

Amend Floor Amendment No. 6 by P. King to **SB 759** as follows:

(1) On page 1, strike lines 4 through 5, and substitute the following:

SECTION _____. Section 222.002, Insurance Code, is amended by amending Subsection (c) and adding Subsections (e) and (f) to read as follows:

(2) On page 2, strike lines 1 through 7, and substitute the following:

(7) additional premiums, revenues, or fees specific to the recoupment of health insurance provider fees due and paid for under the federal Patient Protection and Affordable Care Act (Pub. L. No. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152), whether separately stated or built into the rates charged for coverage, equal to the amount of the fee paid directly to the United States treasury that is proportional to Texas premium in relation to all United States premium.

(e) An entity described by Section 222.001 that is liable for the health insurance provider fees and reported premium tax on premium receipts under Subsection (c)(7) is entitled to a refund or credit of the amounts paid for tax years beginning January 1, 2013.

(f) An entity described by Section 222.001 that is liable for the health insurance provider fees must elect to report the amount of premium subject to the recoupment under Subsection (c)(7), whether separately stated or built into the rates charged for coverage. The method elected must be used by all companies in a group of insurers under common control.

(3) On page 2, strike lines 8 through 9, and substitute the following:

SECTION _____. Section 257.003, Insurance Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(3) Strike page 2, line 26 through page 3, line 1, and substitute the following:

(3) additional premiums, revenues, or other fees specific to the recoupment of health insurance provider fees due and paid under the federal Patient Protection and Affordable Care

Act (Pub. L. No. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152), whether separately stated or built into the rates charged for coverage, equal to the amount of the fee paid directly to the United States treasury that is proportional to this Texas premium in relation to all United States premium.

(c) An entity described by Section 257.001 that is liable for the health insurance provider fees and reported maintenance tax on premium receipts under Subsection (b)(3) is entitled to a refund or credit of the amounts paid for tax years beginning January 1, 2013.

(d) An entity described by Section 257.001 that is liable for the health insurance provider fees must elect to report the amount of premium subject to the recoupment under Subsection (b)(3), whether separately stated or built into the rates charged for coverage. The method elected must be used by all companies in a group of insurers under common control.