

By: Laubenberg

H.B. No. 3185

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the establishment of a health benefit exchange in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle G, Title 8, Insurance Code, is amended by adding Chapter 1511 to read as follows:

CHAPTER 1511. CERTAIN HEALTH BENEFIT EXCHANGES NOT AUTHORIZED

Sec. 1511.001. EXCHANGE NOT AUTHORIZED. (a) In this chapter, "exchange" means an American Health Benefit Exchange or Small Business Health Options Program (SHOP) Exchange described by the Patient Protection and Affordable Care Act (42 U.S.C. Section 18031).

(b) Notwithstanding any other law, this state or any agency of this state, or a municipality or other political subdivision of this state, including a department, bureau, board, commission, office, agency, or council, or a public institution of higher education, may not take measures to implement, establish, or maintain, or contract with a person or entity to implement, establish, or maintain, an exchange described by Subsection (a).

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.