneficiary, or someone on their behalf, may complete and submit the Enrollment Form online on the Program's website or mail a paper Enrollment Form to the address listed on the Enrollment Form.

**Persons Authorized to Open Your ABLE Account:** An ABLE account may only be established for an Eligible Individual by:

- (a) the Eligible Individual;
- (b) a person selected by the Eligible Individual; or
- (c) subject to certain certifications and restrictions set forth below, if an Eligible Individual, whether a minor or an adult, is unable to establish an able account, in the following priority:
  - (i) the Eligible Individual's agent under a power of attorney; or
  - (ii) if the Eligible Individual does not have a power of attorney, in the following order of priority, the Eligible Individual's:
    - (A) legal guardian or conservator;
    - (B) spouse;
    - (C) parent;
    - (D) sibling;
    - (E) grandparent; or

(F) representative payee appointed for the Eligible Individual by the Social Security Administration.

**Required Certification:** The Program will accept a self-certification made under the penalties of perjury from the person seeking to establish an account that indicates: (i) the basis of the person's authority to establish the account; and (ii) there is no other person with a higher priority to establish the account as described above.

**Restrictions on Certain Individuals:** The following individuals may not establish an ABLE account on behalf of an Eligible Individual: (a) a minor; (b) an individual against whom the Eligible Individual has obtained a peace or protective order; (c) an individual who has been held civilly or criminally liable for financial exploitation under Title 13, Subtitle 6 of the Estates and Trusts Article of the Annotated Code of Maryland; or (d) an individual who is the subject of a civil or criminal order prohibiting contact with the Eligible Individual.

### One Account Rule

No Beneficiary may have more than one ABLE Account in existence at the same time (the "One Account Rule"). A prior ABLE Account that has been closed does not prohibit the subsequent creation of another ABLE Account for the same Beneficiary. As part of the enrollment process, the person establishing the ABLE account will be required to certify under penalties of perjury that he or she neither knows nor has reason to know that the eligible individual already has an existing ABLE account (other than an ABLE account that will terminate with the rollover or program-to-program transfer of its assets into the new ABLE account. If a Beneficiary has more than one ABLE Account open at the same time (other than in the case of a 60-day transition period for Rollovers), the later-opened account(s) will not be treated as an ABLE Account under Section 529A and will not be eligible for the benefits of ABLE Accounts. For example, monies contributed to a second or subsequent ABLE Account will not be disregarded for determining eligibility under federal means-tested programs, such as SSI, and could result in the imposition of federal taxes and penalties. See "Tax Considerations" below for more information.

### Choosing Portfolio Options

The State Treasurer has established multiple Portfolio Options for the Program. To complete your Enrollment, you select the amount of funds to invest in a Portfolio Option(s). You may select the Cash Option and/or one or more of the Investment Options, with a minimum initial investment of \$25 and minimum subsequent investments of \$5.00 contributed to any single portfolio.

See "Portfolio Options" for summaries of the Cash Option and Investment Options offered under the Program.

# Contributing to your ABLE Account

## How You Can Contribute to Your ABLE Account

Your ability to contribute to your ABLE Account is limited to the following methods:

(1) by check (excluding starter and cashier's checks); (2) through an automatic contribution program; (3) by electronic funds transfer ("EFT"); or (4) through a Rollover from another qualified ABLE program or a Qualified Tuition Program.

- Checks should be made payable to "Maryland ABLE." Contributions by check must be drawn on a banking institution located in the United States in U.S. dollars. For further clarification on acceptable methods of payment, please call the Program customer service number: 1-855-563-2253.
- You can contribute through an automatic contribution election. Changes can be made to your automatic contribution election online on the Program website or with a paper form you may obtain by downloading from the Program website or calling the customer service number: 1-855-563-2253.
- EFTs allow you to make contributions from your linked bank account over the internet on the Program website.
- The Beneficiary can contribute through automatic payroll deductions if available through their employer.
- The Beneficiary or their representative payee, if serving as the account Authorized Legal Representative, can directly contribute their Social Security Administration benefits through automatic SSA direct deposit.
- You may contribute to a Maryland ABLE Account through a Rollover by completing the appropriate section on the Enrollment form and the applicable rollover account form.

## Rollover Contributions

A Rollover is a transfer of funds by any of the following methods:

**Direct Rollover** — Rollover assets directly from a Qualified Tuition Program (college savings/529 account) or another ABLE plan into a Maryland ABLE account. In a direct rollover the movement of funds is coordinated by the Qualified Tuition Program or former ABLE plan and the Maryland ABLE program managers.

**Indirect Rollover** — Deposit assets that have been withdrawn from a Qualified Tuition Program or another ABLE plan into a Maryland ABLE account. In an indirect rollover the movement of funds is coordinated by the account owner(s) who will take possession of the funds, and such funds must be deposited within 60 days of being withdrawn from the originating program. If funds are not deposited within 60 days, it will be treated as a withdrawal for tax purposes.

The sources of funds for Rollovers are described below:

***ABLE to ABLE Rollover*** — A tax-free Rollover of funds into an ABLE account from another qualified ABLE program may be made as described herein if the Beneficiary of the recipient account is the same Beneficiary or a Sibling of the Beneficiary, as defined by this Program Disclosure Booklet, who is an Eligible Individual. Both a Direct and an Indirect Rollover can be initiated by completing the ABLE to ABLE Rollover Form and delivering the completed Form to the Maryland ABLE Program Manager. Based on IRS regulations, rollovers for the same Beneficiary are restricted to one per 12-month period..

Pursuant to current IRS guidance, in the case of a Rollover, the ABLE Account from which amounts were rolled, or taken from, must be closed as of the 60th day after the amount was distributed from the ABLE Account in order for the account that received the Rollover to be treated as an ABLE Account. If the account that receives the transfer is not treated as an ABLE Account, the account will not be eligible for the benefits of ABLE Accounts. For example, the account will not be disregarded for determining eligibility under federal means- tested programs, such as SSI, and could result in the imposition of federal taxes and penalties. To avoid any potential disqualification of an ABLE Account in the Program, the Program requires you to certify that the ABLE Account from which a Rollover is being made into the Program has been closed before the ABLE Account in the Program is opened.

A transfer of funds that does not meet the conditions stated above for Rollovers will constitute a Non-Qualified Withdrawal subject to federal tax on earnings and the Additional 10% Tax. In addition, a transfer to a person who is not a Sibling of the Beneficiary may subject the Beneficiary to federal gift taxes generation-skipping transfer (“GST”) tax, or other tax consequences.

The Program Manager will assume that the entire amount of any contribution that is a Rollover contribution from another qualified ABLE Program is earnings unless the Program Manager receives appropriate documentation showing the principal and earnings portions of the Rollover contribution. If you are attempting to contribute to the Program via a Rollover, the qualified ABLE Program from which you are transferring funds may restrict or prohibit such transfer or impose charges, so you should investigate this change thoroughly before requesting such a transfer.

***Qualified Tuition Program (College Savings/529 Account) to ABLE Rollover*** — A tax-free Rollover of funds into an ABLE account from a Qualified Tuition Program (also known as college savings or 529 accounts) to an ABLE account may be made as described herein for the same Beneficiary or for a different Beneficiary, provided that the receiving Beneficiary is a “member of the family” of the original 529 Beneficiary (as defined by section 529 of the IRS Code). Rollovers into an ABLE account from a Qualified Tuition Program are limited to up to \$18,000 for calendar year 2024 minus any contributions to date for the calendar year and are subject to the ABLE account’s annual contribution limit. Federal tax law currently requires any Rollovers from a Qualified Tuition Program to an ABLE Account be finalized by December 31, 2025.

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\* For calendar year 2024.



## Who Can Contribute to an ABLE Account

Any individual (including your friends and family), corporation, trust, or other legal entity may make a contribution to your ABLE Account. However, any contribution to an ABLE Account may have gift or other tax consequences to the contributor. The Beneficiary is the owner of the ABLE Account. Contributions by third parties (i.e., anyone other than the Beneficiary) will become the property of the Beneficiary.

### Standard Annual Contribution Limit

The standard Annual Contribution Limit is currently \$18,000 per year per ABLE account. The Annual Contribution Limit is tied to the federal gift tax exclusion. This limit may be adjusted annually for inflation and rounded to the nearest multiple \$1,000.

#### EXAMPLE

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If the Beneficiary contributes \$15,000 to the ABLE Account in a calendar year and the Beneficiary's parent contributes \$3,000, the standard Annual Contribution Limit will have been reached and no additional contributions will be accepted into the ABLE Account until the following year, except as provided below for ABLE to work contributions.

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The standard Annual Contribution Limit may increase from time to time. If contributions in excess of this limit are inadvertently accepted by the Program, such amounts will be refunded in accordance with the section Attempted Contributions over the Annual Contribution Limit below.

### ABLE to Work Contributions

Over and above the standard Annual Contribution Limit (i.e. \$18,000 for 2024), a working Beneficiary is allowed to contribute an additional amount up to the lesser of: (i) the Beneficiary's compensation for the current tax year; or (ii) an amount equal to the federal poverty line for a one person household as determined for the calendar year preceding the tax year in which contributions are made. For 2024 this is \$14,580 for residents of all states except for residents of Alaska where the amount is \$18,210 and Hawaii where the amount is \$16,770. For current limits see: <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

The additional contribution is not allowed if the Beneficiary or his/her/their employer contributes to the Beneficiary's retirement plan (such as a defined contribution plan (e.g. 401(k), 403(b), or 457(b) retirement plan) within the taxable year.

### Attempted Contributions over the Annual Contribution Limit

The Program Manager will not knowingly accept contributions that would cause your ABLE Account to exceed the Annual Contribution Limit ("Excess Contributions"). In the event that an Excess Contribution is inadvertently accepted by the Program, the Program Manager will make a good-faith effort to return the Excess Contribution, plus or minus any investment gains or losses incurred as a result of market fluctuations between the date of the Excess Contribution and the date of refund, to the contributor.

