

118TH CONGRESS
2D SESSION

S. _____

To amend the Internal Revenue Code of 1986 to allow additional catch-up contributions for certain family caregivers.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To amend the Internal Revenue Code of 1986 to allow additional catch-up contributions for certain family caregivers.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Catching Up Family
5 Caregivers Act of 2024”.

1 **SEC. 2. ADDITIONAL CATCH-UP CONTRIBUTIONS FOR CER-**
2 **TAIN FAMILY CAREGIVERS.**

3 (a) IN GENERAL.—Subparagraph (A) of section
4 414(v)(5) of the Internal Revenue Code of 1986 is amend-
5 ed—

6 (1) by striking “who would” and inserting
7 “who—

8 “(i) would”,

9 (2) by adding “or” at the end, and

10 (3) by adding at the end the following new
11 clause:

12 “(ii) is a qualified family caregiver for
13 the taxable year.”.

14 (b) QUALIFIED FAMILY CAREGIVER.—Paragraph (6)
15 of section 414(v) of the Internal Revenue Code of 1986
16 is amended by adding at the end the following new sub-
17 paragraphs:

18 “(D) QUALIFIED FAMILY CAREGIVER.—

19 “(i) IN GENERAL.—Except as pro-
20 vided in clause (ii), the term ‘qualified
21 family caregiver’ means an individual
22 who—

23 “(I) has completed 500 or more
24 hours as a family caregiver during the
25 taxable year or any 1 previous taxable
26 year, and

1 “(II) during the same taxable
2 year, has completed fewer than 500
3 hours of paid employment (including
4 self-employment).

5 “(ii) LIMITATION.—An individual
6 shall be treated as a qualified family care-
7 giver for not more than a total of, consecu-
8 tively or nonconsecutively, the lesser of—

9 “(I) 1 taxable year for each tax-
10 able year during which such individual
11 met the requirements of subclauses
12 (I) and (II) of clause (i), or

13 “(II) 5 taxable years.

14 “(iii) FAMILY CAREGIVER.—The term
15 ‘family caregiver’ means an unpaid family
16 member, a foster parent, or another un-
17 paid adult, who is unemployed or severely
18 underemployed (as determined by the Sec-
19 retary) and who provides in-home care,
20 monitoring, management, supervision, or
21 treatment of—

22 “(I) a child, or

23 “(II) an adult with a special need
24 (as defined in section 2901 of the
25 Public Health Service Act), including

1 an elderly adult who requires care or
2 supervision due to an age-related con-
3 dition.

4 “(iv) HOURS.—An individual shall be
5 treated as serving as a family caregiver
6 during the hours in which the individual is
7 engaged in caregiving tasks including as-
8 sistance with bathing or grooming, dress-
9 ing, laundry, food shopping or preparation,
10 housekeeping, managing medications,
11 transportation, and mobility assistance.

12 “(v) PLAN RELIANCE ON SELF-CER-
13 TIFICATION.—An applicable employer plan
14 is entitled to rely on the written represen-
15 tation of an individual that the individual
16 was a qualified family caregiver for a tax-
17 able year.

18 “(E) APPLICABLE DOLLAR AMOUNT FOR
19 QUALIFIED FAMILY CAREGIVERS.—An indi-
20 vidual who is an eligible participant for the tax-
21 able year by reason of being a qualified family
22 caregiver shall be treated for purposes of para-
23 graph (2) in the same manner as an eligible
24 participant who would attain age 60 but would

1 not attain age 64 before the close of the taxable
2 year.”.

3 (c) IRA CATCH-UP CONTRIBUTIONS.—Clause (i) of
4 section 219(b)(5)(B) of the Internal Revenue Code of
5 1986 is amended by striking “who has attained the age
6 of 50 before the close of the taxable year, the deductible
7 amount” and inserting “who—

8 “(I) has attained the age of 50
9 before the close of the taxable year, or

10 “(II) is a qualified family care-
11 giver (as defined in section
12 414(v)(6)(D)) for the taxable year,

13 the deductible amount”.

14 (d) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to taxable years beginning after
16 December 31, 2024.