



The Official Source for Municipal Disclosures and Market Data

# EMMA Dataport Manual for 529 Savings Plans/Achieving a Better Life Experience (ABLE) Programs Disclosure Submissions

Version 2.1, April 2022

## **Revision History**

Version	Date	Description of Changes
1.0	June 2010	Initial version.
1.1	May 2011	Updated manual to reflect the voluntary submissions by Issuers of Preliminary Official Statements and Pre-Sale Documents as well as the submission of Issuer Voluntary Official Statements.
1.2	August 2015	Updated the Resources and Support section to reflect the change in hours of operation for Email Support.
1.3	June 2016	Updated to reflect the changes to the msrb.org homepage, MSRB Gateway Login and Main Menu pages.
1.4	June 2018	Updated to reflect the addition of ABLE Program submissions and removed the word "College" from 529 Savings Plans to reflect the Tax Cuts and Jobs Act of 2017.
2.0	August 2021	Updates to reflect EMMA Dataport user interface changes as it relates to the 529 and ABLE EMMA Dataport screens.
2.1	April 2022	Updated to reflect GASB's decision to change Comprehensive Annual Financial Report (CAFR) to Annual Comprehensive Financial Report (ACFR).

## **Resources and Support**

**Contact the MSRB MSRB Support** 

Phone: 202-838-1330

Email: MSRBsupport@msrb.org.

Live support: 7:30 a.m. - 6:30 p.m. ET. E-mail support: 7:00 a.m. – 7:00 p.m. ET. Municipal Securities Rulemaking Board

1300 I Street NW, Suite 1000

Washington, DC 20005

Phone: 202-838-1500

MSRB Website: www.msrb.org EMMA Website: emma.msrb.org

#### **MSRB Corporate Office Core Operational Hours**

7:00 a.m. to 7:00 p.m. ET on business days\*

\*Excludes weekends and holidays identified on the MSRB System Holiday Schedule and planned or unplanned outages as communicated on the MSRB Systems Status webpage.

Related MSRB Rules and Resources:

MSRB Rule G-32: Disclosures in Connection with Primary Offerings

SEC Rule 15c2-12: Continuing Disclosure

#### Manuals:

**Primary Market Submission Manual** 

#### Video Tutorials:

- **Submitting Primary Market Disclosures for 529 Savings Plans**
- Submitting Voluntary Official Statements for 529 Savings Plans
- **Submitting Continuing Disclosures for 529 Plans**

#### **Overview**

#### About the MSRB

The MSRB protects investors, state and local governments and other municipal entities, and the public interest by promoting a fair and efficient municipal securities market. The MSRB fulfills this mission by regulating the municipal securities firms, banks and municipal advisors that engage in municipal securities and advisory activities. To further protect market participants, the MSRB provides market transparency through its Electronic Municipal Market Access (EMMA®) website, the free, official repository for information on all municipal bonds. <sup>1</sup> The MSRB also serves as an objective resource on the municipal market and provides extensive education and outreach to market stakeholders. The MSRB is a self-regulatory organization governed by a board of directors that has a majority of public members, in addition to representatives of regulated entities. The MSRB is overseen by the Securities and Exchange Commission and Congress.

#### **About this Manual**

Brokers, dealers, and municipal securities dealers (collectively, dealers) acting in the capacity of an underwriter, placement agent or remarketing agent for offerings of municipal securities and their designated submission agents must submit primary market documents in accordance with applicable MSRB rules. Issuers and their designated submission agents may voluntarily submit primary market documents if the submission includes certain other information.

In accordance with Rule G-32(b)(vi)(C), underwriters may designate agents to make submissions on their behalf through the MSRB's user account management and authentication system known as MSRB Gateway. All submissions made on behalf of an underwriter by a designated agent are the responsibility of the underwriter, and any failure by the designated agent to provide documents or information in a complete, timely and conforming manner will be deemed to be a failure by the underwriter.

This EMMA Dataport Manual for 529 Savings Plans/ABLE Programs Disclosure Submissions provides instructions on the process for: (i) dealers to submit Primary Market documents; (ii) issuers to submit Continuing Disclosure documents; and (iii) issuers to submit on a voluntarily basis 529 Savings Plans/ABLE Programs' disclosure documents provided under their states' 529 Savings Plans/ABLE Programs.

<sup>&</sup>lt;sup>1</sup> The EMMA website makes available to the public, at no charge, primary market and continuing disclosure information on 529 Savings Plans/ABLE Programs.

This manual only provides instructions on submissions made via the EMMA website through EMMA Dataport. Submitters seeking to make automated continuous submissions through a computer-to-computer interface should consult the appropriate specifications document.



This symbol appears within this manual to call out important information or directions.

This resource is for informational purposes only and should be considered in conjunction with the applicable MSRB rules and any related interpretations. The complete text of all MSRB rules and interpretations is available at <a href="http://www.MSRB.org/Rules-and-Interpretations/MSRB-">http://www.MSRB.org/Rules-and-Interpretations/MSRB-</a> Rules.aspx.

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## Part 1: Submission Rights and Access to EMMA Dataport

All submitters to the MSRB Primary Market, Continuing Disclosure and Voluntary Issuer Submission Services must have a user account in MSRB Gateway, a single, secure access point for making submissions to EMMA. Each user must also accept the terms and conditions for making submissions.

Primary Market submissions of 529 Savings Plans/ABLE Programs disclosure documents by underwriters under MSRB Rule G-32, or by their designated agents, can only be made by users who have had the primary market submission right assigned to them by their organization's Master Account Administrator within MSRB Gateway. For information on how to establish and maintain the primary market submission right, see the EMMA Dataport Manual for Primary Market Submissions.

Continuing Disclosure submissions of 529 Savings Plans/ABLE Programs documents made by issuers or their designated agents can only be made by users who have created a continuing disclosure submission account in MSRB Gateway. For information on how to establish continuing disclosure submission access, see the EMMA Dataport Manual for Continuing Disclosure Submissions.

Additionally, issuers seeking to make Primary Market submissions, or to designate agents to make submissions on their behalf, must establish an "organization account" in Gateway. Organization accounts are not the same accounts used to make continuing disclosure submissions and are subject to additional verification procedures to affirmatively establish an individual's authority to act on behalf of the issuer in connection with primary market disclosure submissions. Issuers should refer to the MSRB Gateway User Manual for Issuers, Obligated Persons and Agents for instructions on how to set up an organization account.<sup>2</sup>

For any submission to the EMMA Dataport, the first step is to log into MSRB Gateway. This can be done on either EMMA or the MSRB homepage.



Dealer staff seeking to make Continuing Disclosure submissions on behalf of an issuer does not need to establish a new account; the ability to make Continuing Disclosure submissions can be assigned to them by their organization's Master Account Administrator within MSRB Gateway.

<sup>&</sup>lt;sup>2</sup> Note, that the MSRB Gateway User Manual for Issuers, Obligated Persons and Agents, also describes how to submit documents using the EMMA Dataport user interface.