If you identify any excess contributions you must request a return of the contributions from the Plan Manager on or before the day prescribed by law (including extensions of time) for filing tax returns for the taxable year in which the contribution was made. Excess Contributions inadvertently applied to an ABLE Account and not returned to the contributor on or before the due date (including extensions) of the Beneficiary's income tax return for the year in which the Excess Contributions were made will result in the imposition on the Beneficiary of a six-percent excise tax on the amount of Excess Contributions. Please consult your tax adviser.

### **Maximum Account Balance**

Additional contributions to an ABLE Account are not permitted if, taking into account the proposed contribution, the ABLE Account's balance is or would be greater than the Maximum Account Balance permitted by the Maryland ABLE Program, currently \$500,000. ABLE Accounts that have reached the Maximum Account Balance may continue to accrue earnings. This limit may increase from time to time. Once the ABLE Account balance falls below the Maximum Account Balance, contributions may resume, subject to the same limitations.

Remember, while the Maryland ABLE Program's Maximum Account Balance is \$500,000, amounts over \$100,000 may adversely affect a Beneficiary's eligibility for SSI cash benefits.

### **Attempted Contributions over the Maximum Account Balance**

The Program Manager will not knowingly accept attempted contributions that would violate the Maximum Account Balance ("Excess Aggregate Contributions"). If Excess Aggregate Contributions are inadvertently accepted by the Program, the Program will make a good faith effort to return to the contributor the Excess Aggregate Contributions, plus any earnings on the Excess Aggregate Contributions or less any amounts attributable to market losses suffered between the date of the Excess Aggregate Contribution and the date of refund. If the Program is unable to return the excess contributions, the funds will be considered abandoned property and transferred to the Comptroller of Maryland.

### **Unit Value and Processing Contributions**

Contributions to your ABLE Account are applied to the purchase of Units of the Portfolio Option(s) you select. When you make contributions, you are acquiring additional Units of that Portfolio.

Contributions received by the Program Manager, or its agent, in good order before the close of the NYSE, which is normally 4 p.m. Eastern Time, on any day the NYSE is open for business are processed that day based on the net asset value of the Portfolio Option selected to receive the contribution as of [close of business on the date of the contribution]. Requests received after the close of the NYSE, or on a day that the NYSE is not open for business, are processed the next business day using the net asset value of the Portfolio Option selected to receive the contribution at the close of business on that day.

The net asset value of a Unit in each Portfolio Option is computed by dividing (i) a Portfolio Option's assets less any liabilities allocated to that Portfolio Option by (ii) the number of outstanding Units of such Portfolio Option. The liabilities allocated to a Portfolio Option are described in the "Annual Asset-Based Fees" chart on page 29.

# Taking a Withdrawal from your ABLE Account

## General

You can request certain withdrawals online at any time. You can also take a withdrawal by calling us or completing a withdrawal form available on our website. Only you (or your Authorized Legal Representative) can request a withdrawal. Withdrawals may only be made to you or for your benefit. Two exceptions are for Rollovers out of the Program and returns of Excess Annual Contributions or Excess Aggregate Contributions that had been inadvertently accepted. Currently, the Program allows only one withdrawal per day and a maximum of \$18,000 per withdrawal.

## Qualified Withdrawals

Withdrawals from your Account are either Qualified or Non-Qualified as determined by the IRS. As the Beneficiary, you (or your Authorized Legal Representative) are responsible for satisfying the IRS requirements for proof of Qualified Distributions, which may require you to retain any paperwork and receipts necessary to verify the type of withdrawal you received. We will not provide information to the IRS regarding the type of withdrawals you receive.

Withdrawals for Qualified Disability Expenses are exempt from federal income taxes and the applicable tax penalty assessed to non-qualified withdrawals.

A Qualified Withdrawal is a withdrawal from your ABLE Account that is used to pay for any Qualified Disability Expenses of the Beneficiary. Qualified Disability Expenses are any expenses that are incurred at a time when the Beneficiary is an Eligible Individual, (2) relate to the blindness or disability of the Beneficiary, and (3) are for the benefit of the Beneficiary in maintaining or improving his, her or their health, independence, or quality of life. Such expenses include, but are not limited to, expenses related to the Beneficiary's education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness, financial management and administrative services, legal fees, expenses for oversight and monitoring, funeral and burial expenses, and other expenses that may be identified from time to time by the IRS. Amounts distributed from an ABLE Account to pay any part of a claim filed against the Beneficiary or the ABLE Account by a state under a state Medicaid Program are considered Qualified Disability Expenses.

## Method of Withdrawal

Withdrawals can be made by electronic transfer to a linked bank account, electronic bank to bank transfer (ACH transfer), distribution to a Prepaid Card, by check (a fee may apply), or an electronic funds transfer (EFT), e.g. an automatic bill pay.

There are restrictions on the availability of funds for withdrawal:

- Initial and subsequent contributions received from a Beneficiary or ALR following a new enrollment will be subject to a five (5) Business Day holding period before funds are available for withdrawal.

- Contributions made as a result of a gift from a third party will be subject to a five to ten (5-10) Business Day holding period before the funds are available for withdrawal.
- A change in mailing address will result in a fifteen (15) calendar day holding period before physical checks can be requested and mailed to the new address of record.
- A change or addition in bank account will result in a ten (10) calendar day holding period before Electronic Fund Transfers (EFT) can be requested and sent to the new linked bank account.

## **Unit Value and Processing Withdrawals**

Withdrawals from your ABLE Account are processed by divesting you of Units of the Portfolio Option(s) you had selected. For a withdrawal request received in Good Order on a Business Day before the close of regular trading on the NYSE (usually 4 p.m. Eastern Time), the Unit value used to calculate the value of the withdrawal from your ABLE Account will be the Unit value of the applicable Portfolio Option(s) determined after the close of regular trading on the NYSE on the date the request is made. For a withdrawal request received in Good Order on a Business Day after the close of regular trading on the NYSE or on a day when the NYSE is not open for trading, the Unit value used to calculate the value of the withdrawal will be the Unit value of the applicable Portfolio Option(s) determined after the close of regular trading on the NYSE on the next Business Day. See “Unit value” under “Contributing to Your Account,” above, for more information.

## **Withdrawals Using a Prepaid Card**

The Maryland ABLE Prepaid Card will be issued by Sunrise Bank (“Issuing Bank”) in accordance with the terms of the Cardholder Agreement established by the Issuing Bank. The Prepaid Card program will be managed by True Link Financial. Beneficiaries can request a Prepaid Card at [marylandable.org/prepaid](http://marylandable.org/prepaid).

To sign up for a Prepaid Card you must first have a valid Maryland ABLE Account. When you sign up for a Prepaid Card account, you’ll be required to agree to the Issuing Bank’s Privacy Policy and a separate Cardholder Agreement with the Issuing Bank. You will also be subject to any additional card account related fees as documented in the Issuing Bank’s schedule of fees.

You can load your Prepaid Card and track your transaction activity directly from your online Prepaid Card account via the Issuing Bank’s website. Loading your Prepaid Card is treated like any other withdrawal. Loading your Prepaid Card is considered a withdrawal and does not count toward the annual limit of only two changes to investment direction.

A maximum of 95% of your available ABLE Account balance can be withdrawn from your available ABLE Account balance to be loaded onto your Prepaid Card, subject to the daily and monthly load card maximums set by the Issuing Bank. You may not add funds to your Prepaid Card account from any other source, including credit cards, debit cards, bank accounts, cash or by sending personal checks, cashier’s checks, retailer load networks (e.g. Green- Dot, MoneyGram, Western Union, etc.), or money orders to the Issuing Bank.

You may not use your Prepaid Card for online gambling or illegal transactions. You can use the Prepaid Card for Qualified Disability Expenses online or in stores all over the U.S. that accept VISA cards.

If your Card Account has a zero or negative balance and has had a negative balance for 4+ consecutive months, the Issuing Bank may, automatically close your card without advance notice.

### **Rollover to another ABLE Program**

If you are withdrawing funds to complete a Rollover to another ABLE Program, the amount distributed from your Account must be reinvested into another Qualified ABLE Program within 60 days of the distribution date for it to constitute a Qualified Withdrawal. Remember, a Beneficiary can only have one ABLE account at a time so the full balance would have to be withdrawn and deposited into the new account.

### **Non-Qualified Withdrawals**

A Non-Qualified Withdrawal is any withdrawal that does not meet the requirements of being a Qualified Withdrawal or a Rollover. The earnings portion of a Non-Qualified Withdrawal is subject to federal income taxation and the Additional 10% Tax except in certain limited circumstances. See the "Tax Considerations" section for more information.

# Changes to Your Account

## Changes in Eligibility

A Beneficiary has an obligation to promptly notify the Program of any change in their status as an Eligible Individual. There may be circumstances in which a Beneficiary ceases to be an Eligible Individual but then later regains their status as an Eligible Individual. An example would be if a disease that causes a disability goes into remission but later reemerges.

Therefore, if at any time a Beneficiary no longer meets the definition of an Eligible Individual, their account will remain an ABLE Account to which all of the provisions of Section 529A continue to apply. However, under the Tax Regulations, beginning on the first day of the taxable year following the taxable year in which the Beneficiary ceased to be an Eligible Individual, no additional contribution to the ABLE Account may be accepted by the Program. If the Beneficiary subsequently again becomes an Eligible Individual, then additional contributions may be accepted subject to the Annual Contribution Limit and the Maximum Account Balance. For example, if the Beneficiary is no longer an Eligible Individual as of September 10 of a year, beginning on January 1 of the following year no additional contributions to the ABLE Account will be accepted. However, if on June 3 of that same year the Beneficiary regains their eligibility and provides the required certifications to the Program; additional contributions will be accepted. Please note that expenses will not be Qualified Disability Expenses if they are incurred at a time when the Beneficiary is not an Eligible Individual.

