

By: King of Parker, Flynn,
Thompson of Brazoria

H.B. No. 2467

Substitute the following for H.B. No. 2467:

By: Frullo

C.S.H.B. No. 2467

A BILL TO BE ENTITLED

1 AN ACT

2 relating to excluding certain premiums, revenues, and fees from the
3 determination of certain insurers' taxable gross premiums or
4 revenues; affecting certain taxes.

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

6 SECTION 1. Section [222.002\(c\)](#), Insurance Code, is amended
7 to read as follows:

8 (c) The following are not included in determining an
9 insurer's taxable gross premiums or a health maintenance
10 organization's taxable gross revenues:

11 (1) returned premiums or revenues;

12 (2) dividends applied to purchase paid-up additions to
13 insurance or to shorten the endowment or premium payment period;

14 (3) premiums received from an insurer for reinsurance;

15 (4) premiums or revenues received from the treasury of
16 the United States for insurance or benefits contracted for by the
17 federal government in accordance with or in furtherance of Title
18 XVIII of the Social Security Act (42 U.S.C. Section 1395c et seq.)
19 and its subsequent amendments;

20 (5) premiums or revenues paid on group health,
21 accident, and life policies or contracts in which the group covered
22 by the policy or contract consists of a single nonprofit trust
23 established to provide coverage primarily for employees of:

24 (A) a municipality, county, or hospital district

1 in this state; or

2 (B) a county or municipal hospital, without
3 regard to whether the employees are employees of the county or
4 municipality or of an entity operating the hospital on behalf of the
5 county or municipality; ~~or~~

6 (6) premiums or revenues excluded by another law of
7 this state; or

8 (7) additional premiums, revenues, or fees related to
9 an insurer's recoupment of the health insurance providers fee
10 imposed under Section 9010 of the federal Patient Protection and
11 Affordable Care Act (Pub. L. No. 111-148), as amended by the Health
12 Care and Education Reconciliation Act of 2010 (Pub. L.
13 No. 111-152), whether the premiums, revenues, or fees are stated
14 separately or included in the rates charged for coverage.

15 SECTION 2. Section 257.003(b), Insurance Code, is amended
16 to read as follows:

17 (b) The gross premiums on which an assessment is based under
18 this chapter may not include:

19 (1) premiums received from the United States for
20 insurance contracted for by the United States in accordance with
21 or in furtherance of Title XVIII of the Social Security Act (42
22 U.S.C. Section 1395c et seq.) and its subsequent amendments; ~~or~~

23 (2) premiums paid on group health, accident, and life
24 policies in which the group covered by the policy consists of a
25 single nonprofit trust established to provide coverage primarily
26 for employees of:

27 (A) a municipality, county, or hospital district

1 in this state; or

2 (B) a county or municipal hospital, without
3 regard to whether the employees are employees of the county or
4 municipality or of an entity operating the hospital on behalf of the
5 county or municipality; or

6 (3) additional premiums, revenues, or fees related to
7 an insurer's recoupment of the health insurance providers fee
8 imposed under Section 9010 of the federal Patient Protection and
9 Affordable Care Act (Pub. L. No. 111-148), as amended by the Health
10 Care and Education Reconciliation Act of 2010 (Pub. L.
11 No. 111-152), whether the premiums, revenues, or fees are stated
12 separately or included in the rates charged for coverage.

13 SECTION 3. The change in law made by this Act applies only
14 to a tax liability accruing on or after January 1, 2013.

15 SECTION 4. The comptroller of public accounts shall adopt
16 rules necessary to implement the changes in law made by this Act.

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2015.