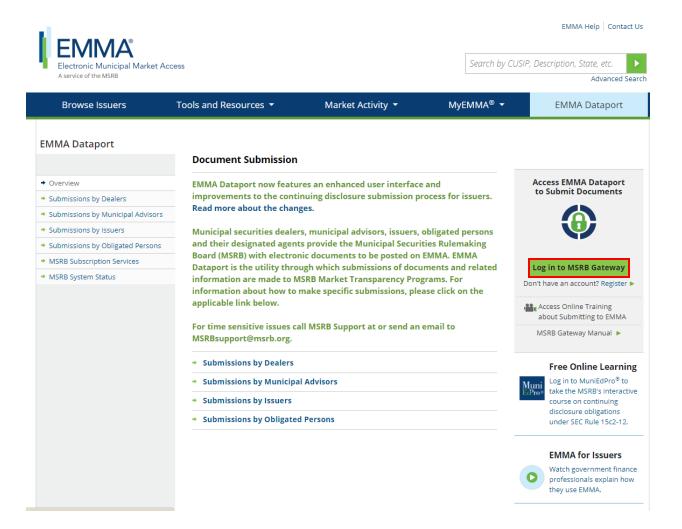
Step-by-Step Instructions for Accessing EMMA Dataport to Make a 529 Savings Plan/ABLE **Submission** 

#### 1. Access EMMA Dataport

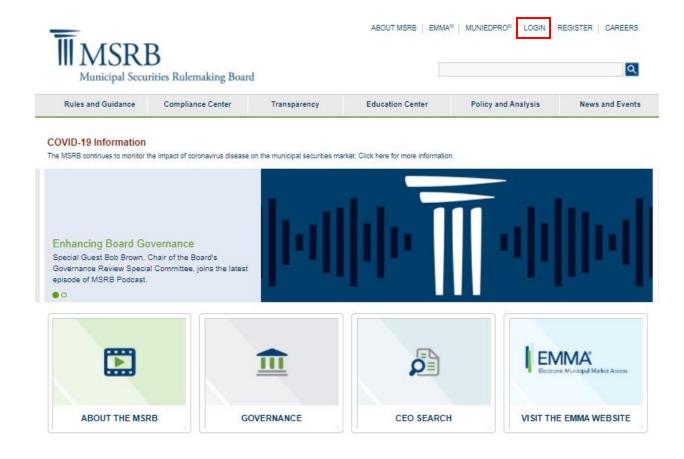
From the EMMA homepage at http://emma.msrb.org, click the EMMA Dataport link at the top of the page.



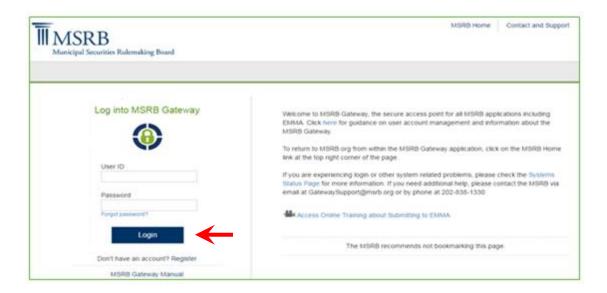
#### Then click the Login to MSRB Gateway button.



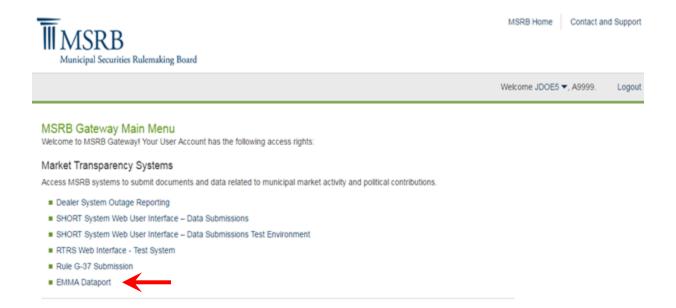
You may also access the MSRB Gateway landing page from the MSRB homepage at www.msrb.org, click LOGIN.



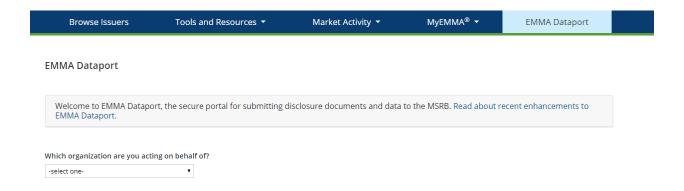
From the MSRB Gateway landing page, enter your User ID and Password, and click Login.



From the MSRB Gateway Main Menu, click EMMA Dataport. The EMMA Dataport Submission Screen appears. If the EMMA Dataport link was selected from EMMA then this step won't be necessary. You will automatically be taken to EMMA Dataport.



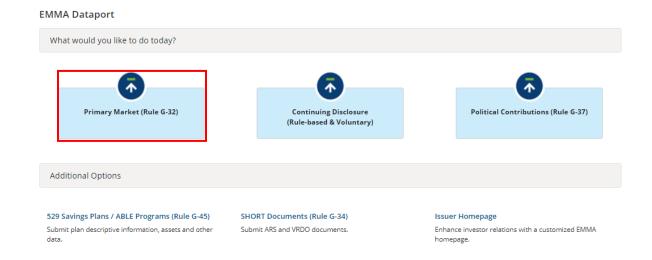
2. Enter an Organization, if applicable. If your organization has the rights to act on the behalf of another organization, you will see a screen that will allow you to select the organization from the drop-down menu for which you are making a submission.



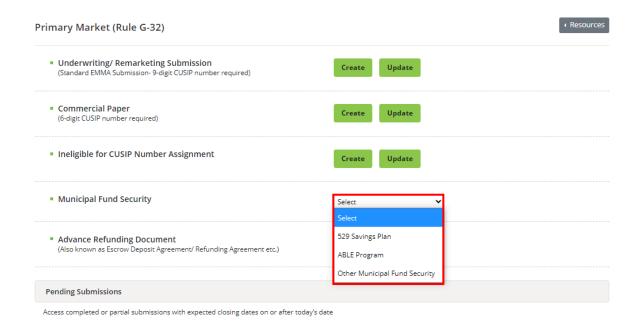
## **Part 2: Primary Market Disclosure Submissions**

## **Creating a New Submission**

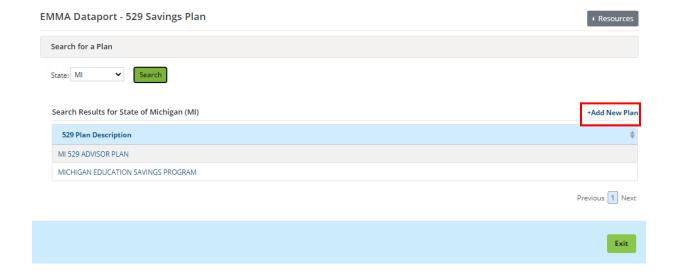
To make a Primary Market submission, you must ensure that you or your organization has the rights to make that submission. If you or your organization has the rights to make a Primary Market submission, you will see the following option.



After selecting Primary Market, the following screen appears. To create/update a submission for a 529 Savings Plan/ABLE Program, select the option using the Municipal Fund Security drop down.



From the drop-down menu, select the state for which you would like to create a new submission. If a state has not previously submitted a plan disclosure document to EMMA, a message will indicate that no plans or programs were found. To submit a new 529 Savings Plan/ABLE Program disclosure document for a selected state, click Add New Plan.

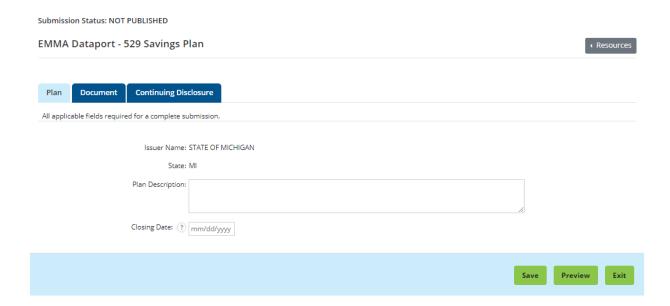


#### **Plan Tab**

On the **Plan** tab, complete the Issue Information.