## Changing Portfolio Option Selection(s)

You may transfer your funds between Portfolio Options no more than twice per calendar year. You may add new Portfolio Options at any time.

Adding a Portfolio Option or transferring funds between Portfolio Options may be completed online.

## Changing a Beneficiary

You can change the Beneficiary on an ABLE Account at any time as long as the change is made prior to the death of the former designated Beneficiary and as long as the successor designated Beneficiary is an Eligible Individual. To avoid negative tax consequences, the new Beneficiary must be a Sibling of the Beneficiary, provided they are an Eligible Individual with a qualifying disability. A Sibling of the Beneficiary includes a brother, sister, stepbrother, stepsister, half-brother, and half-sister. Naming a new Beneficiary will result in your original Account being closed and a new one being opened. See section on "Tax Considerations" for additional information.

## Zero-Balance Accounts

If an ABLE account has a zero-dollar balance for 12 months or more it may be closed. To reinstate a zero-balance account, the Beneficiary or an Authorized Legal Representative must call the customer service center at 1-855-563-2253 from 9am-6pm ET or 1-844-888-2253 (TTY) to request the necessary form or download and submit the required reactivation paperwork.

## Social Security and Medicaid Considerations

The Social Security Administration (“SSA”) has issued guidance on how it will treat ABLE Accounts for purposes of determining eligibility under SSI. See “Achieving a Better Life Experience (ABLE) Accounts, Program Operations Manual Systems,” SI 01130.740 available at <https://secure.ssa.gov/apps10/poms.nsf/lnx/0501130740>.

The description below is derived from publicly available sources and is only provided for informational purposes. It is not intended to be exhaustive, and is subject to change at any time.

### Exclusions from Countable Resources Account Balances under \$100,000

Only the portion of an ABLE account balance that exceeds \$100,000 is counted for the purpose of determining the Beneficiary’s available assets when establishing eligibility for SSI benefits.

### Funds Withdrawn from an ABLE Account for Qualified Expenses

SSA will also exclude from the Beneficiary’s countable resources a distribution from an ABLE Account for Qualified Disability Expenses. This exclusion applies for as long as:

- the Beneficiary maintains, makes contributions to, or receives distributions from the ABLE Account;
- the distribution is unspent (unless the withdrawal is for rent or mortgage payments which must be spent in the calendar month they were withdrawn); and
- the distribution is identifiable.

Withdrawals for rent or mortgage payments must be spent in the same month that the funds are withdrawn from the ABLE account. Except for rent or mortgage payments, SSA will exclude from countable resources the funds that had been withdrawn even if the Beneficiary retains them beyond the month in which they were withdrawn.

#### EXAMPLE

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Eric takes a withdrawal of \$500 from his ABLE Account in June 2023 to pay for a health-related Qualified Disability Expense. His health-related expense is not payable until September, so Eric deposits the withdrawn funds into his checking account in June. Eric maintains his ABLE Account at all relevant times, and the withdrawn funds are both unspent and identifiable until Eric pays his health-related expense in September. The money is not income in June and SSA will exclude the \$500 from Eric’s countable resources in July, August, and September.

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SSA will apply normal SSI resource counting rules and exclusions to assets or other items purchased with funds from an ABLE Account.

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**EXAMPLE**

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Fred takes a withdrawal of \$1,500 from his ABLE Account in September 2023 to buy a wheelchair, which is a Qualified Disability Expense. The wheelchair is an excluded resource in October and beyond, because it is an individual's personal property required for a medical condition.

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**Amounts Included as Countable Resources Account Balances over \$100,000**

Funds in an ABLE account over and above the first \$100,000 are included as a countable resource by SSA.

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**EXAMPLE**

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Jennifer has \$101,000 in her ABLE Account. SSA includes \$1,000 as a countable resource of Jennifer's.

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**Withdrawn Funds for Non-Qualified Expenses**

SSA will count withdrawals for expenses that are not Qualified Disability Expenses as countable resources.

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**EXAMPLE**

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Ben withdraws \$50 to buy a birthday present for his mother. Qualified Disability Expenses do not include items that are not related to the health, independence or quality of life of the Beneficiary. The \$50 would be counted by SSA as a resource.

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**Special Treatment for Rent or Mortgage Expenses**

If retained beyond the calendar month in which the funds were withdrawn, SSA will include withdrawals for rent or mortgage payments as a countable resource.

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**EXAMPLE A**

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Amy takes a distribution of \$500 from her ABLE Account in May to pay her June rent. She deposits the \$500 into her checking account in May but does not pay rent until June 2nd. SSA will treat the \$500 as a countable resource for the month of May.

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**EXAMPLE B**

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Jim takes a distribution of \$800 from his ABLE Account in August to pay his August rent. He deposits the \$800 into his checking account on August 3rd, and then withdraws \$800 in cash on August 5th and pays his landlord. The \$800 is not included as a countable resource for Jim because he received the distribution in August and also spent it in August.

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## When is SSI Affected?

When the balance of an SSI recipient's ABLE Account exceeds \$100,000, SSI may be affected. If the ABLE Beneficiary's assets, including the funds in their ABLE account over \$100,000, cause the recipient to exceed the SSI \$2,000 resource limit, the recipient is put into a special SSI suspension status.

During the SSI suspension:

- The recipient's SSI benefits are suspended, but without application of the standard 12-month time limit (as long as he or she remains otherwise eligible, *i.e.* does not lose benefits based on reasons, other than resource limit due to ABLE account); and
- The recipient retains continued eligibility for Medical Assistance (Medicaid). SSA will reinstate the recipient's regular SSI eligibility for any month in which the individual's ABLE Account balance no longer causes the recipient to exceed the resource limit and he or she is otherwise eligible.

### EXAMPLE

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Paul is the designated Beneficiary of an ABLE Account with a balance as of the first of the month of \$101,000. Paul's only other countable resource is a checking account with a balance of \$1,500. Paul's countable resources are \$1,000 from his ABLE Account (the amount over \$100,000) and \$1,500 from his checking account for a total of \$2,500. Paul therefore exceeds the SSI resource limit and his benefit will be suspended in accordance with the ABLE suspension rules, and he retains eligibility for Medicaid.

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## Exclusions from Income

SSA will exclude from the income of the Beneficiary any of the following:

- any investment earnings on contributions to an ABLE Account;
- qualified withdrawals from an ABLE Account;
- some contributions to an ABLE Account (e.g. contributions attributable to Rollovers from an ABLE account from a Sibling of the Beneficiary to an SSI recipient's ABLE Account).

Contributions from the person who makes the contribution are income for that contributor. The fact that a person uses their income to contribute to an ABLE Account does not mean that income is not countable for SSI purposes. For example, a Beneficiary can have contributions automatically deducted from their paycheck and deposited into their own ABLE Account. In this case, the income used to make the ABLE Account contribution would still be included in the Beneficiary's gross wages.

## Medicaid

The ABLE Act provides that, for the purpose of determining an individual's eligibility to receive, or the amount of, any assistance provided by a needs-based federal program (such as Medicaid), amounts in, contributions to, and certain withdrawals from, ABLE Accounts shall be disregarded. The Centers for Medicare & Medicaid Services has provided guidance to states on the treatment of funds in, contributions to, and withdraws from an ABLE Account, under the ABLE Act, for purposes of Medicaid eligibility. The guidance can be found here: <https://www.medicaid.gov/federal-policy-guidance/downloads/smd17002.pdf>. Please consult with your state's Medicaid office for questions.

Generally, in accordance with Section 529A, following the death of the Beneficiary, any state may file a claim against the ABLE Account for the amount of the total medical assistance paid for the Beneficiary under that state's Medicaid Program after the establishment of the account (or any ABLE Account from which amounts were rolled to the ABLE Account). Under Maryland law, unless required by federal law, a Maryland agency may not seek payment from an ABLE account for any amount of medical assistance for the Beneficiary.

Any amount paid in satisfaction of such a claim is not a taxable distribution from the ABLE Account. Further, under federal law, the amount is to be paid to the claiming state only after the payment of all outstanding payments due for the Qualified Disability Expenses, which include burial and funeral expenses, of the Beneficiary and is to be reduced by the amount of all premiums paid by or on behalf of the Beneficiary to a Medicaid Buy-In program under that state's Medicaid Program. Procedures for filing claims may vary from state to state. Authorized Legal Representatives and executors and administrators should consider seeking legal counsel on the applicability of, and any available exceptions to, Medicaid recapture under applicable state law and regulation.

# Portfolio Options

## Overview

The Program offers a Cash Option and four different Investment Options for you to invest in. Each Portfolio Option caters to a distinct set of investment objectives and risk tolerance.

The Cash Option is invested in an FDIC insured account at the Bank. Each of the Investment Options is invested in several Mutual Funds. Summaries of the underlying Mutual Funds and the risks associated with investments in the Mutual Funds appear in Appendix I to this Program Disclosure Booklet. Please note that an investment in an Investment Option in the Program is not an investment in these underlying Mutual Funds, and that an investment in the Cash Option does not create a depository relationship between the Beneficiary and the Bank.

You may allocate your contributions to one of the Portfolio Options, or you may choose to allocate your contributions among the Cash Option and any of the Investment Options. IRS rules allow only two investment direction changes per calendar year. Amounts may also be transferred between Portfolio Options upon a change of Beneficiary to a Sibling of the Beneficiary who is an Eligible Individual. See the Getting Started and Changes to Your Account sections above, for information about changing Portfolio Option elections.

Choosing a Portfolio Option for your ABLE Account takes planning. You need to consider your savings goals and your spending needs, understand your investment objectives, and select Portfolio Options suitable to your investment needs. This section helps you to understand the types of Portfolio Options offered under the Program, and the risks involved in investing in such Portfolio Options. Beneficiaries should periodically assess, and if appropriate, adjust their investment choices with their time horizon, risk tolerance, and investment objectives in mind.

