

Amend CSHB 3928 as follows:

(1) On page 11, line 9, between "(g-3)," and "(n)", insert "(h)".

(2) On page 11, line 9, strike "Subsection (t)" and substitute "Subsections (g-4) and (t)".

(3) On page 15, between lines 24 and 25, insert:

(g-4) A taxable entity that is a pharmacy cooperative shall exclude from its total revenue, to the extent included under Subsection (c)(1)(A), (c)(2)(A), or (c)(3), flow-through funds from rebates from pharmacy wholesalers that are distributed to the pharmacy cooperative's shareholders.

(h) If the taxable entity belongs to an affiliated group, the taxable entity may not exclude payments described by Subsection (f), (g), (g-1), (g-2), ~~or~~ (g-3), or (g-4) that are made to entities that are members of the affiliated group.