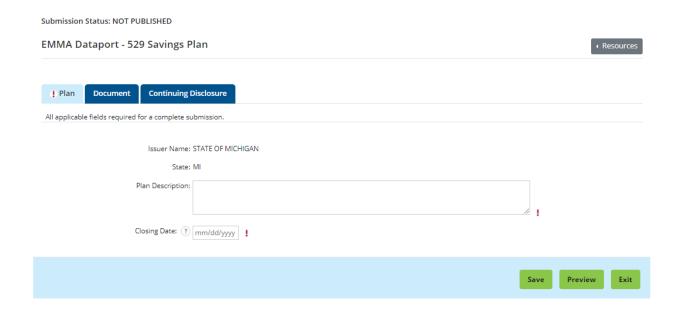


For a new plan submission, the following notation will appear on the screen: "Submission Status: Not Published," which indicates that the 529 Savings Plan, ABLE Program, or Other Municipal Fund Security disclosure document has not been published and cannot be viewed on EMMA.



When creating a new 529 Savings Plan/ABLE Program submission, the Plan Description and the **Closing Date** are required for a complete submission.

The plan description describes the type of 529 Savings Plan/ABLE Program. It is important to describe the plan accurately since this information will appear on the EMMA website and will inform investors about the plan/program.



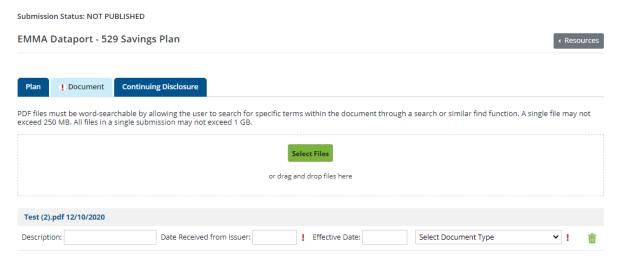


Since 529 Savings Plans/ABLE Programs are sold through a continuous offering and do not have a specific closing date as other municipal securities do, the closing date represents the date the 529 Savings Plan/ABLE Program is first sold to an investor.

### **Uploading a Document**

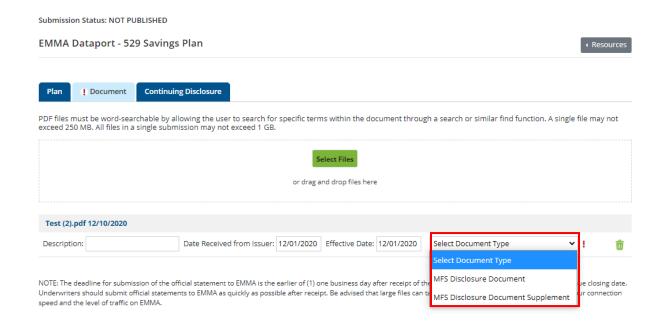
Select the **Document tab** to add a 529 Savings Plan/ABLE Program disclosure document or a 529 Savings Plan/ABLE Program disclosure document supplement. Documents on this screen are displayed with the most recently submitted document at the bottom.

Click Select Files to find the applicable file on your computer. Then select the file or drag and drop to transfer the file. It is important that prior and subsequent to submission, the submitter reviews each page of the PDF to ensure that it is clear, readable, and word-searchable. EMMA Dataport shows that the document has been uploaded by displaying a document link, type, description, date received, and effective date below the upload box.

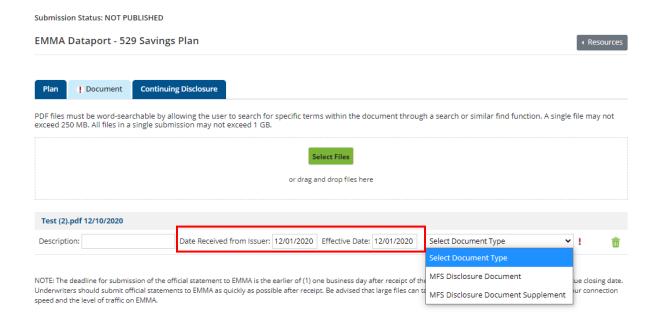


NOTE: The deadline for submission of the official statement to EMMA is the earlier of (1) one business day after receipt of the official statement from the issuer or (2) the issue closing date. Underwriters should submit official statements to EMMA as quickly as possible after receipt. Be advised that large files can take several minutes to upload, depending on your connection speed and the level of traffic on EMMA.

Select document type as an MFS (Municipal Fund Security) Disclosure Document or an MFS Disclosure Document Supplement.



#### Enter the Date Received from Issuer and Document Effective Date.





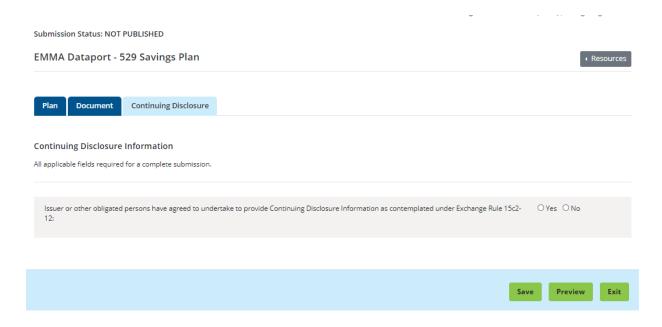
The Effective Date is the date on which the 529 Savings Plan/ABLE Program disclosure document or supplement takes effect, or the effective date of the document being filed.

There are certain constraints on documents that can be uploaded. Each plan disclosure document must be a portable document format (PDF) file configured to be saved, viewed, printed and retransmitted by electronic means. The document must also be word-searchable, that is, allowing the user to search for specific terms used within the document through a search or find function available in most standard software packages.

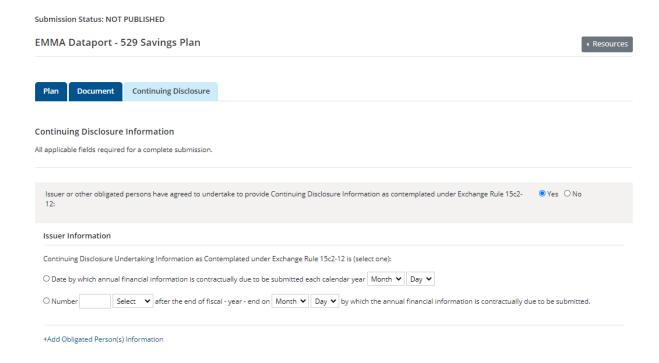
Diagrams, images and other non-textual elements are not required to be word-searchable. If the submitted file is a reproduction of the original document, the submitted file must maintain the graphical and textual integrity of the original document.

### **Continuing Disclosure Tab**

Identify whether the issuer has agreed to undertake to provide continuing disclosure information as specified by Securities and Exchange Commission (SEC) Rule 15c2-12. If the issuer has agreed to undertake to provide continuing disclosure information and such agreement includes an undertaking to provide annual financial information, also enter information relating to the timing set forth in the continuing disclosure undertaking for the submission of annual financial information each year for the issuer.