## Cash Option

The Cash Option offers FDIC insurance protection for amounts contributed to the Cash Option, up to FDIC permitted limits. The Cash Option allocates 100% of its assets to a demand deposit account established by the Trust at the Bank (the “Bank Account”).

### FDIC Insurance

Representatives of the Federal Deposit Insurance Corporation have indicated that contributions to and earnings on an FDIC-insured bank account held by a trust such as the Trust will be insured by the FDIC on a pass-through basis to each Beneficiary under existing or amended FDIC regulations, subject to applicable insurance limits and compliance with applicable record-keeping requirements. Accordingly, contributions to and earnings on the Cash Option are insured by the FDIC on a pass-through basis to each Beneficiary in the same manner as other deposits held by the Beneficiary at the Bank in the same ownership right and capacity. (For this purpose, accounts established by a custodian for a minor under UTMA or UGMA are aggregated for insurance purposes with all other accounts with the Bank held by the minor.) FDIC insurance generally protects up to \$250,000 of your deposits at the same bank in the same ownership right and capacity, so the portion of your ABLE Account invested in the Cash Option, taken together with other deposits you hold in a single ownership basis at the Bank, will be insured up to \$250,000.

For more information on FDIC insurance, visit [www.fdic.gov](http://www.fdic.gov). (See also “Investment Risks” below.)

## Interest Rates

Interest on the Bank Account will be credited by the Bank on the last business day of each month based on the average daily balance on deposit in the Bank Account during such month. The base interest rate (prior to program-related fees) on the Cash Option will be a rate equal to the upper end of the Federal Funds target rate range, set from time to time by the Federal Reserve's Federal Open Market Committee ("FOMC"), less 15 basis points.

From this base interest rate, Administrative Fees (0.30%), the variable fees to cover program costs of the Prepaid Card and any other applicable fees are deducted. For more information about these fees see Costs of Having an ABLE Account on page 29.

An example of the calculation of the interest rate follows:

If the upper end of the Fed Fund Target rate was 3.25% (325 basis points) on a particular date, that would yield a base interest rate of 3.10% (310 basis points) from which the Administrative Fee of 0.30% (30 basis points) is deducted along with a 0.009% (0.9 basis points) variable program fee to cover Prepaid Card expenses. This produces a net annual interest rate paid to participants in the Cash Option of 2.791% (279.1 basis points).

The interest rate applicable to an amount on deposit in the Bank Account may be obtained at any time by contacting the Maryland ABLE program at [www.marylandable.org](http://www.marylandable.org).

The Fed Fund Target rate, which starts the calculation, is subject to change by the FOMC. The FOMC normally meets eight times a year and may also hold additional meetings and implement target rate range changes outside of its normal schedule.

Units in the Cash Option will have a daily net asset value that includes interest accruals on the Bank Account and is net of applicable fees.

If the interest rate on the Bank Account for any period is less than or equal to the Administrative Fee for such period, the net interest accrual on Units in the Cash Option for such period will be zero. During any such period when the interest rate is less than the Administrative Fee, the Trustee, Program Manager, and the Partner State will each waive their portion of the Administrative Fee, pro rata, that exceeds such interest rate so that the Administrative Fee shall not cause a negative return on amounts contributed to the Cash Option.

## Notice Regarding Withdrawals

All withdrawals will be processed by the Program Manager on behalf of the Trust. Beneficiaries will not be able to withdraw Cash Option funds directly from the Bank.

### **Cash Option Risks and Considerations**

With respect to any amount allocated to the Cash Option that is not insured by the FDIC, the Bank will be the sole party responsible for the repayment of the principal amount of such contributions and earnings thereon, even if the Bank goes into Receivership or otherwise experiences insolvency.

In the event the Bank exercises its right to close the Bank Account and under certain other circumstances, the Program may be required to transfer amounts invested in the Cash Option to another investment that may not be eligible for FDIC deposit insurance. Accordingly, there is no assurance that any FDIC deposit insurance applicable to your investments in the Cash Option will remain in effect for the duration of your participation in the Program.

The money you contribute to the Cash Option, taken together with other deposits you have at the Bank, is insured up to FDIC limits and will not be subject to investment risk or loss to principal except as set forth herein. If the Bank is unable to pay all or part of any such amounts, then the FDIC may be obligated to pay the balance of that amount up to the limit previously described.

There is a risk that the Bank Account's interest rate, in the future, could decrease. There is no minimum guaranteed interest rate for the Bank Account. The fees charged by the Program may exceed the interest paid by the Bank.

The State Treasurer may change how and with which financial institution the allocations to the Cash Option are deposited. You will receive written notification of any such changes.

Past performance information for the Cash Option and the underlying Bank Account are not indicative of future performance. Cash Option performance information represents past performance and is no guarantee of future results.

The balance in your ABLE Account invested in the Cash Option will fluctuate based on the interest rate on the underlying Bank Account.

### **The Investment Portfolio Options**

The Program offers four different Investment Options designed for different investment objectives and risk tolerances.

#### **The ABLE Fixed Income Investment Option**

The ABLE Fixed Income Investment Option seeks to provide current income and reduced volatility in a portfolio of mutual funds intended to produce an overall investment exposure of 100% bonds. Overall, this portfolio is designed to reduce risk and provide limited appreciation potential, as well as provide for a shorter investment period.

See Appendix I for a more detailed summary of the Mutual Funds in which assets are invested under this Investment Option.

### **The ABLE Conservative Investment Option**

The ABLE Conservative Investment Option seeks to provide current income and some growth by investing in a portfolio of mutual funds intended to produce an overall investment exposure of approximately 20% stocks and 80% bonds. This Portfolio Option is designed for a shorter investment period.

See Appendix I for a more detailed summary of the Mutual Funds in which assets are invested under this Investment Option.

### **The ABLE Moderate Investment Option**

The ABLE Moderate Investment Option seeks to provide a combination of growth and current income by investing in a portfolio of mutual funds intended to produce an overall investment exposure of approximately 50% stocks and 50% bonds. Overall, there's a medium level of risk for a pursuit of investment return, designed for a medium or uncertain time horizon.

See Appendix I for a more detailed summary of the Mutual Funds in which assets are invested under this Investment Option.

### **The ABLE Aggressive Investment Option**

The ABLE Aggressive Investment Option seeks to provide the potential to grow by investing in a portfolio of mutual funds intended to produce an overall investment exposure of approximately 84% stocks and 16% bonds. Overall, there's a higher level of risk and potential for return (or loss), designed for a longer investment period (10 years or more).

See Appendix I for a more detailed summary of the Mutual Funds in which assets are invested under this Investment Option.

### **Investment Portfolio Considerations**

The State Treasurer may add or remove Portfolio Options or change the investment allocations of, or the investments held by, any Investment Option at any time. You will receive written notification of any such changes.

The investment approaches offered by the Investment Options are not recommendations and do not take into consideration your personal goals or preferences. After evaluating information, you consider important in making an investment choice, the ultimate investment decision is up to you. You should consult with your tax or financial adviser for advice regarding your individual situation.

Performance information for the Portfolio Options is not shown in this Disclosure Booklet. Current and historical performance information is available in the Program's Annual Reports which can be found on the Program's website at [add link] and is incorporated by reference into this Disclosure Booklet. Performance information included in the Annual Reports is net of Annual Asset-Based Fees but does not reflect the impact of any potential federal or state taxes. The performance of the underlying Mutual Funds in an Investment Option may be obtained by visiting the applicable Mutual Fund's website.

### **Past Performance No Guarantee of Future Results**

Past performance information for Investment Portfolio Options or Mutual Funds are not indicative of the future performance of any particular Investment Portfolio Option. Investment Portfolio Option performance information represents past performance and is no guarantee of future results.

### **Investment Results of Your Portfolio Option Will Vary**

The investment results of any Investment Portfolio Option for any period cannot be expected to be similar to its investment performance for any prior period. In addition, in view of the anticipated periodic determinations of investment allocations and selection of the underlying Mutual Funds for each Investment Option, the future investment results of any Investment Option cannot be expected, for any period, to be similar to the past performance of any other Investment Options or underlying Mutual Funds. Total returns and the principal value of investments in your ABLE Account will fluctuate based on the investment performance of the underlying Mutual Funds in which the Investment Options have been invested, so your investment may be worth more or less than its original value when you withdraw your money. Performance may be substantially affected over time by changes in the allocations among Mutual Funds and in the underlying Mutual Funds.

# Cost of Having an ABLÉ Account

## Fees and Expenses

This section explains the fees and expenses applicable to your ABLÉ Account. The State Treasurer reserves the right to change the current fees, or to impose new or additional fees, expenses, charges, or penalties at any time in the future.

## Account Maintenance Fee

Your ABLÉ Account will be charged an annual Account Maintenance Fee of \$35 billed quarterly at the end of each quarter for the quarter that has just ended. That means that each March 31, June 30, September 30, and December 31, \$35 will be deducted from your ABLÉ Account to pay the Account Maintenance Fee for the prior calendar quarter. The amount billed will be prorated for the calendar quarter during which you open your ABLÉ Account. Out of each \$35 Account Maintenance Fee, the Program Manager receives \$27, our Partner State receives \$3, and the Trustee receives \$5. The Account Maintenance Fee and the Administrative Fees described in the chart below are designed to help offset the costs of administration of the Program.

Accounts with \$0 balances will not be assessed annual account maintenance fees and charges will not accumulate.

## Annual Asset-Based Fees

There are annual asset-based fees charged by the Program and by the Mutual Funds underlying each Investment Option. While these fees are not charged directly to your ABLÉ Account, you do bear the cost indirectly as they are subtracted from the applicable Portfolio Option's assets, which reduces the daily Unit value of the Portfolio Option. The annual asset-based fees are set forth in the tables below.

