SB0802/157975/1

BY: Finance Committee

<u>AMENDMENTS TO SENATE BILL 802</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 1, in the sponsor line, strike "and Zucker" and substitute "<u>Zucker, Smith,</u> <u>Ellis, Griffith, Kramer, Peters, and Pinsky</u>"; strike beginning with "establishing" in line 12 down through the second "Fund;" in line 14; strike beginning with "exempting" in line 20 down through "State;" in line 22 and substitute "<u>requiring the Comptroller to</u> <u>include a certain checkoff on a certain State income tax return form;</u>"; in line 24, strike "authorizing" and substitute "<u>requiring</u>"; in the same line, after "a" insert "<u>certain</u>"; in the same line, strike "for the information"; and in line 28, after "Comptroller" insert "<u>,</u> <u>in consultation with the Exchange and with the advice of the Workgroup,</u>".

On pages 1 and 2, strike beginning with the second "and" in line 29 on page 1 down through "notices" in line 4 on page 2.

On page 2, strike beginning with "providing" in line 4 down through "notice;" in line 26; strike beginning with "requiring" in line 26 down through "dates;" in line 30; in line 31, strike "authorizing" and substitute "<u>requiring</u>"; strike beginning with "stating" in line 32 down through "Assembly;" in line 33; in line 33, after "to" insert "<u>advise the</u> <u>Comptroller on certain language and to</u>"; and in line 34, after "date;" insert "<u>requiring</u> <u>the Comptroller to ensure that a certain tax system has certain capability and to submit</u> <u>a certain report to the General Assembly on or before a certain date;</u>".

On page 3, in line 4, strike "31–208" and substitute "<u>31–207</u>"; strike in their entirety lines 8 through 22, inclusive; strike beginning with the semicolon in line 25 down through "Coverage"" in line 26; and strike in their entirety lines 29 through 33, inclusive.

<u>AMENDMENT NO. 2</u>

(Over)

On pages 3 through 5, strike in their entirety the lines beginning with line 34 on page 3 through line 2 on page 5, inclusive.

On pages 7 and 8, strike beginning with "**SECRETARY**" in line 30 on page 7 down through "**§ 5000A**" in line 2 on page 8 and substitute "**EXCHANGE RECOGNIZES, CONSISTENT WITH POLICY GOALS OF SUBTITLE 2 OF THIS TITLE**".

On page 9, strike in their entirety lines 6 and 7; in lines 8, 15, 17, 19, and 21, strike "**(F)**", "**(H)**", "**(I)**", "**(J)**", and "**(K)**", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively; and strike in their entirety lines 13 and 14.

On page 9, in line 23, strike "**(L)**" and substitute "**(J)**".

On page 10, in line 10, strike "**(M)**" and substitute "**(K)**"; and strike in their entirety lines 14 through 26, inclusive.

On page 11, in line 9, after "**COVERAGE;**" insert "**AND**"; strike in their entirety lines 10 through 12, inclusive; in line 13, strike "**(5)**" and substitute "**(4)**"; and in line 22, strike "**§§ 14–103(A) AND 14–201(B)**" and substitute "**§ 2–115(D)**".

On pages 13 through 15, strike in their entirety the lines beginning with line 6 on page 13 through line 3 on page 15, inclusive.

On page 15, in line 4, strike "**31–205.**" and substitute "**31–204.**"; in line 8, strike "**§ 2–215(C)(3)**" and substitute "**§ 2–115(C)(3)**"; in line 16, strike "**§ 2–215(C)(5)**" and substitute "**§ 2–115(B)(2)**"; and in line 28, strike "**OTHER**".

On page 16, in line 23, strike "**31–206.**" and substitute "**31–205.**"; and in line 25, strike "**§ 31–205**" and substitute "**§ 31–204**".

On page 17, in line 12, strike "**31–207.**" and substitute "**31–206.**"; in lines 15, 16, and 22, strike "**§ 31–206**", "**§ 31–205**", and "**§ 2–215(C)(3)**", respectively, and substitute "**§ 31–205**", "**§ 31–204**", and "**§ 2–115(C)(3)**", respectively; in line 19, strike "**(I)**"; and strike in their entirety lines 24 through 26, inclusive.

On page 18, in line 3, strike "**UNINSURED**"; in line 9, strike "**(1)**" and substitute "**(2)**"; in line 11, strike "**§ 33–501**" and substitute "**§ 31–204**"; and in the same line, strike "**TITLE**" and substitute "**SUBTITLE**".

On pages 18 through 20, strike in their entirety the lines beginning with line 12 on page 18 through line 15 on page 20, inclusive.

On page 20, in line 16, strike "**31–208.**" and substitute "**31–207.**".

On pages 20 and 21, strike in their entirety the lines beginning with line 24 on page 20 through line 4 on page 21, inclusive.

AMENDMENT NO. 3
On page 21, strike in their entirety lines 25 and 26; and in line 27, strike "**(8)**" and substitute "**(7)**".