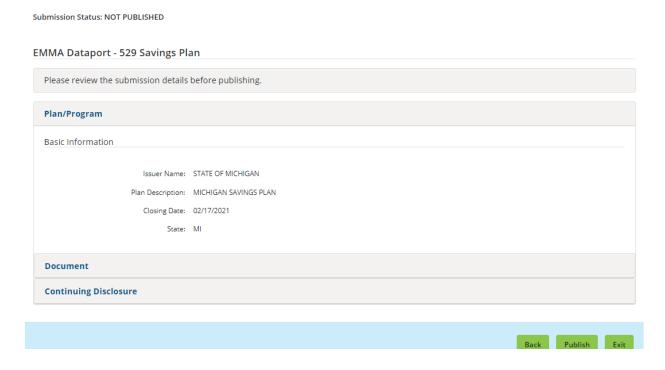
For an issuer, enter such information either as a specific date or as the number of days or months after a specified end date of the issuer's fiscal year.



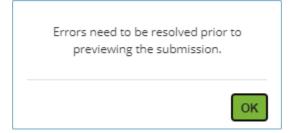
### **Publishing a Submission**

The uploaded document is not yet available to the public. The submission indicator located in the upper left corner of the page denotes whether the submission has been previously published.

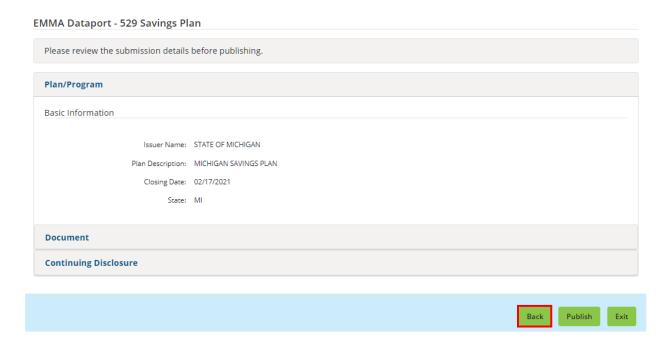
Publishing a submission is a two-step process. You first must click **Preview** to review the information entered. To preview the information, click the green Preview button. The following screen appears, which allows you to preview all the information you are about to publish.



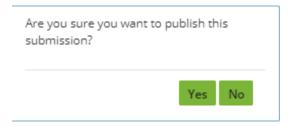
If any of the required fields are missing or invalid, then a red exclamation will appear next to them and you will not be able to preview. You will receive the following pop-up.



If any information on the Preview screen needs to be changed, click the green **Back** button.



Once all information is correct and the review is satisfactory, click the Publish button. The following screen appears.



#### Click Yes: Publish and the following confirmation screen appears.

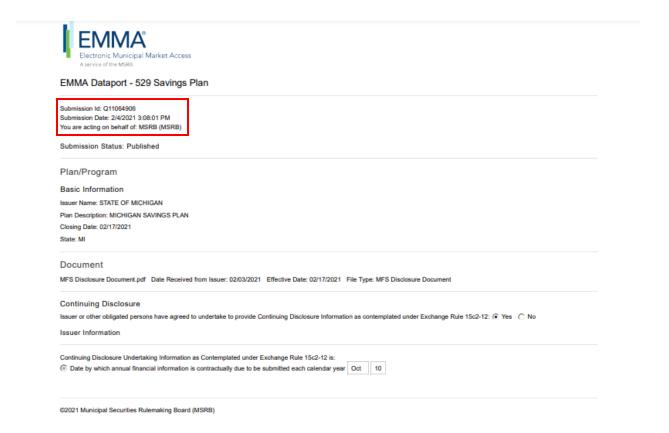


#### The confirmation screen contains the following:

- A submission ID, which is your unique identifier and helpful for any future updates.
- A link to print your submission confirmation.
- A link to "start new submission" (or to modify your existing submission).
- A link to send your submission confirmation to a secondary email address.

## **Print/Preview**

This screen provides a complete listing of information about the 529 Savings Plan/ABLE Program provided on the EMMA Dataport, the Submission ID, and the date and time of submission for recordkeeping purposes. Submitters are advised to print and save a copy of this screen.

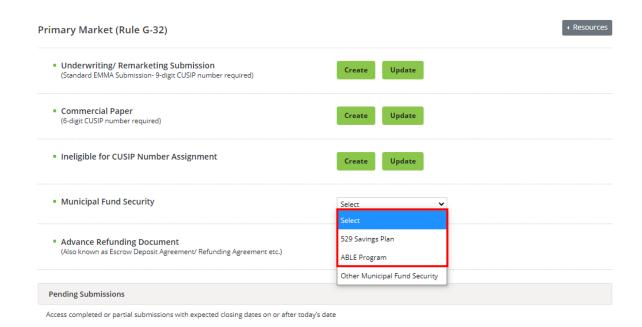




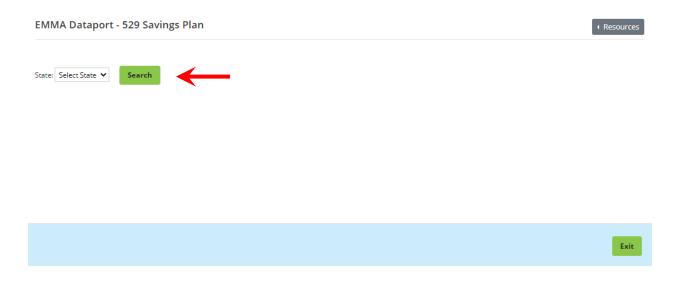
The MSRB will send an electronic receipt to your email address. The receipt contains a complete listing of the submission and a link to view the submission on the EMMA website.

#### **Modifying or Canceling an Existing Submission**

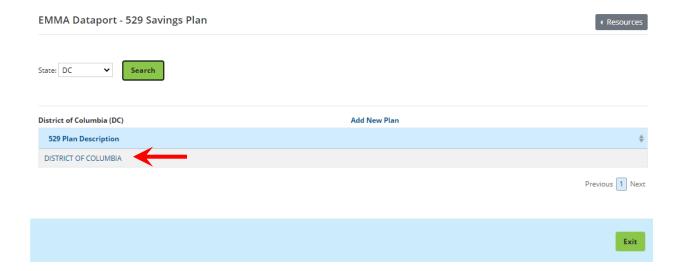
To submit a new plan disclosure document or a supplement to an existing plan disclosure document, select the submission type, 529 Savings Plan or ABLE Program that you would like to modify.



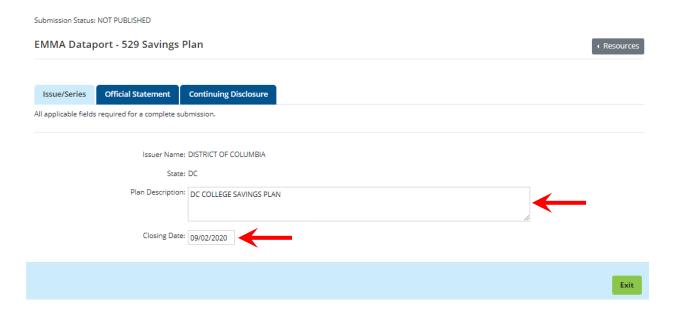
1. From the drop-down menu, select the state that issued the 529 Savings Plan/ABLE Program then click the search button.



 A list of 529 Savings Plans/ABLE Programs' descriptions for the selected state appears. To update an existing 529 Savings Plan/ABLE Program description, click on the plan description in the table.