ANNUAL ASSET-BASED FEES			
Portfolio Option	Estimated Underlying Mutual Fund Expenses <sup>1</sup>	Administrative Fees <sup>2</sup>	Total Annual Fees <sup>4</sup>
Cash	N/A	0.39% <sup>3</sup>	0.39% <sup>3</sup>
ABLE Fixed Income	0.0463%	0.30%	0.3463%
ABLE Conservative	0.0520%	0.30%	0.3520%
ABLE Moderate	0.0554%	0.30%	0.3554%
ABLE Aggressive	0.0736%	0.30%	0.3736%

<sup>1</sup> The figures in this column are derived from publicly available information for the underlying Mutual Funds as of June 30, 2023. Each Investment Option indirectly bears the underlying Mutual Funds' expenses because when fees are deducted from an underlying Mutual Fund's assets, the value of the underlying Mutual Fund's shares is reduced. Actual underlying investment expenses may vary. You should refer to the Investment Cost Example for an example of what the total investment cost could be over 1-, 3-, 5-, and 10-year periods.

<sup>2</sup> The Program Manager receives 0.10%; the Partner State, receives 0.10%; and the Trustee receives 0.10% of the annualized Administrative Fee. All Fees received by the Trustee are used to offset expenses associated with administering the Maryland ABLÉ program.



<sup>3</sup> This includes 0.30% for the Administrative Fee and 0.9% for the program costs of providing the Prepaid Card. To the extent the interest rate on the Bank Account in which assets of the Cash Option are deposited is less during a particular period than the Administrative Fee, the Trustee, Program Manager and Partner State will waive the portion of the Administrative Fee that exceeds such interest rate for the applicable period, and the Total Annual Asset-Based Fees for the Cash Option will be reduced accordingly for the applicable period.

<sup>4</sup> This total is assessed against assets over the course of the year. Please refer to the Investment Cost Example for a table that shows an example of what the total investment costs could be over 1-, 3-, 5-, and 10-year periods.

## E-Delivery Fees and Waivers

The Program Manager will charge \$10 as an annual print/mail fee. This fee will be waived for Beneficiaries who sign up for electronic delivery of all Program documents at enrollment. The print/mail fee will be withdrawn from ABLE Accounts on a quarterly basis beginning with the quarter the ABLE Account is established. You can opt out of this print/mail fee by signing up for electronic delivery of all Program documents. If a Beneficiary switches from paper to electronic delivery after the ABLE Account is established and maintains that election, no annual print/mail fee will be charged in the following year. Signing up for electronic delivery is as easy as going to the Program website at <http://marylandable.org/> logging into your ABLE Account and selecting electronic delivery.

In addition to being a green alternative, e-delivery documents are in PDF format and may generally be word searched for convenient reference.

FEES FOR ADDITIONAL SERVICES	TRANSACTIONAL FEES
Transaction	Fee
Paper Statement Delivery Fee	\$10 per year
Paper Check Disbursement	\$2.50 per disbursement
Overnight Delivery	\$15
Outgoing Wires	\$15
Re-issue of Disbursement Checks	\$15
ACH Fail/Returned Checks	\$25

## Prepaid Card Fees

There are Prepaid Card Fees charged to each ABLE Account invested in the Cash Option, regardless of whether the Beneficiary utilizes the Prepaid Card. The variable fees include program costs of the Prepaid Card, which are reviewed at least quarterly with the goal of balancing the Program's need to cover certain costs of providing the Prepaid Card and maximizing the interest rate payable to Beneficiaries in the Cash Option.

Many factors contribute to calculating the program cost of providing the Prepaid Card. Thus, this variable fee may change without notice from time to time.

An example of how the variable interest rate will be determined quarterly:

If the Program balance in the Cash Option is \$30,500,000, and the estimated monthly pre-paid card expense is \$2,000, the Program would set the variable rate at the lowest one-tenth of a basis point that will generate enough fees to cover the expenses. In this example, that would be 0.9 bps ( $30,500,000 \times .00007 = \$2,745$ ).

## PREPAID CARD FEES

Fee	Fee Description Online/ Statement	Fee Amount	Details
<b>Set-Up and Maintenance</b>			
Monthly Fee	Monthly Fee	\$1.25	This fee will be charged on the first day of the month following card activation.
<b>Using your Card Outside the U.S.</b>			
International Signature Or PIN Purchase	International Purchase Fee	\$2.00	This is a card fee for an international purchase. If you make a purchase in a currency other than U.S. dollars, the amount deducted from your Card Account will be converted by Visa into U.S. dollars. Visa will establish a currency conversion rate for this convenience using a rate selected by Visa from the range of rates available in wholesale currency markets for the applicable central processing date which may vary from the rate Visa itself receives, or the government-mandated rate in effect for the applicable central processing date, in each instance. This currency conversion fee is in addition to the card fee.
<b>Other</b>			
Replacement Card	Replacement Card Fee	\$5.00	This is the fee each time you request a replacement card prior to the expiration/valid thru date of your card.
Expedited Card	Expedited Shipping Fee	\$30.00	This is the fee each time you request expedited shipping for a card. Your card will arrive in approximately 2-4 business days. You can choose standard delivery for your card for no fee. No additional replacement card fee will be charged.

## Investment Cost Example

The example in the following table is intended to help you compare the cost of investing in the different Portfolio Options over various periods of time. This example assumes that:

- You invest \$10,000 in your ABLE Account for the time periods shown below on January 1st.
- You elected to have 100% of your account balance invested in a single portfolio option.
- Your investment for each Portfolio Option has a 5% quarterly compounded return each year. Your actual return may be higher or lower.
- No withdrawals are reflected.
- Total annual asset-based fees remain the same as shown in the Annual Asset-Based Fees table above.
- A \$35 annual Account Maintenance Fee will be withdrawn from your ABLE Account pro-rata at the end of each calendar quarter.
- The example does not consider the impact of any Enrollment fee, Rollover fee, print/mail fee, or fees for additional services.
- The example does not consider the impact of any potential state or federal taxes on the withdrawal.

Your actual costs may be higher or lower. Based on the above assumptions your costs can be found in the following chart.

APPROXIMATE COST OF \$10,000 INVESTMENT				
Portfolio Option	1 Year	3 Years	5 Years	10 Years
Cash Options	\$65.87	\$201.79	\$343.71	\$728.81
ABLE Fixed Income Investment Option	\$70.63	\$216.65	\$369.53	\$786.21
ABLE Conservative Option	\$71.22	\$218.48	\$372.70	\$793.25
ABLE Moderate Investment Option	\$71.57	\$219.57	\$374.59	\$797.45
ABLE Aggressive Investment Option	\$73.44	\$225.41	\$384.72	\$819.91

## Risks of Investing in the Program

Prospective Beneficiaries should carefully consider, along with other matters referred to in this Program Disclosure Booklet, the following risks of investing in the Program.

### No Insurance or Guarantee

Neither investments in the Program nor earnings, if any, from investments in the Program are insured or guaranteed by the State of Maryland, the State Treasurer, any other state agency or instrumentality, the Program, the FDIC (except to the extent described in this Program Disclosure Booklet in the case of the Cash Option), any federal government agency, the Program Manager, the Investment Adviser, the Custodian, or their respective contractors or affiliates.

### You Could Lose Money

The value of your ABLE Account may decrease. You could lose money, including the principal you invest. The Cash Option offers FDIC insurance up to \$250,000 subject to certain restrictions. See “Investment Risks” below.

### Potential Impact on Supplemental Security Income

Balances over \$100,000 and certain distributions could affect the Beneficiary’s eligibility for SSI. See “Social Security and Medicaid Considerations” above for more information.

### Potential Impact on Medicaid Eligibility

The Centers for Medicare & Medicaid Services (“CMS”) has issued guidance on how ABLE Account funds will be treated for purposes of determining Medicaid eligibility. The CMS guidance can be found at <https://www.medicaid.gov/federal-policy-guidance/downloads/smd17002.pdf>. Please consult with your state’s Medicaid office with any additional questions.

### Potential Impact on State Benefits

Money and assets in the accounts established under the Maryland ABLE program or an ABLE Program in any other state may not be considered for the purpose of determining eligibility to receive, or the amount of, any assistance or benefits from local or Maryland state means-tested programs. Eligibility for state benefits programs outside of Maryland could be impacted by your use of an ABLE Account. Non-Maryland residents should consult with their own state’s law and a qualified special needs planner.

### Changes in Your Eligibility Status

Expenses incurred at a time when you are not an Eligible Individual will not be considered Qualified Disability Expenses. The earnings portion of Non-Qualified Withdrawals will be includable as ordinary income and subject to the Additional 10% Tax penalty when you file your tax returns. An example of a Non-Qualified Withdrawal would be a withdrawal used for anything that is not a Qualified Disability Expense.

## Investment Risks

With each of the Investment Options, there is the risk that the Investment Adviser's recommendation of Mutual Funds or of asset allocations among the selected Mutual Funds will not produce the desired results. It is possible to lose money on ABLE Account funds invested under an Investment Option. However, the Cash Option is principal-protected (up to FDIC limits).

In addition, certain Portfolio Options carry more and/or different risks than others. You should weigh these risks with the understanding that they could arise at any time during the life of your ABLE Account. Summaries of risks of the underlying Mutual Funds for the Investment Options are set forth in Appendix I.

## Changes in Law

The Program is established pursuant to the Maryland ABLE Act and Section 529A of the IRS Code. Changes to the Maryland ABLE Act or state and federal laws may affect the continued operation of the Program as contemplated in this Program Disclosure Booklet. Congress could also amend the IRS Code or other federal laws in a manner that would materially change or eliminate the federal tax treatment described in this Program Disclosure Booklet. Your state of residence could also make changes that could materially affect the state tax treatment of the Program. The State of Maryland could make changes to the Maryland ABLE Act that could terminate or otherwise adversely affect the Program. Changes in the law governing the tax consequences described in this Program Disclosure Booklet might necessitate material changes to the Program or termination of the Program. The Tax Regulations that have been issued under Section 529A of the IRS Code provide guidance, but only for the establishment and operation of certain aspects of the Program. Revised regulations or other administrative guidance or court decisions might be issued that could adversely impact the federal tax consequences of contributions to, investments in, or withdrawals from, ABLE Accounts.

