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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Internal Revenue Code of 1986 to allow both spouses to make catch-up contributions to the same health savings account.

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IN THE HOUSE OF REPRESENTATIVES

Mr. STEUBE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Internal Revenue Code of 1986 to allow both spouses to make catch-up contributions to the same health savings account.

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 “Catch Up Act”.

1 **SEC. 2. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CON-**  
2 **TRIBUTIONS TO THE SAME HEALTH SAVINGS**  
3 **ACCOUNT.**

4 (a) IN GENERAL.—Section 223(b)(5) of the Internal  
5 Revenue Code of 1986 is amended to read as follows:

6 “(5) SPECIAL RULE FOR MARRIED INDIVIDUALS  
7 WITH FAMILY COVERAGE.—

8 “(A) IN GENERAL.—In the case of individ-  
9 uals who are married to each other, if both  
10 spouses are eligible individuals and either  
11 spouse has family coverage under a high de-  
12 ductible health plan as of the first day of any  
13 month—

14 “(i) the limitation under paragraph  
15 (1) shall be applied by not taking into ac-  
16 count any other high deductible health  
17 plan coverage of either spouse (and if such  
18 spouses both have family coverage under  
19 separate high deductible health plans, only  
20 one such coverage shall be taken into ac-  
21 count),

22 “(ii) such limitation (after application  
23 of clause (i)) shall be reduced by the ag-  
24 gregate amount paid to Archer MSAs of  
25 such spouses for the taxable year, and

1           “(iii) such limitation (after application  
2           of clauses (i) and (ii)) shall be divided  
3           equally between such spouses unless they  
4           agree on a different division.

5           “(B) TREATMENT OF ADDITIONAL CON-  
6           TRIBUTION AMOUNTS.—If both spouses referred  
7           to in subparagraph (A) have attained age 55  
8           before the close of the taxable year, the limita-  
9           tion referred to in subparagraph (A)(iii) which  
10          is subject to division between the spouses shall  
11          include the additional contribution amounts de-  
12          termined under paragraph (3) for both spouses.  
13          In any other case, any additional contribution  
14          amount determined under paragraph (3) shall  
15          not be taken into account under subparagraph  
16          (A)(iii) and shall not be subject to division be-  
17          tween the spouses.”.

18          (b) EFFECTIVE DATE.—The amendments made by  
19          this section shall apply to taxable years beginning after  
20          December 31, 2025.