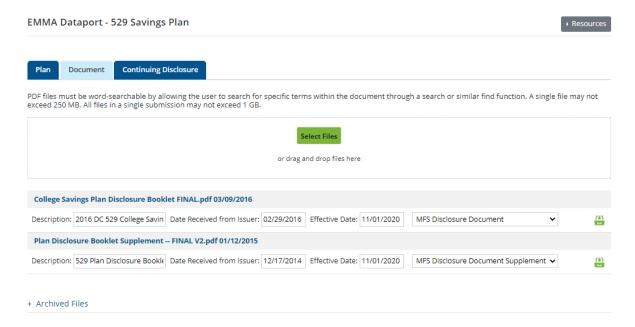
3. Click on the **529 Plan or ABLE Program Description** to view the Issue Information. The Plan tab is pre-populated with information from prior 529 plan/ABLE Program submissions. If the plan description is incorrect, change the plan description information.



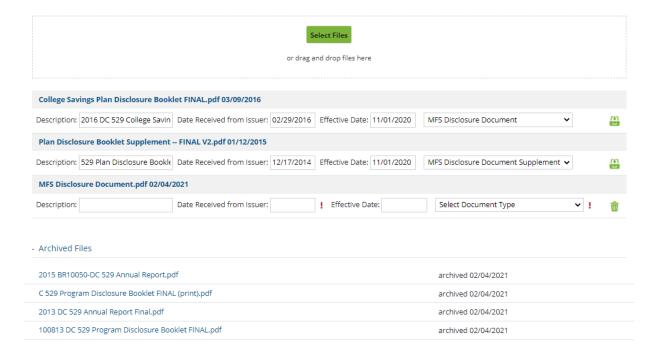


Since 529 Savings Plans/ABLE Programs are sold through a continuous offering and do not have a specific closing date as do other municipal securities, the closing date represents the date the 529 Savings Plan/ABLE Program is first sold to an investor.

4. If no other modifications are needed, click on the **Document** tab to upload the primary market disclosure documents.



During the update process, you may change anything you or your organization previously submitted. You can also add or archive documents. Your designated agent can make the same changes on your behalf. Be sure to **Publish** the updated submission to disseminate the results.



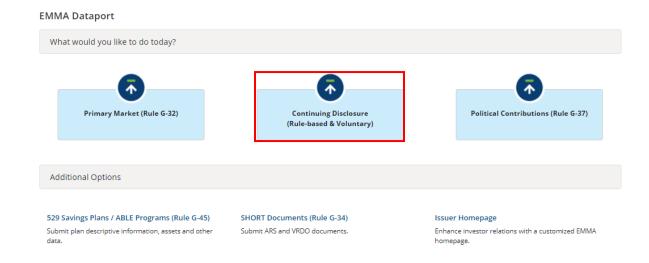
The update process also enables you to cancel the submission of a 529 Savings Plan/ABLE Program document that had been submitted. To cancel the submission, select the Cancel button at the bottom of the screen. Canceling your submission will remove it from the public view. You will not be able to restore a canceled submission.

Submission Status: MODIFICATION IN PROGRESS EMMA Dataport - 529 Savings Plan Plan Document **Continuing Disclosure** All applicable fields required for a complete submission. Issuer Name: DISTRICT OF COLUMBIA State: DC Plan Description: EDITED DC COLLEGE SAVINGS PLAN Closing Date: ? 09/02/2020 Cancel Offering

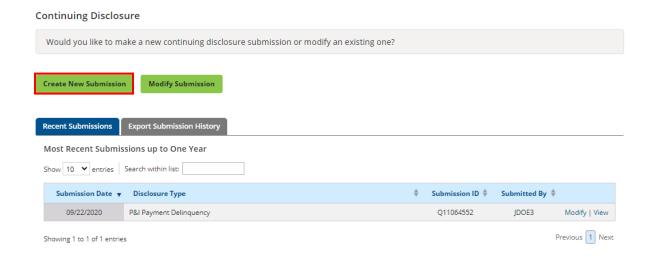
## **Part 3: Continuing Disclosure Submissions**

## **Creating a New Submission**

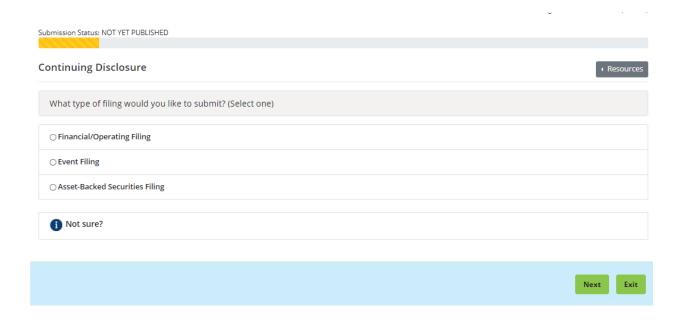
As with primary market submissions, a submitter must register through Gateway to make continuing disclosure submissions. After registration, log into EMMA Dataport and you will see the Continuing Disclosure (Rule-based & Voluntary) option.



After selecting Continuing Disclosure (Rule-Based & Voluntary) the following screen appear. Click Create New Submission to start a submission.

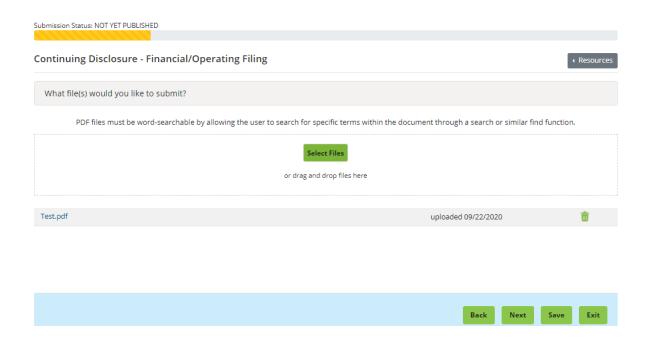


Begin by selecting the type of continuing disclosure you will submit – either a Financial/Operating Filing, an Event Filing, or Asset-Backed Securities Filing. (this manual assumes you are submitting a Financial/Operating Filing). Click Next to proceed.



## **Uploading a Document**

After selecting the type of continuing disclosure, click **Next**. The document upload screen appears.



There are certain constraints on documents that can be uploaded into EMMA Dataport. Each continuing disclosure document must be a portable document format (PDF) file configured to be saved, viewed, printed, and retransmitted by electronic means. The document must also be word-searchable, that is, allowing the user to search for specific terms used within the document through a search or find function available in most standard software packages.

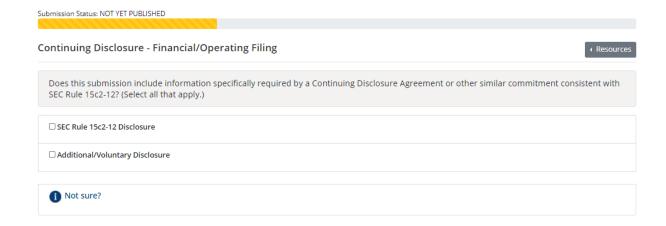
Diagrams, images and other non-textual elements are not required to be word-searchable. If the submitted file is a reproduction of the original document, the submitted file must maintain the graphical and textual integrity of the original document.

Use **Select Files** to locate the file on your computer. Click **Open**, then select the file or drag and drop it to transfer the file to EMMA Dataport. It is important that prior and subsequent to submission, the submitter review each page of the PDF to ensure that it is clear, readable and word-searchable.

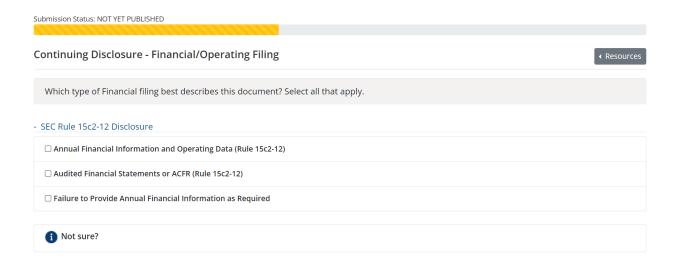
EMMA shows that the document has been uploaded by displaying the document name on the left side of the screen and the date uploaded on the right.

