AMENDMENT TO H.R. 4015

OFFERED BY MR. KILDEE OF MICHIGAN

At the end of the bill, add the following:

SEC. 10. CONTINUED ELIGIBILITY FOR HEALTH CARE TAX CREDIT FOR CERTAIN PBGC PENSION RECIPIENTS AFTER 2013.

(a) IN GENERAL.—Subsection (b) of section 35 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(3) EXCEPTION.—

“(A) IN GENERAL.—Paragraph (1) shall be applied without regard to subparagraph (B) thereof for months after 2013 for so long as there is not a break in coverage in the case of an eligible PBGC pension recipient for whom December 2013 is an eligible coverage month.

“(B) COORDINATION.—If, for any month, subparagraph (A) applies and the individual is an eligible individual—

“(i) such month shall not be taken into account under section 36B,

“(ii) no penalty shall be imposed under section 5000A with respect to the el-
igible individual or any family member who is covered by qualified health insurance, and

“(iii) the eligible individual shall not be treated as an eligible insured for purposes of section 1402 of the Patient Protection and Affordable Care Act (relating to reduced cost-sharing for individuals enrolling in qualified health plans).

“(C) ELECTION.—Subparagraph (A) shall not apply with respect to an eligible individual if the individual elects not to have a month treated as an eligible coverage month. Such election, once made, shall be irrevocable, and the individual may not thereafter be treated as an eligible individual for purposes of this section.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to months after December 2013.