On page 22, in lines 1, 3, 5, and 9, strike "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively, and substitute "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively; in line 11, after "**(1)**" insert "**THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL INCOME TAX RETURN FORM A CHECKOFF FOR INDICATING WHETHER THE INDIVIDUAL, OR EACH SPOUSE IN THE CASE OF A JOINT RETURN, AND ANY INDIVIDUAL CLAIMED AS A DEPENDENT ON THE TAX RETURN IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED.**

(2)";

strike beginning with "**LACKED**" in line 12 down through "**FILED**" in line 14 and substitute "**IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED**"; strike beginning with "**WHETHER**" in line 16 down through "**FILED**" in line 17 and substitute "**THE AGE OF EACH UNINSURED INDIVIDUAL**"; and strike beginning with "**IF**" in line 18 down through "**FILED,**" in line 19.

On page 22, in line 32, strike "**(2)**" and substitute "**(3)**".

On page 23, strike in their entirety lines 7 through 14, inclusive, and substitute:

"**(C)   (1)   IN ACCORDANCE WITH THIS SUBSECTION, THE COMPTROLLER SHALL INCLUDE WITH THE INCOME TAX RETURN FORM A SEPARATE FORM THAT IS REQUIRED ONLY FOR INDIVIDUALS WHO FILE A TAX RETURN INDICATING THAT AN INDIVIDUAL IS AN UNINSURED INDIVIDUAL AT THE TIME THE TAX RETURN IS FILED.**

(2)   THE SEPARATE FORM SHALL INCLUDE TWO CHECK–OFF BOXES AS DESCRIBED IN PARAGRAPHS (3) AND (4) OF THIS SUBSECTION AND THE INFORMATION DESCRIBED IN SUBSECTION (B)(2) AND (3) OF THIS SECTION.";

strike beginning with "**DETERMINE**" in line 16 down through "**INFORMATION**" in line 19 and substitute "**:**

(I)   BASED ON INFORMATION IN THE INDIVIDUAL'S TAX RETURN, DETERMINE THE UNINSURED INDIVIDUAL'S ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS; AND

(II)   OBTAIN ADDITIONAL DATA THAT MAY BE RELEVANT TO DETERMINE THE UNINSURED INDIVIDUAL'S ELIGIBILITY FOR INSURANCE AFFORDABILITY PROGRAMS";

in line 21, strike the colon; in line 22, strike "(I)"; in the same line, strike "DETERMINATIONS" and substitute "DETERMINATION"; strike beginning with the semicolon in line 23 down through "RETURN" in line 26; and in line 27, after "COMPTROLLER" insert ", IN CONSULTATION WITH THE EXCHANGE AND WITH THE ADVICE OF THE ADVISORY WORKGROUP,".

On page 23, strike beginning with "THAT" in line 29 down through "POSSIBLE" in line 30; in line 31, strike "INCLUDE WITH" and substitute "DEVELOP LANGUAGE FOR"; and in line 32, after "RETURN" insert "THAT INCLUDES".

On page 24, in line 2, strike "SUBSECTION (B)(1)(III) OF"; strike beginning with "PROVIDE" in line 3 down through "WORKGROUP" in line 4 and substitute "ENSURE THAT THE LANGUAGE DEVELOPED UNDER ITEM (I) OF THIS PARAGRAPH IS AS SIMPLE, CLEAR, AND EASY TO UNDERSTAND AS POSSIBLE"; in line 10, after "(D)" insert "(1)"; in the same line, strike "§§ 14–103(C) AND 14–201(B) OF THIS ARTICLE" and substitute "PARAGRAPH (2) OF THIS SUBSECTION"; and after line 12, insert:

"(2)   IF THE COMPTROLLER DETERMINES, AFTER CONSULTATION WITH THE EXCHANGE, THAT THE IMPLEMENTATION OF THIS SECTION IS NOT ADMINISTRATIVELY FEASIBLE FOR TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2018, THE COMPTROLLER MAY DELAY IMPLEMENTATION OF THIS SECTION TO TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2019.".

On pages 24 through 38, strike in their entirety the lines beginning with line 13 on page 24 through line 36 on page 37, inclusive.

AMENDMENT NO. 4

On page 38, strike in their entirety lines 1 through 19, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Health Insurance Option Advisory Workgroup required to be established under § 31–203 of the Insurance Article, as enacted by Section 1 of this Act, shall:

(1)   advise the Comptroller on the language the Comptroller is required to develop under § 2–115(c) of the Tax – General Article, as enacted by Section 1 of this Act; and

(2)   on or before December 31, 2022, report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(i)   the effectiveness of the Maryland Health Insurance Option established under Section 1 of this Act;

(ii)   recommendations as to whether implementing an individual responsibility amount or implementing automatic enrollment of individuals in a qualified health benefit plan in the individual market is feasible and in the best interest of the State; and

(iii)   if the Workgroup determines that implementing an insurance responsibility amount is feasible and in the best interest of the State, the dollar amount of the individual responsibility amount and whether the State should provide an individual the option of obtaining health insurance instead of paying the individual responsibility amount.

SECTION 3. AND BE IT FURTHER ENACTED, That the Comptroller of the State shall:

(1)   ensure that the integrated tax system to which the Office of the Comptroller is currently transitioning is a system that has the capability to collect individual responsibility amounts; and

(2)   on or before December 1, 2020, report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the progress the Office of the Comptroller has made in transitioning to the integrated tax system and the costs and time needed to include functionality to process and collect individual responsibility amounts in the integrated tax system.";

and in lines 20, 24, and 29, strike "5.", "6.", and "7.", respectively, and substitute "4.", "5.", and "6.", respectively.