#### **Submitting an Annual or Periodic Filing**

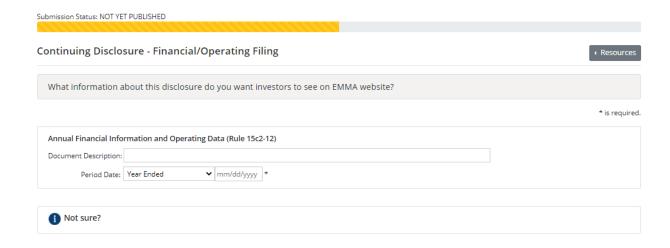
An annual or periodic filing may be made pursuant to SEC Rule 15c2-12 or may be made voluntarily.



To submit an annual or periodic filing, select the disclosure type, as shown below. You may select multiple types of disclosure.

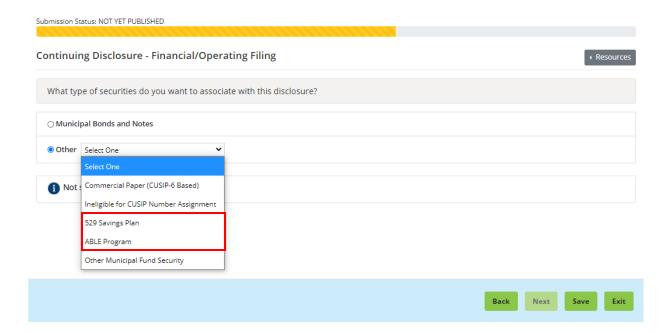


Enter the document title or other descriptive information in the free-text box labeled Document Description to provide additional details about the contents of the disclosure. Below the free-text box, enter the period covered by the disclosure. All dates, including the year ended, must be in the format mm/dd/yyyy. You may type the date or select a date from the calendar that appears when you select the field. Both the text and date fields will appear on the EMMA Website in connection with the uploaded document.

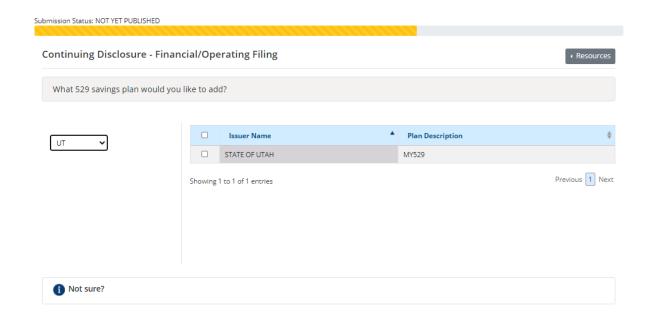


### **Associating Issues or Securities to the Disclosure**

Next you need to associate issues or securities to the disclosure. Select 529 Savings Plan or ABLE Program.

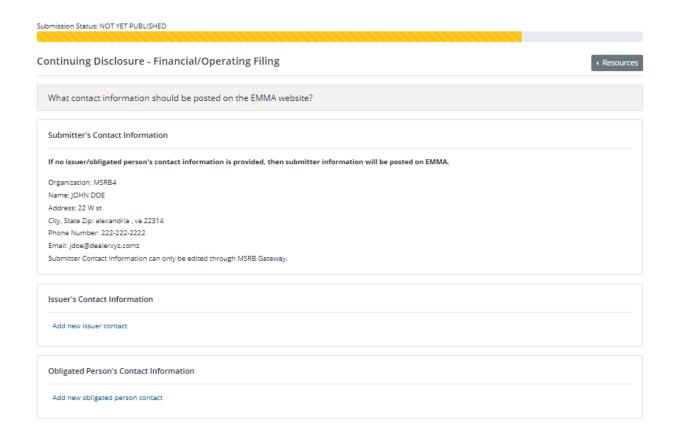


Select the state that you are associating to the submission, and then select the plan description(s) that you are associating to the submission.

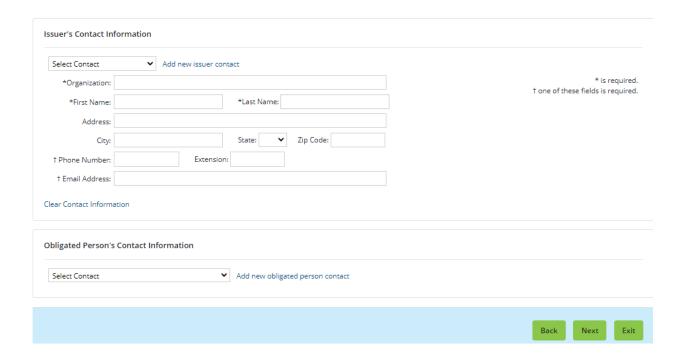


## **Associating Contacts to the Disclosure**

A submitter may provide contact information of persons whom the public can ask for further information. After the issues or securities are selected, the following screen appears:



Click the Add New Issuer Contact link to add the issuer's contact information. An obligor may not be applicable to issuers of 529 Savings Plans/ABLE Programs.





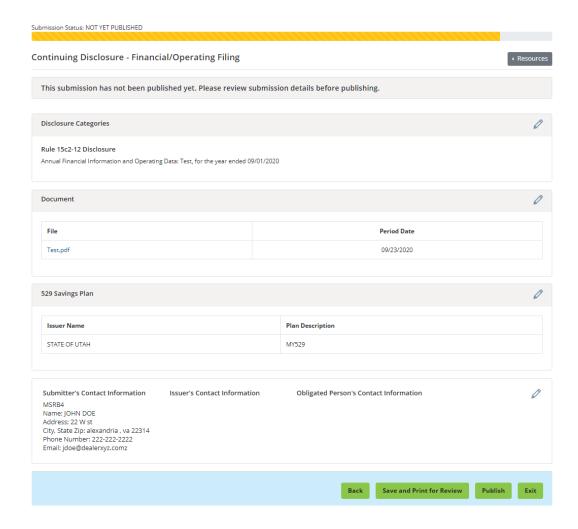
You must enter the contact's name and either the phone number or email address. If you do not enter an issuer's contact information, then EMMA will display the submitter's information.



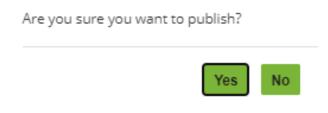
The Issuer contact information entered will need to be entered for each unique submitter. Each submitter must enter its own contact information.

# **Publishing a Submission**

The uploaded document is not yet disclosed to the public on the EMMA Website. You must click **Preview** to disclose the document. After filling out the contact information (if applicable), select the green Next button. The following screen appears, which allows you to preview all the information you are about to publish.

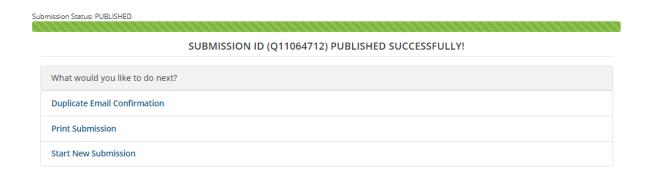


If any information on the Preview screen needs to be changed, click either the Pencil icon or the Back button until you reach the screen where the data was inputted. Once all information is correct, click **Publish**. The following pop-up appears.