## Modification or Termination of Program or Portfolio Options

The State Treasurer may at any time modify the Program to provide for additional or different Portfolio Options, or make other changes to the Program, including the termination, consolidation or change in the investment policy applicable to one or more Portfolio Options or the termination of the Program.

## No Re-contribution of Withdrawals

Withdrawals, once made, cannot be undone by recontributing the withdrawn amount into your ABLE Account, even if you directed the withdrawal by mistake. If you attempt to recontribute money that you previously withdrew, the recontributing will be treated as a new and separate contribution. The withdrawal will also be treated as a Non-Qualified Withdrawal, which would subject you to tax consequences and which may have adverse effects on your eligibility for means-tested benefits.

### EXAMPLE

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On January 1, you contribute \$100 to your ABLE Account. On January 5, you withdraw the \$100. On January 10, you realize that you withdrew the \$100 by mistake. You cannot undo the withdrawal by recontributing the withdrawn amount. If you attempt to put the \$100 back into your ABLE Account, it will be treated as a second contribution of \$100, and your contribution total for the year will be \$200. The \$100 withdrawal will also be treated as a Non-Qualified Withdrawal.

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## **Risks Related to Illiquidity**

Investment in the Program involves the risk of limited liquidity because the circumstances under which funds may be withdrawn from your ABLE Account without incurring adverse tax consequences are limited to withdrawals for Qualified Disability Expenses. Additionally, in certain circumstances, your ability to withdraw funds may be restricted for up to 10 business days. See “Withdrawals” under “Tax Considerations,” for further information about these restrictions.

## **Limitations on Reallocating Monies among Investment Options**

You may only transfer funds from your current Portfolio Option(s) to other Portfolio Options twice per calendar year. You may also transfer funds among Portfolio Option(s) upon a change in the Beneficiary to an Eligible Individual who is a Sibling of the Beneficiary.

## **Change of the Program Manager or Investment Adviser, Terms and Conditions of the Program, Portfolio Options, and Mutual Funds**

The State Treasurer may change the Program Manager and/or Investment Adviser in the future or add program managers and/or investment advisers. If this happens (or even if it does not), there is no assurance that you would not experience a material change to certain terms and conditions of your Participation Agreement, including the fees charged under the Program. The Program may change the Portfolio Options available. In the event of a change in the available Portfolio Options, notification of such changes and the impact on various sections of this Program Disclosure Booklet will be sent to Beneficiaries.

## **Medicaid Recapture**

Generally, in accordance with Section 529A, following the death of the Beneficiary, any state may file a claim against the ABLE Account for the amount of the total medical assistance paid for the Beneficiary under that state’s Medicaid Program after the establishment of the account (or any ABLE Account from which amounts were rolled to the ABLE Account). Under Maryland law, unless required by federal law, a Maryland agency may not seek payment from a Maryland ABLE Account for any amount of medical assistance provided to an account holder who is a Maryland resident.

Any amount paid in satisfaction of such a claim is not a taxable distribution from the ABLE Account. Further, under federal law, the amount is to be paid to the claiming state only after the payment of all outstanding payments due for the Qualified Disability Expenses, which include burial and funeral expenses, of the Beneficiary and is to be reduced by the amount of all premiums paid by or on behalf of the Beneficiary to a Medicaid Buy-In program under that state’s Medicaid Program. Procedures for filing claims may vary from state to state. Authorized Legal Representatives and executors and administrators should consider seeking legal counsel on the applicability of, and any available exceptions to, Medicaid recapture under applicable state law and regulation.

## **Suitability: Investment Alternatives**

The State Treasurer, the Program Manager, the Investment Adviser and the Custodian make no representations regarding the appropriateness of any of the Portfolio Options as an investment for any particular individual investor. Other types of investments may be more appropriate depending upon an individual's residence, financial status, tax situation, risk tolerance, or age. The investments, fees, expenses, eligibility requirements, tax and other consequences and features of these alternatives may differ from those of the Program. Other types of investments, standing alone or used in combination with the Program, may be a better alternative for certain Beneficiaries. Before investing in the Program, you may wish to consult a tax adviser, investment adviser, or special needs planner.

## **Investment in the Program is not a Direct Investment in the Bank Account or Mutual Funds**

Although contributions to your ABLE Account will be invested in the Cash Option, which is invested in the Bank Account, and/or in Investment Options that invest in Mutual Funds, none of the Program's Portfolio Options is a bank account or a mutual fund. Units in the Portfolio Options are not registered with the SEC or any state, nor are the Program or any of the Program's Portfolio Options registered as investment companies with the SEC or any state.

## **Tax Considerations**

The federal and state tax consequences associated with participating in the Maryland ABLE Program can be complex and could change in the future. You are advised to seek tax advice from an independent tax professional before opening an ABLE Account. If you or your Beneficiary live outside of Maryland, you may also wish to compare the Maryland ABLE Plan to the ABLE plan(s) offered by your state. See Tax Considerations on page 37.

## **Cybersecurity Risk**

The Maryland ABLE Program is highly dependent upon its computer systems and the computer systems of its service providers. This makes the Program potentially susceptible to operational and information security risks resulting from a cyber-attack. These risks include direct risks, such as theft, misuse, corruption, and destruction of data maintained by the Program and indirect risks, such as denial of service, attacks on service provider websites, and other operational disruptions that harm the Program's ability to electronically interact with its service providers and you. Cyber-attacks affecting the Program and its service providers may adversely affect the Program and your ABLE Account. Although the Program undertakes substantial efforts to protect its computer systems from cyber-attacks, there can be no guarantee that the Program, its service providers, or your ABLE Account will avoid losses due to cyber-attacks or information security breaches in the future.

In addition, we use reasonable procedures to confirm that transaction requests on your ABLE Account are accurate and genuine. However, we are not responsible for unauthorized access to your ABLE Account that is beyond our reasonable control, and you may be responsible for losses resulting from fraudulent or unauthorized instructions received by us. You have a responsibility to keep your information confidential and must contact us immediately if you believe someone has obtained unauthorized access to your ABLE Account.

## Tax Considerations

The following discussion summarizes certain aspects of federal and state income, gift, estate, and generation skipping tax (“GST”) tax consequences relating to the Program and contributions to, earnings of, and withdrawals from ABLE Accounts. The summary is not exhaustive and is not intended as individual tax advice. In addition, there can be no assurance that the IRS will agree with the tax treatment described herein or that, if challenged, such tax treatment would be sustained in court. The applicable tax rules are complex and certain of the rules are at present uncertain. In addition, application of the tax rules to any particular person may vary according to facts and circumstances specific to that person. The IRS Code and regulations thereunder, and judicial and administrative interpretations thereof, are subject to change, both retroactively and prospectively.

This summary is based on the relevant provisions of the IRS Code, the Tax Regulations, and Maryland tax law and regulations. It is possible that Congress, the U.S. Treasury Department, the IRS, the State of Maryland, and other taxing authorities or the courts may take actions that will adversely affect the tax law consequences described and that such adverse effects may be retroactive. No final tax regulations or rulings concerning the Program have been issued by the IRS and, when issued, such regulations or rulings may alter the tax consequences summarized herein or necessitate changes in the Program to achieve the tax benefits described. **The summary does not address the potential effects on Beneficiaries of the tax laws of any state other than Maryland.** You should consult a qualified tax adviser about how the laws apply to your circumstances. Federal and state laws or regulations are subject to change and could affect the tax treatment of your ABLE Account.

### Qualified ABLE Program

The Program is designed to be a qualified ABLE Program under Section 529A.

### Eligible Individual

In order to open an ABLE Account and to receive the tax benefits afforded a Beneficiary of an ABLE Account, you must be an Eligible Individual. See “Eligibility to Open an ABLE Account” under “Getting Started” above for more information.

### One Account Rule

The Tax Regulations provide that, except for a limited period with respect to Rollovers and Program-to-Program Transfers, no Beneficiary may have more than one ABLE Account in existence at the same time. If more than one ABLE Account is opened by a Beneficiary, the later-opened account(s) (the “Additional ABLE Account”) will not be treated as an ABLE Account under Section 529A of the IRS Code and will not be eligible for the benefits applicable to ABLE Accounts. For example, monies contributed to an Additional ABLE Account will not be disregarded in determining eligibility under federal means-tested programs, such as SSI, and could result in the imposition of federal taxes and penalties. The Tax Regulations also provide, however, that if the entire balance of an Additional ABLE Account is returned, such contributions will not be treated as a gift or distribution to the Beneficiary for purposes of Section 529A of the IRS Code under certain circumstances. These circumstances include the return of the contributions to the contributor(s) on or before the due date for filing the Beneficiary’s income tax return for the year in which the Additional ABLE Account was opened and contributions to the Additional ABLE Account were made. If the Excess Contributions or Aggregate Excess Contributions are returned within the time periods specified above, any net income distributed is includible in the gross income of the



contributor(s) in the taxable year in which the Excess Contribution or Excess Aggregate Contribution was made.

## Federal Tax Information

Contributions to the Program are not deductible for federal income tax purposes. There are two primary federal income tax advantages to investing in the Program:

- Investment earnings on the money invested in an ABLE Account grow tax deferred. This means that your earnings are not subject to federal income tax while they remain in your ABLE Account.
- Any investment earnings distributed from an ABLE Account as part of a Qualified withdrawal are free from federal income tax.

## Withdrawals

The tax treatment of a withdrawal from an ABLE Account will vary depending on whether the withdrawal is a Qualified Withdrawal or a Non-Qualified Withdrawal.

