

118TH CONGRESS
1ST SESSION

H. R. XX

To amend the Internal Revenue Code of 1986 to allow individuals to use unspent Health Savings Account funds for funeral and cemetery expenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DATE, 2023

Mr./Ms. XXX (for him/herself, XXX) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend 26 U.S. Code § 223 (d)(2) to allow individuals to use unspent Health Savings Account funds for funeral and cemetery expenses, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “XX” or the “XX Act of 2023”.

SEC. 2. INCLUDE FUNERAL AND CEMETERY EXPENSES AS QUALIFIED MEDICAL EXPENSES UNDER HEALTH SAVINGS ACCOUNTS.

- (a) **FUNERAL AND CEMETERY SERVICES.**— 26 U.S. Code § 223 (d)(2)(A) is amended by adding “and Funeral and Cemetery Services” before “shall be treated as paid for medical care.”
- (b) **DEFINITION OF FUNERAL AND CEMETERY SERVICES.**— 26 U.S. Code § 223 (d)(2) is amended by adding the following new subsection:

“(E) **FUNERAL AND CEMETERY SERVICES** – For the purpose of this section, “Funeral and Cemetery Services” means any goods or services which may be used with respect to a deceased account beneficiary to:

- (1) Care for and prepare deceased human bodies for burial, cremation, or other final disposition;
and
- (2) arrange, supervise, or conduct the funeral ceremony, final disposition, burial, or memorialization of deceased human bodies.”

SEC. 4 EFFECTIVE DATE .—The amendments made by this Act shall apply to Health Savings Accounts the following calendar year after the enactment of this Act.