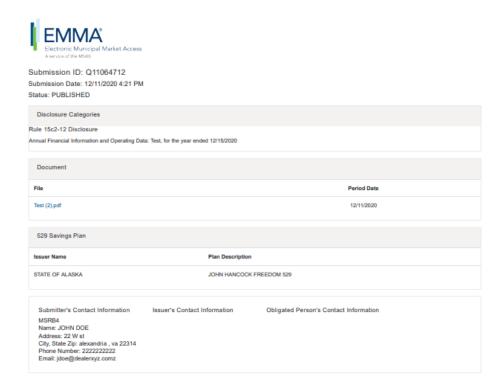


You may resume editing the document by clicking **No** or publish it by clicking **Yes**. When you publish a submission, a confirmation email will be sent to the submitter.

The confirmation screen gives the submitter a submission ID, as well as a chance to send a duplicate confirmation email by selecting the link and entering a separate email address.



This screen also gives the submitter a print/preview screen to allow the submitter to view their published submission. The submitter should select the print/preview button to retain a hardcopy record of the submission.



## **Part 4: Issuers Voluntary Basis Primary Market Submissions**

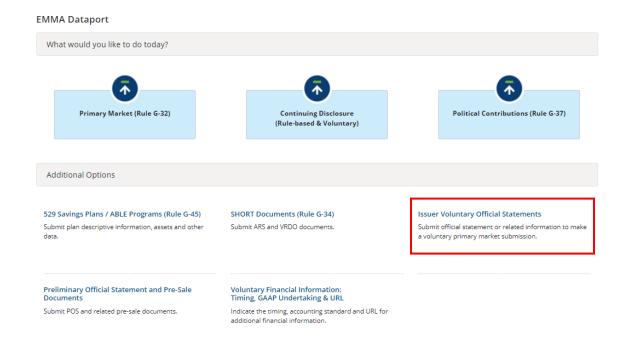
EMMA Dataport provides the capability for issuers of municipal securities to submit primary market documents and related information on a voluntary basis. Such documents include 529 Savings Plan/ABLE Program disclosure documents voluntarily submitted by issuers of state 529 Savings Plans/ABLE Programs.

These 529 Savings Plans/ABLE Programs may be submitted to EMMA so that a state issuer can disclose 529 Savings Plans/ABLE Programs sold directly to investors without the assistance of a dealer.

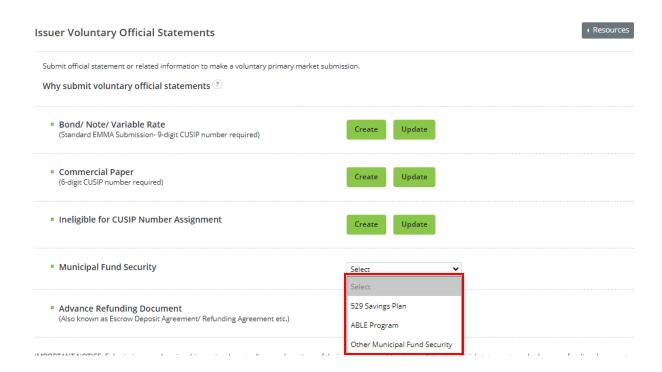


Voluntary submissions made by issuers of 529 Savings Plan/ABLE Program disclosure documents do not relieve underwriters of their submission obligations related to plan disclosure documents under MSRB Rule G-32, to the extent applicable.

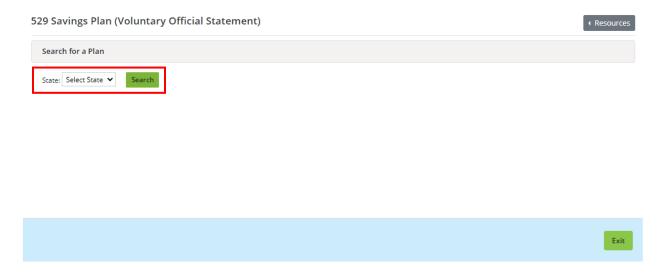
1. To submit a 529 Savings Plan/ABLE Program disclosure document go to EMMA Dataport and click the tab labeled **Issuer Voluntary Official Statements**.



2. Next, select the option from Municipal Fund Security drop down (529 Savings Plan or ABLE Program).



3. Select the state for which you are making the 529 Savings Plan/ABLE Program disclosure and then click the Search button.

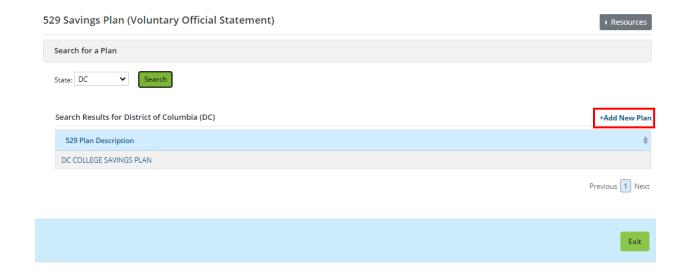


If information about a 529 Savings Plan/ABLE Program in a state has previously been submitted by an underwriter, issuer or a designated agent, the plan name will be displayed. 529 Savings Plans/ABLE Programs that are not listed as modifiable are listed for reference only and cannot be modified by an issuer.

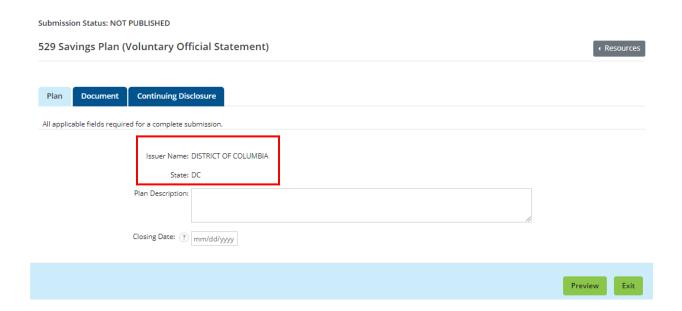
To modify an existing plan, click the plan/program description. Issuers can only modify plans submitted by issuers.

### Adding a New 529 Savings Plan/ABLE Program

To create a new plan disclosure document, click Add New Plan from the list of 529 Savings Plan/ABLE Program descriptions. You will be directed to the **Plan** tab.



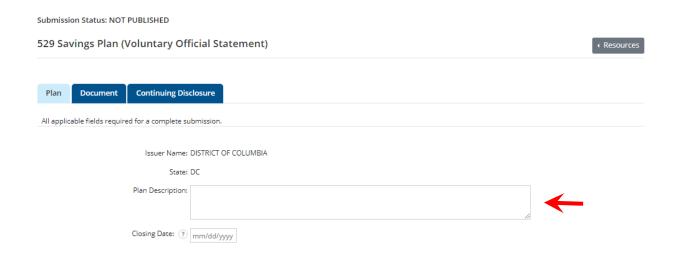
View the issue information on the **Plan** tab. The state and the full issuer name fields will be prepopulated.



Enter the plan description information and the plan disclosure closing date. The plan description describes the type of 529 Savings Plan/ABLE Program. It is important to describe the plan accurately since this information appears on the public website and informs investors about the plan.



