



General Assembly

January Session, 2005

**Committee Bill No. 5077**

LCO No. 4384

\*04384HB05077JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING ACCESS TO EDUCATIONAL SAVINGS FUNDS UPON DISSOLUTION OF MARRIAGE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) In any action for  
2 dissolution of marriage, and at any time after entry of a decree  
3 dissolving a marriage, a party to such action or decree who is the  
4 custodial parent of a child, or such child, shall have access to any  
5 savings accounts or other funds of the parties to such action or decree  
6 that are designated for the payment of the child's necessary  
7 educational expenses, without any further action or approval by the  
8 court, provided any withdrawal of such funds shall be made at a time  
9 when tuition or other payment of such necessary educational expenses  
10 is due and such funds shall be used only for such necessary  
11 educational expenses. On motion or petition of a party to such action  
12 or decree who is the noncustodial parent, the court may enter such  
13 orders as the court deems appropriate if the court finds that any  
14 improper withdrawal or use of such funds has been made.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	New section

**Statement of Purpose:**

To allow a child or custodial parent in a divorce to access educational savings funds without court action or approval at such time as tuition or other payment is due.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. TYMNIAK, 133rd Dist.

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