Tax documents for a calendar year will show all withdrawals for that calendar year. Generally, you must be able to show that you had a Qualified Disability Expense paid in that same calendar year for the withdrawal to be a Qualified Withdrawal, but the Beneficiary may treat the Qualified Disability Expense as having been paid during the previous calendar year if it is paid for on or before the 60th day of the next calendar year. Remember, you can only attribute the Qualified Disability Expense to one taxable year.

For example, if you purchase a wheelchair on January 15, 2024, and attribute the expense to a withdrawal made in December 2023, you cannot then claim that same wheelchair purchase as a Qualified Disability Expense for 2024.

## Qualified Withdrawals

If a Qualified Withdrawal is made from an ABLE Account, no portion of the distribution is includable in the gross income of the Beneficiary for purposes of federal and Maryland state income taxes.

A Qualified Withdrawal is a withdrawal that is solely used to pay the Qualified Disability Expenses of the Beneficiary. See Taking a Withdrawal from your ABLE Account – Qualified Withdrawals on page 16 for more information.

## Non-Qualified Withdrawals

The portion of a Non-Qualified Withdrawal attributable to investment earnings on the ABLE Account will be ordinary income to the Beneficiary for purposes of federal and Maryland state income taxes for the year in which the withdrawal is made.

Additionally, to the extent that a distribution is a Non-Qualified Withdrawal, the federal income tax liability of the recipient will be subject to an Additional 10% Tax on the earnings portion of the withdrawal, subject to certain exceptions set forth below.

This Program Disclosure Booklet does not address the potential effects on Beneficiaries of the tax laws of any state other than Maryland. You should consult a qualified tax adviser regarding how both state and federal tax laws may apply to your particular circumstances.

## Exceptions to Penalty Tax

The Additional 10% Tax does not apply to Non-Qualified Withdrawals that are:

- Paid to the estate of a Beneficiary on or after the Beneficiary's death;
- Paid to an heir or legatee of the Beneficiary;
- Paid on behalf of the Beneficiary on or after the Beneficiary's death;
- Paid as any part of a claim filed against the Beneficiary or the ABLE Account by a state under a state Medicaid Program;
- Returns of Excess Contributions;
- Returns of Excess Aggregate Contributions; or
- Returns of contributions to additional purported ABLE Accounts made by the due date (including extensions) of the Beneficiary's tax return for the year in which the relevant contributions were made.

You should consult your own tax adviser regarding the application of any of the above exceptions.

## Rollovers

You may roll over all or part of the money in your ABLE Account to another Qualified ABLE Program without adverse federal income tax consequences if the transfer occurs within 60 days of the withdrawal from your ABLE Account. A rollover for the same Beneficiary is limited to one per 12 months. If the assets in your ABLE Account are being rolled over to an account for a different Beneficiary, the Beneficiary of the receiving ABLE account must be a Sibling of the Beneficiary as defined by this Program Disclosure Booklet. Changes in your Beneficiary could potentially cause gift and/or generation-skipping transfer tax consequences to the Beneficiary. Please consult with your tax advisor.

Similarly, you may fund your ABLE Account with a rollover from another Qualified ABLE Program or from a Qualified Tuition Program (also known as a 529 plan or college savings plan). There are no adverse federal income tax consequences if the transfer occurs within 60 days of the withdrawal from the other ABLE Program or Qualified Tuition Program and meets all other requirements for the specific type of rollover (e.g. the Annual Contribution Limit in the case of a rollover from a Qualified Tuition Program).

Beneficiaries are limited to one ABLE to ABLE Rollover per 12 months with no adverse federal income tax consequences. In order to rollover an ABLE Account to a Qualified Tuition Program account with a different Beneficiary, the Beneficiary of the Qualified Tuition Program account must be a Member of the Family of the Beneficiary under Section 529 of the IRS Code. See the definition of Member of the Family on page 2 of this Disclosure Booklet.

## Change of Beneficiary

A change in the Beneficiary of an ABLE Account is not treated as a distribution and is not subject to federal gift or GST taxes if the new Beneficiary is an Eligible Individual and a Sibling of the current Beneficiary. However, if the new Beneficiary is not a Sibling of the current Beneficiary, the change is treated as a Non-Qualified Withdrawal by the current Beneficiary and may have federal gift tax or GST tax consequences.

## Successor Beneficiary

Based on the final IRS regulations promulgated under Section 529A of the IRS Code, a successor designated beneficiary may be listed on an ABLÉ Account. This individual must be a sibling, stepsibling, or half-sibling of the current owner and must also be an Eligible Individual. Adding a successor designated beneficiary can be done online during enrollment or under account management for an existing account, or by submitting the Add/Edit/Remove Successor Owner Form. The designation must be made before the designated beneficiary's death. If no successor designated beneficiary is named, the assets in the ABLÉ account are payable to the estate of the deceased designated beneficiary.

## Earnings

Distributions may have two components: (1) principal (i.e. the contribution previously made to the account), which is not taxable when distributed, and (2) earnings, if any, which may be subject to federal income taxation.

For any year in which there is a withdrawal from an ABLÉ Account, the Program Manager will provide an IRS Form 1099-QA. This form will set forth the total amount of the withdrawal and identify the earnings portion and the contribution portion of any withdrawal.

Keep in mind that Form 1099-QA does not report whether the distribution is a Qualified Distribution or a Non-Qualified Distribution. You are responsible for preparing and filing the appropriate forms when completing your federal income tax return and for paying any applicable tax directly to the IRS.

## Gift Tax and GST Tax

For federal gift tax and GST purposes, contributions to an ABLÉ Account by the Beneficiary are not considered to be completed gifts because an individual cannot make a transfer of property to himself or herself, and a transfer of property is a fundamental requirement for a completed gift. However, contributions to an ABLÉ Account by persons other than the Beneficiary are considered a completed gift from the contributor to the Beneficiary and are eligible for the annual gift tax exclusion.

For calendar year 2024, the annual gift tax exclusion is \$18,000 per contributor. This means that in each calendar year a contributor may contribute up to \$18,000 to a Beneficiary's ABLÉ Account without the contribution being considered a taxable gift if the donor makes no other gifts to the Beneficiary in the same year. The annual gift tax exclusion is tied to inflation and is subject to change from time to time.

## Estate Tax

Tax Regulations provide that, upon the death of the Beneficiary, all amounts remaining in the ABLÉ Account are includible in the Beneficiary's gross estate for purposes of the federal estate tax.

## Coordination with Qualified Tuition Plans

Under existing IRS guidance, amounts in an account in a qualified tuition program under Section 529 of the IRS Code may be transferred to an ABLÉ Account for the same Beneficiary, or a Member of the Family of the Beneficiary free of tax. See the definition of Member of the Family on page 2 of this Disclosure Booklet.

## Federal Guidance

For more information on the federal tax treatment of ABLE programs, see IRS Publication 907 available at <https://www.irs.gov/forms-pubs/about-publication-907>.

## Maryland State Tax Treatment

There are three primary Maryland state income tax advantages to investing in the Program:

- Each Beneficiary or other Maryland taxpayer who contributes to the Beneficiary's Maryland ABLE Account can subtract up to \$2,500 of contributions each year from their Maryland income per Beneficiary on their Maryland taxes. If a Maryland taxpayers' contributions to multiple Maryland ABLE Accounts, they could subtract up to \$5,000 for two, \$7,500 for three, etc. on their Maryland State taxes. Contributions to each Account in excess of \$2,500 can be deducted for up to the next 10 succeeding years. Contributions in following years could be eligible for deduction; however, you cannot deduct more than \$2,500 per Beneficiary in any year or extend the 10- year limit on each year's contribution. Please contact the Maryland Comptroller's Office for additional information.
- Investment earnings on the money invested in an ABLE Account grow tax deferred. This means that your earnings are not subject to Maryland state income tax while they remain in your ABLE Account. Any investment earnings distributed from an ABLE Account to pay for Qualified Disability Expenses are free from Maryland State income tax.
- Qualified Withdrawals and Rollovers are not included in the Beneficiary's income for purposes of Maryland State income tax. The earnings portions of Non-Qualified Withdrawals are includible in the Beneficiary's income for purposes of Maryland State income tax for the year in which the withdrawal is made.

## Additional Tax Considerations

- The Tax Regulations or other federal laws could be amended in a manner that would materially change or eliminate the federal tax treatment described above.

# Reporting

## ABLE Account Statements

You will receive quarterly and annual statements indicating:

- Annual beginning account balance.
- Contributions to each Portfolio Option, if any, made to your ABLE Account during the period and aggregate contributions, if any, year-to-date.
- Withdrawals from each Portfolio Option in your ABLE Account made during the period.
- The total value of your ABLE Account at the end of the period.

## Tax Reports

The Program will report contributions, withdrawals, the basis of the Beneficiary's eligibility, earnings in the ABLE Account, and other matters to the IRS, a state, and other persons, if any, to the extent required by federal or state law or regulation. By January 31 of the following year, the Beneficiary will be sent a copy of the report or a corresponding statement filed with the IRS with respect to the prior tax year.

## Reports to Social Security

Under Section 529A of the IRS Code, the Program is required to provide the SSA with reporting on ABLE Accounts. Based on guidance from SSA, it is anticipated that the Program will be required to provide monthly electronic reports to SSA, including, without limitation, the following information for each ABLE Account: the name of the Beneficiary; Social Security number of the Beneficiary; date of birth of the Beneficiary; name of the person who has signature authority (if different from the Beneficiary); unique account number assigned to the ABLE Account; ABLE Account opening date; ABLE Account closing date; balance as of the first moment of the month (that is, the balance as of 12:00 a.m. local time on the first of the month); date of each distribution in the reporting period; and amount of each distribution in the reporting period.

## Financial Statements

An annual audit report for the Program will be prepared by independent certified public accountants in accordance with generally accepted accounting principles.

A copy of the audit report is posted on the Maryland 529 website, [www.maryland529.com](http://www.maryland529.com) and may be requested from the Program.

## Other Important Legal Information

### No Pledging of Account Assets

The Beneficiary may not use any part of the ABLE Account or other interest in the Program as security for a loan.