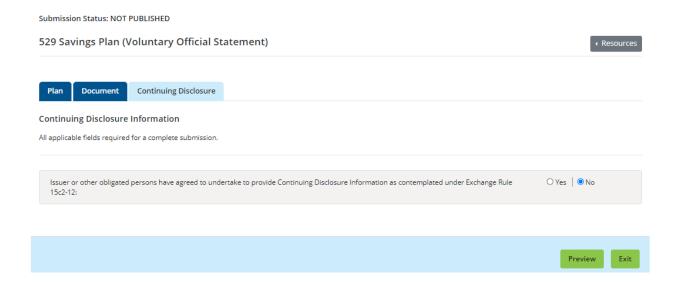
Since 529 Savings Plans/ABLE Programs are sold through a continuous offering and do not have a specific closing date as other municipal securities do, the closing date represents the date the 529 Savings Plan/ABLE Program is first sold to an investor.



#### **Continuing Disclosure Tab**

On the Continuing Disclosure Information tab, click the **No** button. 529 Savings Plan/ABLE Program disclosure documents that are voluntarily submitted by issuers are not subject to SEC Rule 15c2-12, and therefore the **Yes** option does not apply.

If the issuer agreed to provide continuing disclosure information as outlined by SEC Rule 15c2-12, then the submission is not voluntary and the Continuing Disclosure information must be submitted using the Primary Market tab. Refer to the Making a Primary Market Submission section.



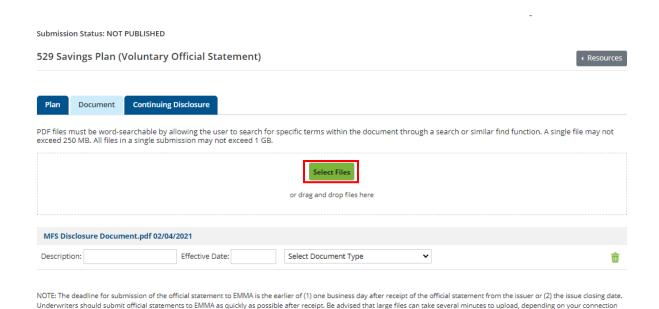
### **Uploading a Document**

Click on the **Document** tab. From the drop-down menu in the Upload Document box, select the document type: **MFS Disclosure Document**.

You may optionally enter a document description. Next, enter the Document Effective Date and click **Select Files** to navigate to the location of the file on your computer. You can also drag and drop files.



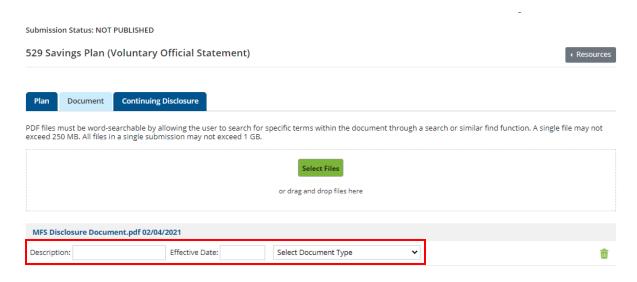
The file must be in word-searchable PDF format.



It is recommended that the plan disclosure document comprises a single file. If it is necessary to upload multiple files to provide the complete plan document, then click the **Select Files** button to continue uploading files until you have a complete plan.

After you upload the 529 Savings Plan/ABLE Program document, the document link, description, effective date, and type will be available to enter below the upload box.

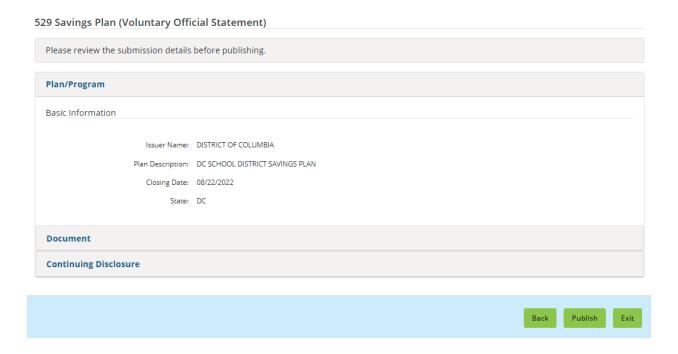
speed and the level of traffic on EMMA.



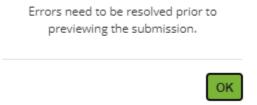
NOTE: The deadline for submission of the official statement to EMMA is the earlier of (1) one business day after receipt of the official statement from the issuer or (2) the issue closing date. Underwriters should submit official statements to EMMA as quickly as possible after receipt. Be advised that large files can take several minutes to upload, depending on your connection speed and the level of traffic on EMMA.

### **Publishing a Submission**

Information is not published on the EMMA website until you publish your submission. The Preview screen will display all the information you have entered for review before you Publish. You may update the information entered by clicking the **Back** button before you publish.



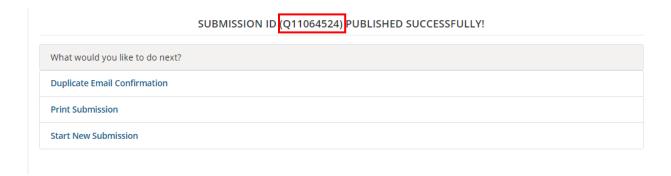
If any of the required fields are missing or invalid, then a red exclamation will appear next to them, and you will not be able to preview. You will receive a pop-up with the following message, "Errors need to be resolved prior to previewing the submission."



When the data files are satisfactory, click **Publish**, and then click **Yes** when the pop-up appear. Or **No** if some changes still need to be made.



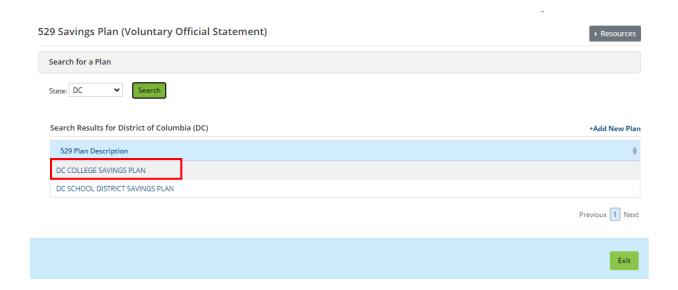
EMMA displays the following screen, which includes the Submission ID. You will need this ID to make updates later. Save the email confirmation from EMMA, which contains the submission ID, or save the submission ID separately.



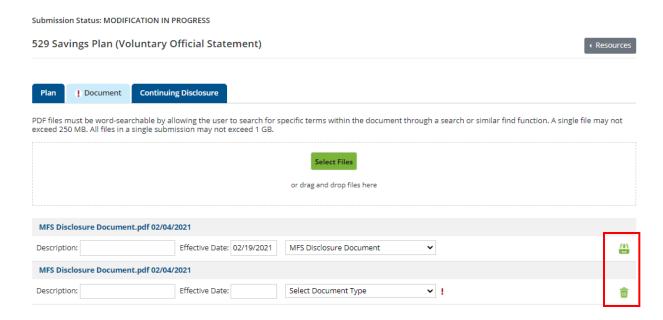
### **Modifying or Canceling a Voluntary Submission**

To modify a voluntary submission, select the 529 Savings Plan/ABLE Program from Municipal Fund Security dropdown.

Select the state and find the 529 Savings Plan/ABLE Program disclosure document you wish to modify.



During the update process, you may change anything you or your organization previously submitted. You can add or archive documents. Your designated agent can make the same changes on your behalf. Be sure to **Publish** the updated submission to disseminate the results.



The update process also enables you to cancel a 529 Savings Plan/ABLE Program document that your organization has submitted. To do so, select the Cancel button at the bottom of the screen. Canceling your submission will remove it from public view. You will not be able to restore a canceled submission.