### No Sale or Exchange

No interest in an ABLE Account may be sold or exchanged.

### Bankruptcy and Related Matters

Federal law expressly excludes certain funds contributed to an individual's ABLE Account from that individual debtor's bankruptcy estate (which means they would not be available for distribution to the individual's creditors in a bankruptcy proceeding). However, the bankruptcy protection for ABLE Accounts is limited. Funds contributed will be protected if the Beneficiary is the individual debtor's child, stepchild, grandchild, or step grandchild for the taxable year in which the funds were placed in the ABLE Account, and only to the extent that such funds (i) are not pledged or promised to any entity in connection with any extension of credit (which is not permitted); and (ii) are not Excess Contributions, subject to the following limits: contributions made by the debtor to an ABLE Account more than 720 days before a federal bankruptcy filing are completely protected; contributions made by the debtor to an ABLE Account during the period beginning 365 days through 720 days before a federal bankruptcy filing are protected up to \$6,825; and contributions made by the debt or to an ABLE Account less than 365 days before a federal bankruptcy filing are not protected against creditor claims in federal bankruptcy proceedings.

State laws may offer different creditor protections. You should consult your legal adviser regarding the effect of any bankruptcy filing on your ABLE Account. This information is not meant to be individual advice, and Beneficiaries should consult with their own advisers concerning their individual circumstances.

### Unclaimed Funds

Many states (including Maryland) have unclaimed property laws or similar laws under which if certain statutory requirements are met, funds in an account may be considered abandoned or unclaimed. Your state may request that the Program transfer the funds in your ABLE Account pursuant to such laws. The Program will only transfer funds to your state as required by applicable law. To help ensure that your funds will not be considered abandoned, please always keep your current email address on file with the Program and respond to inquiries received by the Program Manager. Your home state may have different rules regarding unclaimed property. Please review your state's laws for additional information.

## Program Privacy Policy

Please read this section carefully. It gives you important information about how the Program handles nonpublic personal information it may receive about you in connection with the Program.

### Information the Program Collects

Nonpublic personal information about you (which may include your Social Security number or taxpayer identification number) may be obtained in any of the following ways:

- you provide it on the Program Enrollment;
- you provide it on other Program forms;
- you provide it on the secure portion of the Program's website; or
- you provide it to complete your requested transactions.

### How Your Information Is Used

The Program does not disclose your personal information to anyone for marketing purposes. The Program discloses your personal information only to those Service Providers who need the information to respond to your inquiries or to service and maintain your ABLE Account. In addition, the Program or its Service Providers may be required to disclose your personal information to government agencies and other regulatory bodies (for example, for tax reporting purposes or to report suspicious transactions).

The Service Providers who receive your personal information may use it to:

- process your Program transactions;
- provide you with Program materials; and
- mail your ABLE Account statements.

These Service Providers provide services at the Program's direction and include fulfillment companies, printing and mailing facilities. These Service Providers are required to keep your personal information confidential and to use it only for providing contractually required services to the Program.

### Security of Your Information

The Program protects the personal information you provide against unauthorized access, disclosure, alteration, destruction, loss, or misuse. Your personal information is protected by physical, electronic, and procedural safeguards in accordance with federal and state standards. These safeguards include appropriate procedures for access to and use of electronic data, provisions for the secure transmission of sensitive personal information on the Program's website, and telephone system authentication procedures.

### Changes to this Privacy Policy

The Program will periodically review this Privacy Policy and its related practices and procedures. You will be notified of any material amendments to this Privacy Policy.

### Notice about Online Privacy

The personal information that you provide through the Program's website is handled in the same way as the personal information that you provide by any other means, as described above. The sections below give you additional information about the way in which personal information that is obtained online is handled.

### **Online Enrollment, Account Information Access, and Online Transactions**

When you visit the Program's website, you can go to pages that are open to the general public or log on to protected pages to enroll in the Program, access information about your ABLE Account, or conduct certain transactions related to your ABLE Account. Once you have opened an ABLE Account, access to the secure pages of the Program's website is permitted only after you have created a user ID and password by supplying your Social Security number or taxpayer identification number and ABLE Account number. The user ID and password must be supplied each time you want to access your ABLE Account information online. This information serves to verify your identity. For added protection of your account information, we may also require you to complete the multi-factor authentication (MFA) process when you log into secure pages of the Program's website.

When you enter personal data into the Program's website (including your Social Security Number or taxpayer identification number and your password) to enroll or access your ABLE Account information online, you will log into secure pages where Secure Sockets Layer (SSL) protocol is used to protect information. To use this section of the Program's website, you need a browser that supports encryption and dynamic web page construction. If you provide personal information to effect transactions on the Program's website, a record of the transactions that you have performed while on the site is retained by the Program.

### **Other Personal Information Provided by You on the Program's Website**

If you decide not to enroll online and you want to request that Program materials be mailed to you, you can join the Program's mailing list at [marylandable.org](http://marylandable.org) by providing your name, mailing address and email address. The personal information that you provide on that page of the site will be stored and used to market the Program more effectively. The information provided is protected by the Secure Sockets Layer (SSL) protocol.



## Appendix 1

### Summaries of the Underlying Mutual Funds

The table below reflects the target allocations of under the Program's investment policy of underlying mutual funds for each of the Investment Options of the Investment Options.

UNDERLYING INVESTMENT HOLDINGS		% ALLOCATION OF INVESTMENT OPTION			
Fund Name	Ticker	ABLE Fixed Income	ABLE Conservative	ABLE Moderate	ABLE Aggressive
Vanguard Total Stock Market Index Fund	VTSAX	0%	10%	24%	40%
Vanguard Total International Stock Index Fund	VTIAX	0%	10%	24%	40%
Vanguard Short-Term Bond Index Fund	VBIRX	31%	25%	0%	0%
Vanguard Total Bond Market Index Fund	VBMPX	56%	45%	50	16%
ard Short-Term Inflation Protected Index Fund	VTAPX	13%	10%	0%	0%
DFA Global Real Estate Securities Fund	DFGEX	0%	0%	2%	4%
		<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

The following provides a summary of the underlying Mutual Funds (each, a "Fund") in which the Investment Options invest. The full prospectus for each of the Mutual Funds can be found by visiting the applicable Fund's website. For vanguard Funds, go to [investor.vanguard.com](http://investor.vanguard.com). For the Dimensional Fund, go to [www.dimensional.com](http://www.dimensional.com).

The ***Vanguard Total Stock Market Index Fund*** employs an indexing investment approach designed to track the performance of the CRSP US Total Market Index, which represents 100% of the U.S. stock market and includes large-, mid-, small-, and micro-cap stocks regularly traded on the New York Stock Exchange and Nasdaq. The Fund invests by sampling the Index, meaning that it holds a broadly diversified collection of securities that, in the aggregate, approximates the full Index in terms of key characteristics. These key characteristics include industry weightings and market capitalization, as well as certain financial measures, such as price/earnings ratio and dividend yield.

The **Vanguard Total International Stock Market Index** Fund employs an indexing investment approach designed to track the performance of the FTSE Global All Cap ex US Index, a float-adjusted market-capitalization-weighted index designed to measure equity market performance of companies located in developed and emerging markets, excluding the United States. The Index includes approximately 5,300 stocks of companies located in 46 countries. The Fund invests all, or substantially all, of its assets in the common stocks included in the Index and investments in countries in representative benchmark weights.

The **Vanguard Short-Term Bond Index Fund** employs an indexing investment approach designed to track the performance of the Bloomberg Barclays U.S. 1-5 Year Government/Credit Float Adjusted Index. The Index includes all medium and larger issues of U.S. government, investment-grade corporate, and investment-grade international dollar-denominated bonds that have maturities between 1 and 5 years and are publicly issued. The Fund invests by sampling the Index, meaning that it holds a range of securities that, in the aggregate, approximates the full Index in terms of key risk factors and other characteristics. All of the Fund's investments will be selected through the sampling process, and at least 80% of the Fund's assets will be invested in bonds held in the Index. The Fund maintains a dollar-weighted average maturity consistent with that of the Index, which generally does not exceed 3 years.

The **Vanguard Total Bond Market Index Fund** employs an indexing investment approach designed to track the performance of the Bloomberg Barclays U.S. Aggregate Float Adjusted Index. The Index represents a wide spectrum of public, investment-grade, taxable, fixed income securities in the United States including government, corporate, and international dollar-denominated bonds, as well as mortgage-backed and asset-backed securities all with maturities of more than 1 year. The Fund invests by sampling the Index, meaning that it holds a broadly diversified collection of securities that, in the aggregate, approximates the full Index in terms of key risk factors and other characteristics. All of the Fund's investments will be selected through the sampling process, and at least 80% of the Fund's assets will be invested in bonds held in the Index. The Fund maintains a dollar-weighted average maturity consistent with that of the Index, which generally ranges between 5 and 10 years.

The **Vanguard Short-Term Inflation-Protected Securities Index Fund** employs an indexing investment approach designed to track the performance of the Bloomberg Barclays U.S. Treasury Inflation-Protected Securities (TIPS) 0-5 Year Index. The Index is a market-capitalization-weighted index that includes all inflation-protected public obligations issued by the U.S. Treasury with remaining maturities of less than five years. The Fund attempts to replicate the target index by investing all, or substantially all, of its assets in the securities that make up the Index, holding each security in approximately the same proportion as its weighting in the Index. The Fund maintains a dollar-weighted average maturity consistent with that of the target index, which generally does not exceed 3 years.

The **DFA Global Real Estate Securities Fund** seeks to achieve exposure to a broad portfolio of securities of U.S. and non-U.S. companies in the real estate industry, with a focus on real estate investment trusts ("REITs") or companies that Dimensional Fund Advisors LP considers to be REIT-like entities. More information can be obtained by calling 1-512-306-7400 or visiting [www.dimensional.com](http://www.dimensional.com).